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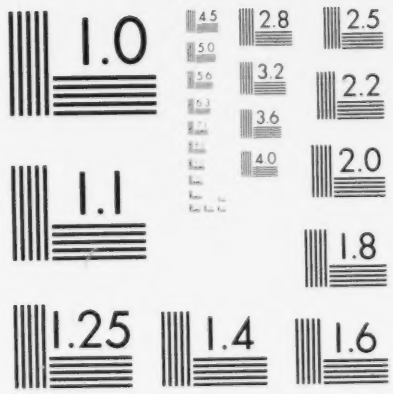

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NATIONAL BUREAU OF STANDARDS-1963-A

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ABSTRACT

This report of Senate committee hearings on legislation to amend the Higher Education Act of 1965, the Vocational Educational Act 1963, and related acts and bills presents testimony by various senators, the Secretary of H.E.W., the U.S. Commissioner of Education, and other persons in the field of education, and letters from college and university administrators regarding the proposals. The proposals deal with Federal assistance to higher education, the creation of the National Institute of Education, the creation of the National Foundation on Higher Education, Indian education, and other educational matters deemed to require consideration. (HS)

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EDUCATION AMENDMENTS OF 1971

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HEARINGS

BEFORE THE

SUBCOMMITTEE ON EDUCATION

OF THE

COMMITTEE ON

LABOR AND PUBLIC WELFARE

UNITED STATES SENATE

NINETY-SECOND CONGRESS

FIRST SESSION

ON

S. 659

A BILL TO AMEND THE HIGHER EDUCATION ACT OF 1965, THE VOCATIONAL EDUCATION ACT OF 1963, AND RELATED ACTS, AND FOR OTHER PURPOSES

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U.S. DEPARTMENT OF HEALTH, EDUCATION & WELFARE
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EDUCATION AMENDMENTS OF 1971

HEARINGS

BEFORE THE

SUBCOMMITTEE ON EDUCATION

OF THE

COMMITTEE ON LABOR AND PUBLIC WELFARE UNITED STATES SENATE

NINETY-SECOND CONGRESS

FIRST SESSION

ON

S. 659

TO AMEND THE HIGHER EDUCATION ACT OF 1965, THE VOCATIONAL EDUCATIONAL ACT OF 1963, AND RELATED ACTS, AND FOR OTHER PURPOSES

AND RELATED BILLS

MARCH 3, 1971

PART 1

Printed for the use of the
Committee on Labor and Public Welfare

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EDUCATION AMENDMENTS OF 1971

WEDNESDAY, MARCH 3, 1971

U.S. SENATE,
SUBCOMMITTEE ON EDUCATION OF THE
COMMITTEE ON LABOR AND PUBLIC WELFARE,
Washington, D.C.

The Subcommittee met at 10 a.m., in room 4232, New Senate Office Building, Senator Claiborne Pell (Chairman of the subcommittee) presiding.

Present: Senators Pell, Javits, and Beall.

Staff members present: Stephen J. Wexler, Counsel; Richard D. Smith, Associate Counsel; and Roy H. Millenson, Minority professional staff member.

Senator PELL. The Subcommittee on Education hearings on the Education Amendments of 1971 will come to order.

Today the subcommittee will hear the views of the administration on the problems of higher education, vocational education, the proposed National Institute of Education, the proposed National Foundation on Higher Education, Indian education, and other education matters that are deemed to require action this year.

Our hearing today will deal specifically with Federal assistance to higher education. Present authorizations expire June 30 of this year. In order to be timely and discharge our responsibilities, both to the Congress and to the country, we should enact a bill not only before the expiration of the fiscal year but in good time so that the Appropriations Committees can take the results of our action into their purview in order to make funds available for the next school year. And I say this with cognizance of the automatic extension legislation enacted in Public Law 91-230.

The higher education portions of the bills will in all possibility generate the most controversy. My own bill, S. 659, cosponsored by Messrs. Williams, Randolph, Kennedy, Mondale, Nelson, Eagleton, Cranston, Hughes, and Stevenson, and the administration's proposal which has not yet been introduced, appear to take two different approaches and views as to the role and scope of Federal assistance to higher education.

(A copy of S. 659 and related bills and other pertinent information follow:)

92D CONGRESS
1ST SESSION

S. 659

IN THE SENATE OF THE UNITED STATES

FEBRUARY 8 (legislative day, JANUARY 26), 1971

Mr. PELL (for himself, Mr. WILLIAMS, Mr. RANDOLPH, Mr. KENNEDY, Mr. NELSON, Mr. MONDALE, Mr. EAGLETON, Mr. CRANSTON, Mr. HUGHES, and Mr. STEVENSON) introduced the following bill; which was read twice and referred to the Committee on Labor and Public Welfare

A BILL

To amend the Higher Education Act of 1965, the Vocational Educational Act of 1963, and related Acts, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That this Act, with the following table of contents, may be
4 cited as the "Education Amendments of 1971".

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Sec. 104. Evaluation of activities.

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Sec. 122. Waiver of maintenance of effort requirement.
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PART D—STUDENT ASSISTANCE

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Sec. 143. Identifying qualified low-income students; preparing them for postsecondary education; special services for such students in institutions of higher education.
Sec. 144. Insured student loans—extension of program.
Sec. 145. Secondary market for student loans.
Sec. 146. Extension of the Emergency Insured Student Loan Act of 1969.
Sec. 147. College work study program.
Sec. 148. Cooperative education.
Sec. 149. Federal loans to students in institutions of higher education.
Sec. 150. Eligibility for student assistance.

PART E—EDUCATION PROFESSIONS DEVELOPMENT

Sec. 151. Extension of authorization of appropriations.
Sec. 152. Functions of, and compensation for, the Director of the Teacher Corps.

PART F—INSTRUCTIONAL EQUIPMENT

Sec. 171. Extension of authorization of appropriations.

PART G—ACADEMIC FACILITIES

Sec. 161. Transfer of the provisions of the Higher Education Facilities Act of 1963.
Sec. 162. Extension of authorizations of appropriations for the Higher Education Act of 1965.
Sec. 163. State higher education commissions.

PART H—NETWORKS FOR KNOWLEDGE EXTENSION

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PART I—GRADUATE PROGRAMS AND FELLOWSHIPS

Sec. 181. New titles IX and X of the Higher Education Act of 1965.
Sec. 182. Extension of titles IV and VI of the National Defense Education Act of 1958 and of the International Education Act.

PART J—LAW SCHOOL CLINICAL EXPERIENCE PROGRAMS

Sec. 191. Extension of authorization of appropriations.

TITLE II—VOCATIONAL EDUCATION GRANTS TO STATES; RESEARCH

Sec. 201. Special programs for the disadvantaged.
Sec. 202. Exemplary programs and projects.
Sec. 203. Residential vocational schools.
Sec. 204. Consumer and homemaking education.
Sec. 205. Cooperative vocational education.
Sec. 206. Work-study programs.
Sec. 207. Curriculum development.

TITLE III—ESTABLISHMENT OF A NATIONAL FOUNDATION FOR HIGHER EDUCATION AND A NATIONAL INSTITUTE FOR EDUCATION

Sec. 301. Amendment to the General Education Provisions Act.

TITLE IV—MISCELLANEOUS

Sec. 401. Administration of programs and projects.
Sec. 402. Extension of authorization of appropriations of title III of the National Defense Education Act of 1958.
Sec. 403. Study and report on rules and regulations.

1 TITLE I—HIGHER EDUCATION

2 PART A—AMENDMENTS RELATING TO COMMUNITY

3 SERVICE AND CONTINUING EDUCATION PROGRAMS

4 EXTENSION OF AUTHORIZATION OF APPROPRIATIONS

5 SEC. 101. (a) Section 101 of the Higher Education Act

6 of 1965 is amended by striking out all that follows "author-

7 ized to be appropriated" and inserting in lieu thereof the

8 following: "$60,000,000 for the fiscal year ending June 30,

9 1972, and for each of the succeeding fiscal years ending prior

10 to July 1, 1976.".

11 (b) The amendment made by subsection (a) shall be

12 effective after June 30, 1971.

13 SPECIAL PROGRAMS AND PROJECTS RELATING TO

14 NATIONAL AND REGIONAL PROBLEMS

15 SEC. 102. (a) (1) Sections 106, 107, 108, 109, 110,

1 and 111 of the Higher Education Act of 1965, and all ref-
2 erences thereto, are redesignated as sections 107, 108, 109,
3 110, 111, and 112, respectively. Title I of such Act is
4 amended by inserting after section 105 the following new
5 section:

6 "SPECIAL PROGRAMS AND PROJECTS RELATING TO
7 NATIONAL AND REGIONAL PROBLEMS

8 "SEC. 106. (a) The Commissioner is authorized to
9 reserve from the sums appropriated pursuant to section 101
10 for any fiscal year an amount not in excess of 10 per centum
11 of the sums so appropriated for that fiscal year for grants
12 pursuant to subsection (b).

13 "(b) (1) From the sums reserved under subsection (a),
14 the Commissioner is authorized to make grants to, and con-
15 tracts with, institutions of higher education (and combina-
16 tions thereof) to assist them in carrying out special programs
17 and projects which are designed to seek solutions to national
18 and regional problems relating to urbanization, technological
19 and social changes, and environmental pollution.

20 "(2) No grant or contract under this section shall exceed
21 66⅔ per centum of the cost of the program or project for
22 which application is made.".

23 (2) Section 103 (a) of such title I is amended by strik-
24 ing out that part of the language which precedes ", the Com-

1 missioner" and by inserting in lieu thereof "From the sums
2 appropriated pursuant to section 101 for any fiscal year
3 which are not reserved under section 106 (a)".
4 (b) The amendments made by subsection (a) shall be
5 effective with respect to appropriations for fiscal years be-
6 ginning after the enactment of this Act and then only to the
7 extent that the appropriation for any such fiscal year exceeds
8 $9,500,000.
9 METROPOLITAN AREA PROGRAMS
10 SEC. 103. (a) Sections 110, 111, and 112 (as so desig-
11 nated by section 102) of the Higher Education Act of 1965,
12 and all references thereto, are redesignated as sections 111,
13 112, and 113, respectively. Title I of such Act is amended
14 by inserting after section 109 the following new section:
15 "METROPOLITAN AREA PROGRAMS
16 "SEC. 110. (a) The Commissioner is authorized to make
17 grants to institutions of higher education (and combinations
18 thereof) which are located within, or adjacent to, standard
19 metropolitan statistical areas to assist such institutions in
20 planning, developing, and carrying out comprehensive pro-
21 grams specifically designed to apply the resources of higher
22 education to the problems of the urban communities within
23 standard metropolitan statistical areas.
24 "(b) For the purposes of making grants under this sec-

1 tion, there are authorized to be appropriated $5,000,000
2 for the fiscal year ending June 30, 1972, and for each of the
3 succeeding fiscal years ending prior to July 1, 1976.".
4 (b) The amendments made by subsection (a) shall be
5 effective after June 30, 1971.
6 EVALUATION OF ACTIVITIES
7 SEC. 104. (a) During the period beginning with the date
8 of enactment of this Act and ending July 1, 1973, the Com-
9 missioner shall conduct a review of the programs and projects
10 carried out with assistance under title I of the Higher Educa-
11 tion Act of 1965 prior to July 1, 1971. Such review shall
12 include an evaluation of specific programs and projects with
13 a view toward ascertaining which of them have shown (1)
14 the greatest promise in achieving the purposes of such title,
15 and (2) the greatest return for the resources devoted to
16 them. Such review shall be carried out by direct evaluations
17 by the Commissioner, by the utilization of other agencies,
18 institutions, and groups, and by the use of independent ap-
19 praisal units.
20 (b) Not later than July 1, 1974, the Commissioner shall
21 submit to the Chairman of the Committee on Labor and
22 Public Welfare of the Senate and the Chairman of the Com-
23 mittee on Education and Labor of the House of Represent-
24 atives a report on the review conducted pursuant to sub-
25 section (a). Such report shall include (1) an evaluation

1 of the program authorized by title I of the Higher Educa-
2 tion Act of 1965 and of specific programs and projects as-
3 sisted under such title, (2) a description and an analysis of
4 programs and projects which are determined to be most suc-
5 cessful, and (3) recommendations with respect to the means
6 by which the most successful programs and projects can be
7 expanded and replicated.

8 (c) Sums appropriated under section 401 (c) of the
9 General Education Provisions Act for the purposes of section
10 402 of such Act shall be available to carry out the purposes
11 of this section.

12 PART B—COLLEGE LIBRARY PROGRAMS

13 AUTHORIZATION OF APPROPRIATIONS

14 SEC. 121. (a) Title II of the Higher Education Act of
15 1965 is amended by striking out "PART A—COLLEGE
16 LIBRARY RESOURCES" and by striking out all of section 201
17 and inserting in lieu thereof the following:

18 "COLLEGE LIBRARY PROGRAMS; TRAINING; RESEARCH

19 "SEC. 201. (a) The Commissioner shall carry out a
20 program of assistance—

21 "(1) to assist and encourage institutions of higher
22 education in the acquisition of library resources, in ac-
23 cordance with part A; and

24 "(2) to assist with research and training persons
25 in librarianship, in accordance with part B.

1 "(b) For the purpose of making grants under parts
2 A and B, there are authorized to be appropriated $130,000,-
3 000 for the fiscal year ending June 30, 1972, and for each
4 of the succeeding fiscal years ending prior to July 1, 1976.
5 Of the sums appropriated pursuant to the preceding sentence
6 for any fiscal year, 70 per centum shall be for the purposes
7 of part A and 30 per centum shall be for the purposes of
8 part B, except that the amount available for the purposes of
9 part B for any fiscal year shall not be less than the amount
10 appropriated for such purposes for the fiscal year ending
11 June 30, 1971.
12 "(c) For the purposes of this title—
13 "(1) the term 'library resources' means books, peri-
14 odicals, documents, magnetic tapes, phonograph records,
15 audiovisual materials, and other related library mate-
16 rials, including necessary binding; and
17 "(2) the term 'librarianship' means the principles
18 and practices of the library and information sciences, in-
19 cluding the acquisition, organization, storage, retrieval,
20 and dissemination of information, and reference and re-
21 search use of library and information resources.
22 "PART A—COLLEGE LIBRARY RESOURCES".
23 (b) Section 202 of such title II is amended by striking
24 out that part of the first sentence which precedes "institutions

1 of higher education" and inserting in lieu thereof the follow-
2 ing: "From the amount available for grants under this part
3 pursuant to section 201 for any fiscal year, the Commissioner
4 shall make basic grants for the purposes set forth in section
5 201 (a) (1) to".

6 (c) Section 203 of such title II is amended by striking
7 out that part of the first sentence which precedes "supple-
8 mental grants" and inserting in lieu thereof the following:
9 "From that part of the sums appropriated pursuant to section
10 201 for the purposes of this part for any fiscal year which
11 remains after making basic grants pursuant to section 202,
12 and which is not reserved for the purposes of section 204, the
13 Commissioner shall make", and by striking out "section 201"
14 where it appears after "set forth in" and inserting in lieu
15 thereof "section 201 (a) (1)".

16 (d) (1) Section 204 (a) (1) of such title II is amended
17 to read as follows:

18 "(1) From the sums appropriated pursuant to section
19 201 for the purposes of this part for any fiscal year, the
20 Commissioner is authorized to reserve not to exceed 25 per
21 centum thereof for the purposes of this section.".

22 (2) Section 204 (a) (2) of such title II is amended
23 by striking out that part of the first sentence which precedes
24 "may be used to make" and inserting in lieu thereof "sums
25 reserved pursuant to paragraph (1)".

1 (3) Section 204 (a) of such title II is amended by
2 striking out paragraph (3).
3 (e) (1) Part B of such title II is amended by striking
4 out sections 221 and 222 and inserting in lieu thereof the
5 following:
6 "TRAINING AND RESEARCH PROGRAMS
7 "SEC. 221. From the amount available for grants under
8 this part pursuant to section 201 for any fiscal year, the
9 Commissioner shall carry out a program of making grants
10 in accordance with sections 222 and 223. Of such amount,
11 $66\frac{2}{3}$ per centum shall be available for the purposes of section
12 222 and $33\frac{1}{3}$ per centum shall be available for the purposes
13 of section 223."
14 (2) Such part B is further amended by striking out sec-
15 tion 225; and sections 223 and 224 of such part, and all
16 references thereto, are redesignated as sections 222 and 223,
17 respectively.
18 (f) The amendments made by this section shall be
19 effective after, and only with respect to appropriations for
20 fiscal years beginning after, June 30, 1971.
21 WAIVER OF MAINTENANCE OF EFFORT REQUIREMENT
22 SEC. 122. (a) Section 202 of title II of the Higher
23 Education Act of 1965 is amended by redesignating clauses
24 (c) and (d), and all references thereto, as clauses (2) and

1 (3), respectively, and by striking out clauses (a) and (b)
2 and inserting in lieu thereof the following:
3 "(1) provides satisfactory assurance that the appli-
4 cant will expend during the fiscal year for which the
5 basic grant is sought, from funds other than funds re-
6 ceived under this part—
7 "(A) for all library purposes (exclusive of con-
8 struction), an amount not less than the average
9 annual amount it expended for such purposes during
10 the two fiscal years preceding the fiscal years for
11 which assistance is sought under this part, and
12 "(B) for library resources, an amount not less
13 than the average amount it expended for such re-
14 sources during the two fiscal years preceding the
15 fiscal year for which assistance is sought under this
16 part,
17 except that if the Commissioner determines, in accord-
18 ance with regulations, that there are special and unusual
19 circumstances which prevent the applicant from making
20 the assurances required by this clause (1), he may
21 waive the requirement for one or more of such assur-
22 ances;".
23 (b) The second sentence of such section 202 is amended
24 by striking out "not exceed" and inserting in lieu thereof

the following: ", for any fiscal year, be equal to the amount expended by the applicant for library resources during that year from funds other than funds received under this part, except that no basic grant shall exceed".

(c) The amendments made by this section shall be effective after, and only with respect to appropriations for fiscal years beginning after, June 30, 1971.

INCREASE IN MAXIMUM AMOUNT OF SUPPLEMENTAL GRANTS

SEC. 123. (a) Section 203 (a) of the Higher Education Act of 1965 is amended by striking out "$10" and inserting in lieu thereof "$20".

(b) The amendment made by subsection (a) shall be effective with respect to appropriations made for fiscal years beginning after June 30, 1971.

AUTHORIZATION OF APPROPRIATIONS FOR COLLEGE AND RESEARCH LIBRARY RESOURCES

SEC. 124. (a) Section 231 of the Higher Education Act of 1965 is amended by striking out "and the succeeding fiscal year" and inserting in lieu thereof "and $15,000,000 for each of the succeeding fiscal years ending prior to July 1, 1976".

(b) The amendment made by subsection (a) shall be effective after June 30, 1971.

1 PART C—DEVELOPING INSTITUTIONS

2 EXTENSION OF AUTHORIZATION

3 SEC. 131. Section 301 (b) (1) of the Higher Educa-
4 tion Act of 1965 is amended by inserting "each" after
5 "$91,000,000" and by inserting after "1971," the following:
6 "and the fiscal year ending June 30, 1972,".

7 REVISION OF TITLE III (STRENGTHENING DEVELOPING
8 INSTITUTIONS)

9 SEC. 132. (a) Title III of the Higher Education Act of
10 1965 is amended to read as follows:

11 "TITLE III—STRENGTHENING DEVELOPING
12 INSTITUTIONS

13 "AUTHORIZATION

14 "SEC. 301. (a) The Commissioner shall carry out a
15 program of special assistance to strengthen the academic
16 quality of developing institutions which have the desire and
17 potential to make a substantial contribution to the higher
18 education resources of the Nation but which are struggling for
19 survival and are isolated from the main currents of academic
20 life and which enroll a high percentage of students who have
21 been educationally deprived.

22 "(b) (1) For the purpose of carrying out this title,
23 there are authorized to be appropriated $100,000,000 for the
24 fiscal year ending June 30, 1972, and each if the succeeding
25 fiscal years ending prior to July 1, 1976.

1 "(2) Of the sums appropriated pursuant to this subsec-
2 tion for any fiscal year, 23 per centum shall be available only
3 for carrying out the provisions of this title with respect to
4 developing institutions which are community or junior col-
5 leges, and not less than 50 per centum shall be available only
6 for carrying out the provisions of this title with respect to
7 developing institutions which the Commissioner determines
8 meet the criterion set forth in clause (4) (C) of section
9 302 (a).

10 "ELIGIBILITY FOR SPECIAL ASSISTANCE

11 "SEC. 302. (a) For the purposes of this title, the term
12 'developing institution' means an institution of higher educa-
13 tion in any State which—

14 "(1) is legally authorized to provide, and provides
15 within the State, an educational program for which it
16 awards a bachelor's degree, or is a junior or community
17 college;

18 "(2) is accredited by a nationally recognized ac-
19 crediting agency or association or is, according to such
20 an agency or association, making reasonable progress to-
21 ward accreditation;

22 "(3) in the case of an institution awarding a bache-
23 lor's degree, has admitted as regular students only per-
24 sons having a certificate of graduation from a secondary
25 school, or the recognized equivalent thereof, and has

1 awarded such degree during the five academic years pre-
2 ceding the academic year for which it seeks assistance
3 under this title; and
4 "(4) meets such other requirements as the Commis-
5 sioner shall, with the advice of the Council, prescribe by
6 regulation, which requirements shall include at least a
7 consideration of whether the institution—
8 "(A) is making a reasonable effort to improve
9 the quality of its teaching and administrative staffs
10 and of its student services,
11 "(B) is, for financial or other reasons, strug-
12 gling for survival and is isolated from the main cur-
13 rents of academic life, and
14 "(C) enrolls a high percentage of students
15 who may have had inadequate secondary school
16 preparation and who come from educationally, cul-
17 turally, or economically deprived backgrounds.
18 "(b) Any institution desiring special assistance under
19 the provisions of this title shall submit an application for
20 eligibility to the Commissioner at such time, in such form,
21 and containing such information, as may be necessary to
22 enable the Commissioner to evaluate the need of the appli-
23 cant for such assistance. The Commissioner shall, with the
24 advice of the Council, approve any application for eligibility
25 under this subsection, which indicates that the applicant is

1 a developing institution meeting the requirements set forth
2 in subsection (a) and, not later than thirty days after the
3 beginning of any fiscal year ending after June 30, 1970,
4 establish a list of developing institutions eligible for special
5 assistance under the provisions of this title.

6 "(c) For the purposes of clause (1) of subsection (a)
7 and of paragraph (2) of section 301(b), the term 'junior
8 or community college' means an institution of higher educa-
9 tion which does not provide an educational program, for
10 which it awards a bachelor's degree but (1) does provide
11 an educational program of not less than two years which
12 is acceptable for full credit toward such a degree, or (2)
13 offers a two-year program in engineering, mathematics, or
14 the physical or biological sciences, which is designed to pre-
15 pare a student to work as a technician and at the semipro-
16 fessional level in engineering, scientific, or other technologi-
17 cal fields, which require the understanding and application
18 of basic engineering, scientific, or mathematical principles
19 of knowledge.

20 "ADVISORY COUNCIL ON DEVELOPING INSTITUTIONS

21 "SEC. 303. (a) There is hereby established an Ad-
22 visory Council on Developing Institutions (in this title
23 referred to as the 'Council') consisting of fifteen members
24 appointed by the Commissioner with the approval of the
25 Secretary.

1 "(b) The Council shall advise the Commissioner with
2 respect to policy matters arising in the administration of this
3 title, and, in particular, it shall assist the Commissioner—
4 "(1) in developing the criteria for defining devel-
5 oping institutions under clause (4) of section 302 (a);
6 "(2) in establishing the list of eligibles under sec-
7 tion 302 (b);
8 "(3) in identifying developing institutions through
9 which the purposes of this title may be achieved; and
10 "(4) in establishing the priorities and criteria to
11 be used in making grants under section 304 (a).
12 "USES OF FUNDS: COOPERATIVE ARRANGEMENTS, NA-
13 TIONAL TEACHING FELLOWSHIPS, AND PROFESSORS
14 EMERITUS
15 "SEC. 304. (a) The Commissioner is authorized to make
16 grants and awards, in accordance with the provisions of this
17 title, for the purpose of strengthening developing institutions.
18 Such grants shall be used solely for the purposes set forth
19 in subsection (b).
20 "(b) Funds appropriated pursuant to section 301 (b)
21 shall be available for—
22 "(1) grants to institutions of higher education pay-
23 ing part of the cost of planning, developing, and carrying
24 out cooperative arrangements between developing insti-
25 tutions and other institutions of higher education, and

1 between developing institutions and other organizations,
2 agencies, and business entities, which show promise, as
3 effective measures for strengthening the academic pro-
4 gram, and the administrative capacity of developing in-
5 stitutions, including such projects and activities as—
6 "(A) exchange of faculty or students, including
7 arrangements for bringing visiting scholars to de-
8 veloping institutions,
9 "(B) faculty and administration improvement
10 programs, utilizing training, education (including
11 fellowships leading to advanced degrees), intern-
12 ships, research participation, and other means,
13 "(C) introduction of new curriculums and cur-
14 ricular materials.
15 "(D) development and operation of cooperative
16 education programs involving alternate periods of
17 academic study and business or public employment,
18 "(E) joint use of facilities such as libraries or
19 laboratories, including necessary books, materials,
20 and equipment;
21 "(2) National Teaching Fellowships to be awarded
22 by the Commissioner to highly qualified graduate stu-
23 dents and junior faculty members of institutions of higher
24 education for teaching at developing institutions; and
25 "(3) Professors Emeritus Grants to be awarded by

1 the Commissioner to professors retired from active serv-
2 ice at institutions of higher education to encourage them
3 to teach and to conduct research at developing institu-
4 tions.

5 "(c) (1) Applications for assistance of the type de-
6 scribed in subsection (b) (1) shall be approved only if
7 they—

8 "(A) set forth a program for carrying out one or
9 more of the activities described therein, and set forth
10 such policies and procedures for the administration of
11 the program as will insure the proper and efficient opera-
12 tion of the program and the accomplishment of the
13 purposes of this title;

14 "(B) set forth such policies and procedures as will
15 insure that Federal funds made available under this
16 section for any fiscal year will be so used as to supple-
17 ment and, to the extent practical, increase the level of
18 funds that would, in the absence of such Federal funds,
19 be made available for the purposes of the activities
20 described in subsection (b) (1), and in no case supplant
21 such funds;

22 "(C) set forth policies and procedures for the eval-
23 uation of the effectiveness of the program in accomplish-
24 ing its purpose;

25 "(D) provide for such fiscal control and fund ac-

1 counting procedures as may be necessary to insure
2 proper disbursement of accounting for funds made avail-
3 able under this title to the applicant; and
4 "(E) provide for making such reports, in such
5 form and containing such information, as the Commis-
6 sioner may require to carry out his functions under this
7 title, and for keeping such records and affording such
8 access thereto, as he may find necessary to assure the
9 correctness and verification of such reports.
10 "(2) (A) Applications for awards of the type described
11 in subsection (b) (2) and (3) may be approved only
12 upon a finding by the Commissioner that the program of
13 teaching and research set forth therein is reasonable in the
14 light of the qualifications of the applicant and of the educa-
15 tional needs of the institution at which the applicant intends
16 to teach.
17 "(B) No application for a National Teaching Fellow-
18 ship or a Professors Emeritus Grant shall be awarded for
19 a period exceeding two academic years.
20 "(C) Each person awarded a National Teaching Fellow-
21 ship or a Professors Emeritus Grant shall receive a stipend
22 for each academic year of teaching of not more than $6,500,
23 as determined by the Commissioner upon the advice of the
24 Council, plus an additional amount of $400 for each such year
25 for each dependent of such person.

1 "ASSISTANCE TO DEVELOPING INSTITUTIONS UNDER OTHER
2 PROGRAMS

3 "SEC. 305. (a) Each institution which has been placed
4 on the list of eligible developing institutions shall be eligible
5 for priority consideration and waivers in accordance with sub-
6 section (d).

7 "(b) (1) In the case of an application by a developing
8 institution for assistance under any program specified in
9 paragraph (2), the Commissioner is authorized, if such
10 application is otherwise approvable, to waive any require-
11 ment for a non-Federal share of the cost of the program or
12 project, or to give, or require to be given, priority considera-
13 tion of the application in relation to applications from institu-
14 tions which are not developing institutions.

15 "(2) The provisions of this section shall apply to any
16 program authorized by title II, IV, VI, or VII of this Act.".

17 (b) The amendments made by subsection (a) shall be
18 effective only with respect to appropriations made for fiscal
19 years beginning after June 30, 1972.

20 PART D—STUDENT ASSISTANCE

21 AUTHORIZATION FOR EDUCATIONAL OPPORTUNITY GRANTS

22 SEC. 141. The first sentence of section 401 (b) of the
23 Higher Education Act of 1965 is amended by striking out
24 that part which precedes "to enable the Commissioner" and
25 inserting in lieu thereof: "There are hereby authorized to

1 be appropriated $170,000,000 for the fiscal year ending
2 June 30, 1972, and for each of the succeeding fiscal years
3 ending prior to July 1, 1976,".
4 (b) The amendments made by subsection (a) shall be
5 effective after June 30, 1971.
6 BASIC EDUCATIONAL OPPORTUNITY GRANTS
7 SEC. 142. (a) (1) Section 401 (a) of the Higher Edu-
8 cation Act of 1965 is amended to read as follows:
9 "SEC. 401. (a) It is the purpose of this part to assist
10 in making available the benefits of higher education to
11 qualified high school graduates by providing (1) basic edu-
12 cational opportunity grants (hereinafter referred to as 'basic
13 grants') to all eligible high school graduates, and (2) sup-
14 plementary educational opportunity grants (hereinafter re-
15 ferred to as 'supplementary grants') to those high school
16 graduates of exceptional need who, for lack of financial
17 means of their own or of their families, would be unable to
18 obtain such benefits without a supplementary grant."
19 (2) (A) Section 401 of such Act is amended by re-
20 designating subsection (b) thereof, and all references there-
21 to, as subsection (c) and by inserting after subsection (a)
22 the following new subsection:
23 "(b) There are hereby authorized to be appropriated
24 for the fiscal year ending June 30, 1972, and for each of
25 the succeeding fiscal years ending prior to July 1, 1976,

1 such sums as may be necessary for basic grants under this
2 part."
3 (B) Subsection (c) of such section 401 (as designated
4 in this section (A)) is amended by striking out "educational
5 opportunity" each time it appears therein and inserting in
6 lieu thereof "supplementary".
7 (b) (1) Section 402 of such Act is amended to read as
8 follows:
9 "BASIC EDUCATIONAL OPPORTUNITY GRANTS AND SUP-
10 PLEMENTARY EDUCATIONAL OPPORTUNITY GRANTS;
11 AMOUNTS AND DETERMINATIONS
12 "SEC. 402. (a) (1) The Commissioner shall pay to each
13 student who is in good standing at an institution of higher
14 education (according to the prescribed standards, regulations,
15 and practices of that institution) for each academic year dur-
16 ing which that student is in full-time attendance (as deter-
17 mined by the Commissioner by regulation) at that institution,
18 as an undergraduate, a basic grant in the amount for which
19 that student is eligible, as determined under paragraph (2).
20 "(2) (A) The amount of the basic grant for which a
21 student is eligible under this part for any academic year
22 shall be $1,200, less an amount equal to the amount of the
23 tax imposed for the tax year by chapter I of the Internal
24 Revenue Code of 1954 on the taxpayer.
25 "(B) For the purposes of this paragraph, the term—

1 "(i) 'tax year' means the taxable year used by the
2 taxpayer for the purposes of subchapter A of chapter I
3 of the Internal Revenue Code of 1954 which ends prior
4 to the beginning of the academic year for which the
5 basic grant is awarded; and
6 "(ii) 'taxpayer' means the individual upon whom
7 the student receiving a basic grant is dependent for the
8 purposes of section 152 of the Internal Revenue Code
9 of 1954 or, in the case of such a student who is not so
10 dependent upon another individual, the student.
11 "(b) (1) Each eligible institution which awards a sup-
12 plementary grant to a student under this part shall pay to
13 that student for each academic year during which he is in
14 need of such a grant to pursue a course of study at the insti-
15 tution an amount determined by the institution for such stu-
16 dent with respect to that year, in accordance with para-
17 graph (2).
18 "(2) The amount of a supplementary grant under this
19 part shall not exceed the lesser of $1,000 or one-half the sum
20 of the amount of student financial aid (including assistance
21 under other parts of this title and compensation paid under a
22 work-study program assisted under part C of this title) pro-
23 vided such student under any scholarship program established
24 by a State or a private institution or organization, as deter-
25 mined in accordance with regulations of the Commissioner. If

1 the amount determined under paragraph (1) for any aca-
2 demic year is less than $200 for a student, no payment shall
3 be made for a supplementary grant for that year.
4 "(3) The Commissioner shall, subject to the limita-
5 tions of this subsection, prescribe, for the guidance of par-
6 ticipating institutions, basic criteria or schedules (or both)
7 for the determination of the amount of any such supplemen-
8 tary grants, taking into account the objective of limiting sup-
9 plementary grants to students of exceptional financial need
10 and such factors, including the number of dependents in the
11 family, as the Commissioner may deem relevant.
12 "(4) Payments to students for supplementary grants
13 under this section shall be made from funds received by the
14 institution under an agreement pursuant to section 407 and
15 shall be made only in accordance with the terms of such
16 agreement."
17 (2) Section 406 of such Act is amended to read as
18 follows:
19 "APPLICATIONS; ALLOCATIONS OF ALLOTMENTS OF FUNDS
20 TO INSTITUTIONS
21 "SEC. 406. (a) The Commissioner shall from time to
22 time set dates by which eligible institutions and students must
23 file applications for funds under this part.
24 "(b) (1) Each student desiring a basic grant for any
25 year must file an application therefor containing such infor-

1 mation and assurances as the Commissioner may deem nec-
2 essary to enable him to carry out his responsibilities under
3 this part.

4 "(2) If the appropriations pursuant to section 401 (b)
5 for any fiscal year are insufficient to pay the full amount of
6 the basic grants for which all students are eligible in that
7 year, the payment to each student shall be ratably reduced,
8 except that if such payment is reduced to an amount less
9 than $200 for any student no payment shall be made to
10 that student.

11 "(c) (1) The eligible institutions of each State desir-
12 ing funds for supplementary grants must file an application
13 for an allocation to such institutions of funds from the allot-
14 ment to that State (including any reallotment thereto) for
15 any fiscal year pursuant to section 405 to be used for the
16 purposes specified in the first sentence of section 401 (c).
17 The Commissioner shall allocate the allotments in accord-
18 ance with equitable criteria which he shall prescribe in order
19 to achieve such distribution of funds among eligible institu-
20 tions within a State as will most effectively carry out the
21 purposes of this part.

22 "(2) The Commissioner shall further, in accordance
23 with regulations, allocate to eligible institutions, in any State,
24 from funds apportioned or reapportioned pursuant to section

1 405 (b), funds to be used for supplementary grants specified
2 in the third sentence of section 401 (b).
3 "(3) The Commissioner shall, subject to the limitations
4 of this subsection, prescribe, for the guidance of participating
5 institutions, basic criteria or schedules (or both) for the de-
6 termination of the amount of any such supplementary grant,
7 taking into account the objective of limiting supplementary
8 grants to students of exceptional financial need and such
9 other factors, including the number of dependents in the
10 family, as the Commissioner may deem relevant.
11 "(d) Payments under this section shall be made in
12 accordance with regulations promulgated by the Commis-
13 sioner."
14 (3) (A) The caption heads of sections 403, 404, and
15 405 of such Act are each amended by striking out "EDU-
16 CATIONAL OPPORTUNITY" and inserting in lieu thereof
17 "SUPPLEMENTARY".
18 (B) Such sections 403, 404, 405, and 407 are each
19 amended—
20 (i) by striking out "educational opportunity"
21 wherever it appears before "grant" or "grants" and
22 inserting in lieu thereof "supplementary"; and
23 (ii) by striking out "section 406" wherever it
24 appears and inserting in lieu thereof "section 406 (c)".

1 (c) (1) Part A of title IV of such Act is amended by
2 redesignating section 409, and all references thereto, as
3 section 410 and by inserting after section 408 the following
4 new section:

5 "COST OF INSTRUCTION ALLOWANCES

6 "SEC. 409. In addition to the amounts paid to institu-
7 tions for supplementary grants, the Commissioner shall pay
8 to each eligible institution a cost of instruction allowance
9 for each student in attendance at such institution who is a
10 recipient of a grant under this part. No cost of instruction
11 allowance paid under this section shall exceed $1,200, less
12 any tuition charged to the student for whom the allowance
13 is paid."

14 (2) Section 401 of such Act is amended by adding at
15 the end thereof the following new subsection:

16 "(d) There are authorized to be appropriated for the
17 fiscal year ending June 30, 1972, and for each of the suc-
18 ceeding fiscal years ending prior to July 1, 1976, such sums
19 as may be necessary to carry out the purposes of section
20 409.".

21 (d) The amendments made by this section shall be effec-
22 tive after June 30, 1971.

1 IDENTIFYING QUALIFIED LOW-INCOME STUDENTS; PRE-
2 PARING THEM FOR POSTSECONDARY EDUCATION;
3 SPECIAL SERVICES FOR SUCH STUDENTS IN INSTITU-
4 TIONS OF HIGHER EDUCATION

5 SEC. 143. Section 408 (d) of the Higher Education Act
6 of 1965 is amended by striking out "the fiscal year ending
7 June 30, 1971" and inserting in lieu thereof "each of the
8 succeeding fiscal years ending prior to July 1, 1976".

9 INSURED STUDENT LOANS—EXTENSION OF PROGRAM

10 SEC. 144. (a) Section 424 (a) of the Higher Education
11 Act of 1965 is amended by striking out "three succeeding
12 fiscal years" and inserting in lieu thereof "succeeding fiscal
13 years ending prior to July 1, 1976".

14 (b) Such section 424 (a) is further amended by strik-
15 ing out "June 30, 1975" and inserting in lieu thereof
16 "June 30, 1980".

17 (c) Paragraph (4) of section 428 (a) of such Act is
18 amended (A) by striking out "June 30, 1971" and inserting
19 in lieu thereof "June 30, 1980" and (B) by striking out
20 "shall end at the close of June 30, 1975" and inserting in
21 lieu thereof "shall end at the close of June 30, 1980".

22 (d) Section 433 (c) of such Act is amended by striking
23 out "two succeeding fiscal years" and inserting in lieu thereof
24 "succeeding fiscal years ending prior to July 1, 1976".

1 SECONDARY MARKET FOR STUDENT LOANS

2 SEC. 145. Part B of title IV of the Higher Education
3 Act of 1965 is amended by adding at the end thereof the
4 following new section:

5 "EDUCATION WAREHOUSE LOANS

6 "SEC. 438. (a) (1) The Commissioner is authorized to
7 make an education warehouse loan to an eligible lender
8 under the conditions set forth in this section. No such loan
9 shall be made after June 30, 1973.

10 "(2) An education warehouse loan may be made only
11 to an eligible lender who is determined by the Commissioner,
12 in accordance with criteria established by regulation—

13 "(A) to hold qualifying insured loans;

14 "(B) to have issued to the Commissioner an edu-
15 cational warehouse certificate evidencing the loan; and

16 "(C) to have entered into a satisfactory agreement
17 with the Commissioner which meets the requirements set
18 forth in the second sentence of this paragraph.

19 An agreement pursuant to clause (c) of the first sentence
20 of this paragraph must—

21 "(i) identify the qualifying student loans covered
22 by the agreement;

23 "(ii) set forth such policies, procedures, and as-
24 surances as the Commissioner may deem necessary to
25 insure that the eligible lender will use the proceeds of

1 the educational warehouse loan for making insured
2 student loans;
3 "(iii) provide for such reports and amendments as
4 may be necessary in order to meet the requirements of
5 paragraph (4);
6 "(iv) include such provisions as the Commissioner
7 determines necessary to protect the financial interest of
8 the United States;
9 "(v) provide for making such reports, in such form
10 and containing such information as the Commissioner
11 may require, and for keeping such records and affording
12 such access thereto as the Commissioner may find neces-
13 sary; and
14 "(vi) contain an assurance that the lender will
15 not use any practice, policy, or procedure which has
16 the effect of discriminating against particular classes or
17 categories of students, including the requirement that,
18 as a condition to the receipt of an insured student loan,
19 the student or his family maintain a business relationship
20 with the lender other than a relationship necessary for
21 the servicing and repayment of the loan.
22 "(3) An education warehouse loan shall be repaid in
23 such manner and at such time or times as the Commissioner
24 may agree to in the loan agreement, and shall bear interest
25 at a rate prescribed by the Commissioner at the time the

1 loan agreement is signed, taking into consideration the yield
2 on education warehouse certificates negotiated, assigned, or
3 sold by the Commissioner under subsection (b).
4 "(4) If one or more insured student loans identified for
5 the purposes of clause (A) of paragraph (2) in the educa-
6 tion warehouse loan agreement cease to be qualifying insured
7 student loans during any month (or are not held by such
8 lender at the close of such month), then the eligible lender
9 to whom the education warehouse loan is made shall at the
10 close of such month make a report to the Commissioner with
11 respect to such insured student loans, and shall, prior to the
12 end of the succeeding month, either (A) repay a portion of
13 such education warehouse loan equal to 80 per centum of the
14 outstanding principal balance (determined at the beginning
15 of such preceding month) of the insured student loans which
16 ceased to be qualifying insured students (or are no longer
17 held), or (B) substitute for purposes of the requirement of
18 such clause (A) one or more qualified insured student loans,
19 the aggregate principal amount of which is not less than the
20 aggregate principal amount of the insured student loans for
21 which they were substituted. Any loan so substituted shall
22 be identified in an amendment to the loan agreement and
23 shall, for purposes of applying this paragraph in any month
24 after the month of substitution, be considered to be a loan
25 identified in the loan agreement.

1 "(b) For the purposes of obtaining funds to finance
2 his operations under subsection (a) and of establishing a
3 secondary market for education warehouse certificates, the
4 Commissioner is hereby authorized—
5 "(1) to assign, negotiate, or sell education ware-
6 house certificates which he has acquired under subsection
7 (a); and
8 "(2) to reacquire such certificates.
9 The terms upon which such certificates are assigned, negoti-
10 ated, sold, or reacquired shall be determined by the Com-
11 missioner in accordance with regulations promulgated by
12 him.
13 "(c) (1) There is hereby created within the Treasury
14 an education warehouse revolving fund which shall be
15 available to the Commissioner without fiscal year limitation
16 as a revolving fund for the purposes of this section.
17 "(2) The Commissioner is authorized, in order to obtain
18 capital for the fund, to issue to the Secretary of the Treasury
19 notes or other obligations in such forms and denominations,
20 bearing such maturities, and subject to such terms and condi-
21 tions as may be prescribed by the Commissioner with the
22 approval of the Secretary of the Treasury. Such notes or
23 other obligations shall bear interest at a rate determined by
24 the Secretary of the Treasury, taking into consideration the
25 average yield to maturity, on the basis of daily closing mar-

1 ket bid quotations or prices during the month preceding the
2 issuance of the notes or other obligations, on all outstanding
3 marketable obligations of the United States having a ma-
4 turity date of five years from any day of such month, and by
5 adjusting such estimated average annual yield to the nearest
6 one-eighth of 1 per centum. The Secretary of the Treasury
7 is authorized and directed to purchase any notes and other
8 obligations issued under this subsection and for that purpose
9 he is authorized to use as a public debt transaction the pro-
10 ceeds from the sale of any securities issued prior to July 1,
11 1972, under the Second Liberty Bond Act, as amended, and
12 the purposes for which securities may be issued under that
13 Act, as amended, are extended to include any purchase of
14 such notes and obligations. Any securities issued for purposes
15 of this subsection by the Secretary of the Treasury under the
16 Second Liberty Bond Act shall be known as education bonds.
17 The Secretary of the Treasury may at any time sell any of
18 the notes or other obligations acquired by him under this
19 paragraph. All redemptions, purchases, and sales by the
20 Secretary of the Treasury of such notes or other obligations
21 shall be treated as public debt transactions of the United
22 States. Sums borrowed under this paragraph shall be de-
23 posited in the fund and redemption of such notes and obliga-
24 tions shall be made by the Commissioner from such fund. The
25 aggregate principal amount of education bonds issued in a

1 fiscal year may not exceed any limitation placed thereon in
2 an appropriation Act for such fiscal year.
3 "(3) All amounts received by the Commissioner as
4 interest payments or repayments of principal on education
5 warehouse loans, and any other moneys, property, or assets
6 derived by him from his operations in connection with this
7 section shall be deposited in the fund.
8 "(4) All loans, expenses, and payments pursuant to
9 operations of the Commissioner under this section shall be
10 paid from the fund. If at any time the Commissioner deter-
11 mines that moneys in the fund exceed the present and any
12 reasonably future requirements of the fund, such excess may
13 be transferred to the general fund of the Treasury.
14 "(d) The following definition apply to terms used in
15 this section:
16 "(1) 'Insured student loan' means a student loan—
17 "(A) insured by the Commissioner under this
18 section; or
19 "(B) insured by a State or nonprofit private
20 loan insurance program covered by an agreement
21 made under section 428(b).
22 "(2) 'Qualifying insured student loan' means an
23 outstanding insured loan on which repayment of prin-
24 cipal has neither been made nor been required to be
25 made under the loan agreement between the lender and
26 the student.".

1 EXTENSION OF THE EMERGENCY INSURED STUDENT LOAN
2 ACT OF 1969

3 SEC. 146. Section 2 (a) (7) of the Emergency Insured
4 Student Loan Act of 1969 is amended by striking out
5 "July 1, 1971" and inserting in lieu thereof "July 1, 1973".

6 COLLEGE WORK STUDY PROGRAM

7 SEC. 147. Section 441 (b) of the Higher Education Act
8 of 1965 is amended by striking out "the fiscal year ending
9 June 30, 1971" and inserting in lieu thereof "each of the
10 succeeding fiscal years ending prior to July 1, 1976".

11 COOPERATIVE EDUCATION

12 SEC. 148. (a) Section 451 (a) of the Higher Education
13 Act of 1965 is amended by striking out "the fiscal year end-
14 ing June 30, 1971" and inserting in lieu thereof "each of the
15 succeeding fiscal years ending prior to July 1, 1976".

16 (b) Section 451 (b) of such Act is amended by striking
17 out "two succeeding fiscal years" and inserting in lieu
18 thereof "succeeding fiscal years ending prior to July 1,
19 1976".

20 FEDERAL LOANS TO STUDENTS IN INSTITUTIONS OF HIGHER
21 EDUCATION

22 SEC. 149. (a) Section 201 of the National Defense Edu-
23 cation Act of 1958 is amended by inserting "each" after
24 "$375,000,000", and by inserting after "June 30, 1971,"

1 the following: "and for the fiscal year ending June 30,
2 1972,".
3 (b) Title IV of the Higher Education Act of 1965 is
4 amended by striking out part F. Part E and sections 461,
5 462, 463, 464, and 469 of such title IV, and all references
6 thereto, are redesignated as part F and sections 491, 492,
7 493, 494, and 499, respectively. Such title IV is further
8 amended by inserting after part D the following new part:
9 "PART E—FEDERAL LOANS TO STUDENTS IN INSTITU-
10 TIONS OF HIGHER EDUCATION
11 "APPROPRIATIONS AUTHORIZED
12 "SEC. 461. (a) The Commissioner shall carry out a
13 program of stimulating and assisting in the establishment and
14 maintenance of funds at institutions of higher education for
15 the making of low-interest loans to students in need thereof
16 to pursue their courses of study in such institutions.
17 "(b) For the purpose of enabling the Commissioner
18 to make contributions to loan funds established under this
19 part, there are hereby authorized to be appropriated $375,-
20 000,000 for the fiscal year ending June 30, 1972, and for
21 each of the succeeding fiscal years ending prior to July 1,
22 1976.
23 "(c) In addition, there are hereby authorized to be
24 appropriated such sums for the fiscal year ending June 30,

1 1977, and each of the three succeeding fiscal years as may
2 be necessary to enable students who have received loans for
3 school years ending prior to July 1, 1976, to continue or
4 complete courses of study.
5 "(d) Any sums appropriated pursuant to this section
6 for any fiscal year shall be available for apportionment pur-
7 suant to section 462 and for payments of Federal capital
8 contributions thereform to institutions of higher education
9 which have agreements with the Commissioner under sec-
10 tion 463. Such Federal capital contributions and all con-
11 tributions from such institutions shall be used for the
12 establishment, expansion, and maintenance of student loan
13 funds.
14 "APPORTIONMENT OF APPROPRIATIONS
15 "SEC. 462. (a) (1) From the sums appropriated pur-
16 suant to section 461 (b) for any fiscal year, the Commis-
17 sioner shall apportion to each State an amount which bears
18 the same ratio to the amount so appropriated as the number
19 of persons enrolled on a full-time basis in institutions of
20 higher education, as determined by the Commissioner for
21 the most recent year for which satisfactory data are avail-
22 able to him, in such State bears to the total number of
23 persons so enrolled in all the States.
24 "(2) Any sums appropriated pursuant to section 461
25 (c) for any fiscal year shall be apportioned among institu-

1 tions of higher education in such a manner as the Commis-
2 sioner determines will best accomplish the purpose for which
3 they were appropriated.

4 "(b) (1) Any institution of higher education desiring to
5 receive payments of Federal capital contributions from the
6 apportionment of the State in which it is located for any fiscal
7 year shall make an agreement under section 463 and shall
8 submit an application therefor to the Commissioner, in ac-
9 cordance with the provisions of this part. The Commissioner
10 shall, from time to time, set dates before which such institu-
11 tions must file applications under this section.

12 "(2) The Commissioner shall pay to each applicant
13 under this subsection which has an agreement with him under
14 section 463, from the amount apportioned to the State in
15 which it is located, the amount requested in such application.
16 Such payment may be made in such installments as the Com-
17 missioner determines will not result in unused accumulations
18 of capital in the student loan fund of the applicant established
19 under its agreement under section 463.

20 "(c) (1) (A) If the total amount of Federal capital
21 contributions requested in the applications from a State for
22 any fiscal year exceeds the amount apportioned to that State,
23 the request from each institution shall be reduced ratably.

24 "(B) In case additional amounts become available for
25 payments to student loan funds in a State in which requests

1 have been ratably reduced under subparagraph (A), such
2 requests shall be increased on the same basis as they were
3 reduced, except that no request shall be increased above the
4 request submitted under subsection (c) (1).
5 "(2) If the amount of an apportionment to a State for
6 any fiscal year exceeds the total amount of Federal capital
7 contributions requested in applications from that State, such
8 excess shall be available for reapportionment from time to
9 time on such date or dates as the Commissioner shall fix.
10 From the aggregate of such excess for any fiscal year, the
11 Commissioner shall reapportion to each State in which re-
12 quests suffered a reduction under paragraph (1) (A) an
13 amount which bears the same ratio to such aggregate as the
14 total amount of reductions so suffered in that State bears to
15 the total amount of such reductions in all the States.
16 "(d) The aggregate of the amounts of Federal capital
17 contributions paid under this section for any fiscal year to
18 proprietary institutions of higher education may not exceed
19 the amount by which the sums appropriated pursuant to
20 section 461 (b) for that fiscal year exceed $190,000,000.
21 "AGREEMENTS WITH INSTITUTIONS OF HIGHER EDUCATION
22 "SEC. 463. (a) An agreement with any institution of
23 higher education for the payment of Federal capital contri-
24 butions under this part shall—
25 "(1) provide for the establishment and maintenance

1 of a student loan fund for the purposes of this part;
2 "(2) provide for the deposit in such fund of—
3 "(A) the Federal capital contributions,
4 "(B) a capital contribution by such institution
5 in an amount equal to not less than one-ninth of
6 the amount of such Federal contributions,
7 "(C) collections of principal and interest on
8 student loans made from such fund,
9 "(D) charges collected pursuant to regulations
10 under section 464 (c) (1) (G), and
11 "(E) any other earnings of the fund;
12 "(3) provide that such student loan fund shall be
13 used only for—
14 "(A) loans to students, in accordance with the
15 provisions of this part,
16 "(B) administrative expenses, as provided in
17 subsection (b),
18 "(C) capital distributions, as provided in sec-
19 tion 466, and
20 "(D) costs of litigation, and other collection
21 costs authorized by the Commissioner by regulation
22 in connection with the collection of a loan from the
23 fund (and interest thereon) or a charge assessed
24 pursuant to regulations under section 464 (c) (1)
25 (G), and

1 "(4) include such other provisions as may be nec-
2 essary to protect the financial interest of the United
3 States and promote the purposes of this part as are
4 agreed to by the Commissioner and the institution.
5 "(b) An institution which has entered into an agree-
6 ment under subsection (a) shall be entitled, for each fiscal
7 year during which it makes student loans from a student loan
8 fund established under such agreement, to a payment in lieu
9 of reimbursement for its expenses in administering its student
10 loan program under this part during such year. Such pay-
11 ment shall be made in accordance with section 493.

12 "TERMS OF LOANS

13 "SEC. 464. (a) (1) Loans from any student loan fund
14 established pursuant to an agreement under section 463 to
15 any student by any institution shall, subject to such condi-
16 tions, limitations, and requirements as the Commissioner shall
17 prescribe by regulation, be made on such terms and condi-
18 tions as the institution may determine.
19 "(2) The total of such loans for any academic year (or
20 its equivalent) made by institutions from student loan funds
21 assisted under this part shall not exceed—
22 "(A) $2,500, in the case of any graduate student
23 or professional student (as defined by regulation); or
24 "(B) $1,000, in the case of any other student.
25 The aggregate of the loans for all years from such funds shall

1 not exceed $10,000 in the case of any such graduate or pro-
2 fessional student, or $5,000 in the case of any other student.
3 "(3) Regulations of the Commissioner under paragraph
4 (1) shall be designed to prevent the impairment of the
5 capital of student loan funds to the maximum extent prac-
6 ticable.
7 "(b) A loan from a student loan fund assisted under
8 this part may be made only to a student who—
9 "(1) is in need of the amount of the loan to pursue
10 a course of study at such institution;
11 "(2) is capable, in the opinion of the institution,
12 of maintaining good standing in such course of study;
13 "(3) has been accepted for enrollment as an under-
14 graduate, graduate, or professional student in such insti-
15 tution or, in the case of a student already in attendance
16 at such institution, is in good standing; and
17 "(4) is carrying at least one-half the normal aca-
18 demic workload, as determined by the institution.
19 In any case in which a student has been determined to be
20 eligible for a loan under the preceding sentence, and such
21 student thereafter fails to maintain good standing, the eligi-
22 bility of such student shall be suspended, and further pay-
23 ments to, or on behalf of, such student shall not be made
24 until such student regains good standing.
25 "(c) (1) Any agreement between an institution and a

1 student for a loan from a student loan fund assisted under
2 this part—
3 "(A) shall be evidenced by a note or other written
4 instrument which, except as is provided in paragraph
5 (2), provides for repayment of the principal amount of
6 the loan, together with interest thereon, in installments
7 over a period (i) beginning nine months after the stu-
8 dent ceases to carry at least one-half the normal full-time
9 academic workload at an institution of higher education
10 and (ii) ending ten years and nine months after such
11 date;
12 "(B) shall include provision for acceleration of re-
13 payment of the whole, or any part, of such loan, at the
14 option of the borrower;
15 "(C) may provide, at the option of the institution
16 in accordance with regulations of the Commissioner, that
17 during the repayment period of the loan, payments of
18 principal and interest by the borrower with respect to
19 all outstanding loans made to him from student loan
20 funds assisted under this part shall be at a rate equal to
21 not less than $15 per month;
22 "(D) shall provide that the loan shall bear interest,
23 on the unpaid balance of the loan, at the rate of 3 per
24 centum per annum, except that no interest shall accrue
25 (i) prior to the beginning date of repayment determined

1 under clause (A) (i), or (ii) during any period in which
2 repayment is suspended by reason of paragraph (2);
3 "(E) unless the borrower is a minor and the note or
4 other evidence of obligation executed by him would not,
5 under applicable law, create a binding obligation, shall
6 provide that the loan shall be made without security and
7 without endorsement;
8 "(F) shall provide that no note or evidence of obli-
9 gation may be assigned by the lender, except upon the
10 transfer of the borrower to another institution participat-
11 ing under this part (or, if not so participating, is eligible
12 to do so and is approved by the Commissioner for such
13 purpose), to such institution; and
14 "(G) may, pursuant to regulations of the Com-
15 missioner, provide for an assessment of a charge with
16 respect to the loan for failure of the borrower (i) to
17 pay all or part of an installment when it is due or (ii)
18 to file timely and satisfactory evidence of an entitle-
19 ment of the borrower to a deferment of repayment
20 benefit or a cancellation benefit provided under this part.
21 "(2) (A) No repayment of principal of, or interest
22 on, any loan from a student loan fund assisted under this
23 part shall be required during any period in which the
24 borrower—
25 "(i) is carrying at least one-half the normal full-

1 time academic workload at an institution of higher
2 education or at a comparable institution outside the
3 United States which is approved for this purpose by
4 the Commissioner;
5 "(ii) is a member of the Armed Forces of the
6 United States;
7 "(iii) is in service as a volunteer under the Peace
8 Corps Act; or
9 "(iv) is in service as a volunteer under title VIII
10 of the Economic Opportunity Act of 1964.
11 The period during which repayment may be deferred by
12 reason of clause (ii), (iii), or (iv) shall not exceed three
13 years.
14 "(B) Any period during which repayment is deferred
15 under subparagraph (A) shall not be included in comput-
16 ing the ten-year maximum period provided for in clause
17 (A) of paragraph (1).
18 "(3) The Commissioner is authorized, when good cause
19 is shown, to extend, in accordance with regulations, the ten-
20 year maximum repayment period provided for in clause
21 (A) of paragraph (1) with respect to individual loans.
22 "CANCELLATION OF LOANS FOR CERTAIN PUBLIC SERVICE
23 "SEC. 465. (a) (1) The per centum specified in para-
24 graph (3) of the total amount of any loan made after

1 June 30, 1972, from a student loan fund established under
2 this part shall be canceled for each complete year of service
3 after such date by the borrower under circumstances de-
4 scribed in paragraph (2).
5 "(2) Loans shall be canceled under paragraph (1) for
6 service—
7 "(A) as a full-time teacher in a public or other non-
8 profit elementary or secondary school in a State, in an
9 institution of higher education, or in an elementary or
10 secondary school overseas of the Armed Forces of the
11 United States;
12 "(B) as a full-time teacher in a public or other non-
13 profit elementary or secondary school in the school dis-
14 trict of a local educational agency receiving assistance
15 under title I of the Elementary and Secondary Education
16 Act of 1965 if such school is determined (according to
17 criteria established by regulation which shall permit
18 such determination with respect to not more than 50 per
19 centum of such schools in any State) to be serving an
20 attendance area in which there is a high concentration of
21 children from low-income families;
22 "(C) as a full-time teacher of handicapped children
23 in a public or other nonprofit elementary or secondary
24 school system;

1 "(D) as a member of the Armed Forces of the
2 United States, and notwithstanding the provisions of
3 paragraph (1).
4 For the purposes of this paragraph, (i) the term 'handi-
5 capped children' means children who are mentally retarded,
6 hard of hearing, deaf, speech-impaired, visually handicapped,
7 seriously emotionally disturbed, or other health-impaired chil-
8 dren who by reason thereof require special education, and
9 (ii) the term 'children from low-income families' means chil-
10 dren from families with a family income which is not in
11 excess of the low-income factor determined under section 103
12 of title I of the Elementary and Secondary Education Act of
13 1965.
14 "(3) (A) The per centum of a loan which shall be can-
15 celed under paragraph (1) is—
16 "(i) in the case of service described in paragraph
17 (2) (A), not to exceed a total of 50 per centum of such
18 loan at the rate of 10 per centum for each year of such
19 service;
20 "(ii) in the case of service described in paragraph
21 (2) (B), (2) (C), or (2) (D), 15 per centum for the
22 first or second year of such service, 20 per centum for the
23 third or fourth year of such service, and 30 per centum
24 for the fifth year of such service; and
25 "(iii) in the case of service described in paragraph

1 (2) (E), not to exceed a total of 50 per centum of such
2 loan at the rate of 12½ per centum for each year of con-
3 secutive service.
4 "(B) If a portion of a loan is canceled under this sub-
5 section for any year, the entire amount of interest on such
6 loan which accrues for such year shall be canceled.
7 "(C) Nothing in this subsection shall be construed to
8 authorize refunding any repayment of a loan.
9 "(4) For the purposes of this subsection, the term
10 'year' where applied to service as a teacher means academic
11 year as defined by the Commissioner.
12 "(b) The Commissioner shall pay to each institution
13 each fiscal year an amount equal to the aggregate of the
14 amounts of loans from its student fund which are canceled
15 by this section. The Department of Health, Education, and
16 Welfare, in its annual budget request, shall submit an esti-
17 mate of appropriations necessary to make payments pursu-
18 ant to this subsection. None of the funds appropriated pur-
19 suant to section 461 shall be available for payments pursu-
20 ant to this subsection.
21 "DISTRIBUTION OF ASSETS FROM STUDENT LOAN FUNDS
22 "SEC. 466. (a) After June 30, 1981, and not later than
23 December 31, 1981, there shall be a capital distribution of
24 the balance of the student loan fund established under this
25 part by each institution of higher education as follows:

1 "(1) The Commissioner shall first be paid an
2 amount which bears the same ratio to the balance in
3 such fund at the close of June 30, 1981 as the total
4 amount of the Federal capital contributions to such fund
5 by the Commissioner under this part bears to the sum
6 of such Federal contributions and the institution's cap-
7 ital contributions to such fund.
8 "(2) The remainder of such balance shall be paid
9 to the institution.
10 "(b) After December 31, 1981, each institution with
11 which the Commissioner has made an agreement under this
12 part, shall pay to the Commissioner the same proportionate
13 share of amounts received by the institution after June 30,
14 1975, in payment of principal and interest on student loans
15 made from the student loan fund established pursuant to
16 such agreement (which amount shall be determined after
17 deduction of any costs of litigation incurred in collection of
18 the principal or interest on loans from the fund and not
19 already reimbursed from the fund or from such payments
20 of principal or interest), as was determined for the Com-
21 missioner under subsection (a).".
22 (c) (1) Upon enactment of this Act, the program au-
23 thorized by part E of title IV of the Higher Education Act
24 of 1965 as added by subsection (b) is, and shall be deemed
25 to be, a continuation of the program authorized by title II

1 of the National Defense Education Act of 1958. In accord-
2 ance with regulations of the Commissioner of Education,
3 all rights, privileges, duties, functions, and obligations under
4 such title II prior to the enactment of this Act shall be
5 deemed to be vested, as may be appropriate, under such
6 part E. Any student loan fund established under an agree-
7 ment under such title II shall, in accordance with regulations,
8 be deemed to have been established under such part E; and
9 any assets of any such student loan fund of any institution
10 shall be deemed to be the assets of a student loan fund
11 established under an agreement of that institution with the
12 Commissioner under such part E.

13 (2) Title II of the National Defense Education Act of
14 1958 is amended by striking out section 206.

15 ELIGIBILITY FOR STUDENT ASSISTANCE

16 SEC. 150. (a) Part F of title IV of the Higher Educa-
17 tion Act of 1965 is amended by inserting after section 464,
18 the following new section:

19 "ELIGIBILITY FOR STUDENT ASSISTANCE

20 "SEC. 495. (a) If an institution of higher education de-
21 termines, after affording notice and opportunity for hearing to
22 an individual attending, or employed by, such institution, that
23 such individual has been convicted by any court of record of
24 any crime which was committed after the date of enactment
25 of this Act and which involved the use of (or assistance to

1 others in the use of) force, disruption, or the seizure of prop-
2 erty under control of any institution of higher education to
3 prevent officials or students in such institution from engag-
4 ing in their duties or pursuing their studies, and that such
5 crime was of a serious nature and contributed to a substantial
6 disruption of the administration of the institution with respect
7 to which such crime was committed, then the institution
8 which such individual attends, or is employed by, shall deny
9 for a period of two years any further payment to, or for the
10 direct benefit of, such individual under any of the programs
11 specified in subsection (c). If an institution denies an indi-
12 vidual assistance under the authority of the preceding sen-
13 tence of this subsection, then any institution which such indi-
14 vidual subsequently attends shall deny for the remainder of
15 the two-year period any further payment to, or for the direct
16 benefit of, such individual under any program authorized by
17 this title.

18 "(b) If an institution of higher education determines,
19 after affording notice and opportunity for hearing to an indi-
20 vidual attending, or employed by, such institution, that such
21 individual has willfully refused to obey a lawful regulation or
22 order of such institution after the date of enactment of this
23 Act, and that such refusal was of a serious nature and con-
24 tributed to a substantial disruption of the administration of
25 such institution, then such institution shall deny, for a period

of two years, any further payment to, or for the direct benefit of, such individual under any program authorized by this title.

"(c) (1) Nothing in this Act, or any Act amended by this Act, shall be construed to prohibit any institution of higher education from refusing to award, continue, or extend any financial assistance under any such Act to any individual because of any misconduct which in its judgment bears adversely on his fitness for such assistance.

"(2) Nothing in this section shall be construed as limiting or prejudicing the rights and prerogatives of any institution of higher education to institute and carry out an independent, disciplinary proceeding pursuant to existing authority, practice, and law.

"(3) Nothing in this section shall be construed to limit the freedom of any student to verbal expression of individual views or opinions.".

(b) Effective July 1, 1971, section 504 of Public Law 90–575 is repealed.

PART E—EDUCATION PROFESSIONS DEVELOPMENT

EXTENSION OF AUTHORIZATION OF APPROPRIATIONS

SEC. 151. (a) (1) Section 501 of the Higher Education Act of 1965 is amended by inserting "(a)" after "SEC. 501." and by adding at the end thereof the following new subsection:

1 "(b) For the purpose of carrying out the provisions of
2 this title, there are authorized to be appropriated $600,-
3 000,000 for the fiscal year ending June 30, 1972, and for
4 each of the succeeding fiscal years ending prior to July 1,
5 1976, of which—
6 "(1) not less than $500,000 shall be for the pur-
7 poses of section 504;
8 "(2) not less than 25 per centum or $37,500,000,
9 whichever is greater, shall be for the purposes of sub-
10 part 1 of part B;
11 "(3) not less than 2 per centum shall be for the
12 purposes of subpart 2 of part B;
13 "(4) not less than 15 per centum shall be for the
14 purposes of part C;
15 "(5) not less than 10 per centum shall be for the
16 purposes of part D;
17 "(6) not less than 10 per centum shall be for the
18 purposes of part E; and
19 "(7) not less than 10 per centum shall be for the
20 purposes of part F.".
21 (2) The amendments made by paragraph (1) shall be
22 effective after, and only with respect to appropriations for
23 fiscal years beginning after, June 30, 1971.
24 (b) (1) Effective on and after July 1, 1971, title V

of the Higher Education Act of 1965 is amended by striking out the following provisions:

(A) Section 502 (f);

(B) Section 504 (b);

(C) Section 511 (b) and "(a)" where it appears after "SEC. 511.";

(D) Section 518 (b) and "(a)" where it appears after "SEC. 518.";

(E) Section 528;

(F) Section 532;

(G) Section 543; and

(H) Section 555.

(2) Section 519 (a) of such title V is amended by striking out that part of the first sentence which precedes ", the Commissioner" and inserting in lieu thereof the following: "From the amount available for grants under this subpart for any fiscal year".

(3) The Department of Health, Education, and Welfare shall, under the authority of section 401 (c) and of part C of the General Education Provisions Act, submit to the Congress an estimate of the sums necessary to carry out section 502 of such title V.

(4) The amendments made by this section shall be effective with respect to fiscal years beginning after June 30, 1971.

1 FUNCTIONS OF, AND COMPENSATION FOR, THE DIRECTOR
2 OF THE TEACHER CORPS

3 SEC. 152. (a) Section 512 of the Higher Education Act
4 of 1965 is amended by striking out "grade 17" and inserting
5 in lieu thereof "grade 18" and by striking out "grade 16"
6 and inserting in lieu thereof "grade 17".

7 (b) The third sentence of such section 512 is amended
8 by inserting before the period at the end thereof the follow-
9 ing: ", except that (1) the Commissioner may delegate his
10 functions under this subpart only to the Director, and (2)
11 the Director and Deputy Director shall not be given any
12 duty, function, authority, or responsibility other than those
13 imposed or granted by this subpart".

14 PART F—INSTRUCTIONAL EQUIPMENT

15 EXTENSION OF AUTHORIZATION OF APPROPRIATIONS

16 SEC. 171. Subsections (b) and (c) of section 601 and
17 the Higher Education Act of 1965 are each amended by
18 striking out "two succeeding fiscal years" and inserting in
19 lieu thereof "succeeding fiscal years ending prior to July 1,
20 1976".

21 PART G—ACADEMIC FACILITIES

22 TRANSFER OF THE PROVISIONS OF THE HIGHER EDUCATION
23 FACILITIES ACT OF 1963

24 SEC. 161. (a) Title VII of the Higher Education Act
25 of 1965 is amended to read as follows:

1 "TITLE VII—CONSTRUCTION OF ACADEMIC
2 FACILITIES

3 "PART A—GRANTS FOR THE CONSTRUCTION OF UNDER-
4 GRADUATE ACADEMIC FACILITIES

5 "AUTHORIZATION OF APPROPRIATIONS

6 "SEC. 701. (a) The Commissioner shall carry out a
7 program of grants to institutions of higher education for
8 the construction of academic facilities in accordance with
9 this part.

10 "(b) For the purpose of making grants under this
11 part, there are hereby authorized to be appropriated $936,-
12 000,000 for the fiscal year ending June 30, 1972 and for
13 each of the succeeding fiscal years ending prior to July 1,
14 1976.

15 "(c) Of the sums appropriated pursuant to section 701
16 (b), not less than 25 per centum nor more than 33⅓ per
17 centum shall be reserved by the Commissioner and allotted
18 among the States under section 702. The remainder of such
19 sums shall be available for allotment among the States under
20 section 703.

21 "PUBLIC COMMUNITY COLLEGES AND PUBLIC
22 TECHNICAL INSTITUTES

23 "SEC. 702. (a) Sums reserved pursuant to the first
24 sentence of section 701 (c) shall be available for allotments
25 to States for providing academic facilities for public com-
26 munity colleges and public technical institutes.

1 "(b) From the sums available for any fiscal year for
2 the purposes of this section, the Commissioner shall allot to
3 each State an amount which bears the same ratio to such
4 sums as the product of—
5 "(1) the number of high school graduates of the
6 State, and
7 "(2) the State's allotment ratio,
8 bears to the sum of the corresponding products for all the
9 States, except that the amount allowed to any State shall
10 not be less than $50,000.
11 "(c) (1) Except as is provided in paragraph (2), the
12 amount allotted to a State under this section shall be avail-
13 able for the payment of the Federal share of the develop-
14 ment cost of approved projects for the construction of aca-
15 demic facilities within such State for public community
16 colleges and public technical institutes.
17 "(2) Any portion of a State's allotment under this
18 section for any fiscal year for which applications from an
19 institution qualified to receive grants under this section have
20 not been received by the State Commissioner prior to
21 January 1 of such fiscal year, shall, if the State Commissioner
22 so requests, be available for payment of the Federal share
23 of the development cost of approved projects under section
24 703.
25 "(d) All amounts allotted under this section for any

1 fiscal year which are not reserved as provided in section
2 109 by the close of the fiscal year for which they are allotted
3 shall be reallotted by the Commissioner, on the basis of
4 such factors as he determines to be equitable and reasonable,
5 among the States which, as determined by the Commissioner,
6 are able to use without delay any amounts so reallotted
7 for the purpose set forth in subsection (c) (1). Amounts
8 reallotted under this subsection shall be available for reser-
9 vation until the close of the fiscal year next succeeding the
10 fiscal year for which they were originally allotted.
11 "(e) For the purposes of clause (2) of subsection (b),
12 the 'allotment ratio' for any State shall be 1.00 less the
13 product of (A) 0.50 and (B) the quotient obtained by
14 dividing the income per person for the State by the income
15 per person for all the States (not including Puerto Rico, the
16 Virgin Islands, American Samoa, and Guam), except that
17 (i) the allotment ratio shall in no case be less than 0.33⅓
18 or more than 0.66⅔, (ii) the allotment ratio for Puerto
19 Rico, the Virgin Islands, American Samoa, and Guam shall
20 be 0.66⅔, and (iii) the allotment ratio of any State shall
21 be 0.50 for any fiscal year if the Commissioner finds that
22 the cost of school construction in such State exceeds twice
23 the median of such costs in all the States as determined by
24 him on the basis of statistics and data as the Commissioner
25 shall deem adequate and appropriate. The allotment ratios

1 shall be promulgated by the Commissioner as soon as possible
2 after enactment of this Act, and annually thereafter, on the
3 basis of the average of the incomes per person of the State
4 and of all the States for the three most recent consecutive
5 calendar years for which satisfactory data are available from
6 the Department of Commerce.

7 "INSTITUTIONS OF HIGHER EDUCATION OTHER THAN PUB-
8 LIC COMMUNITY COLLEGES AND PUBLIC TECHNICAL
9 INSTITUTES

10 "SEC. 703. (a) Sums appropriated pursuant to section
11 701 (b) which remain after the reservation provided for in
12 the first sentence of section 701 (c) for any fiscal year shall
13 be available for allotments to States for providing academic
14 facilities for institutions of higher education other than insti-
15 tutions eligible for grants under section 702.

16 "(b) Sums available for the purposes of this section for
17 any fiscal year shall be allotted among the States as follows:

18 "(1) The Commissioner shall allot to each State an
19 amount which bears the same ratio to 50 per centum of
20 such sums as the number of students enrolled in institu-
21 tions of higher education in such State bears to the num-
22 ber of students so enrolled in all the States: and

23 "(2) The Commissioner shall allot to each State an
24 amount which bears the same ratio to 50 per centum of
25 such sums as the number of students enrolled in grades

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1 nine through twelve (both inclusive) of schools in such
2 State bears to the total number of students so enrolled in
3 all the States.
4 The amount allotted to any State under the preceding sen-
5 tence for any fiscal year shall not be less than $50,000.
6 "(c) (1) Any amount allotted to a State under this
7 section for any fiscal year shall, except as provided in para-
8 graph (2), be available, in accordance with the provisions
9 of this title, for payment of the Federal share of the develop-
10 ment cost of approved projects for the construction of aca-
11 demic facilities within such State for institutions of higher
12 education which are not eligible for grants under section 702.
13 "(2) Any portion of a State's allotment under this
14 section for any fiscal year for which applications from an
15 institution qualified to receive grants under this section have
16 not been received by the State Commissioner prior to
17 January 1 of such fiscal year, shall, if the State Commissioner
18 so requests, be available for payment of the Federal share
19 of the development cost of approved projects under section
20 702.
21 "STATE PLANS
22 "SEC. 704. (a) Any State desiring to participate in the
23 grant program authorized by this part for any fiscal year
24 shall submit for that year to the Commissioner through the
25 State commission a State plan for such participation. Such

1 plan shall be submitted at such time, in such manner, and
2 containing such information as may be necessary to enable
3 the Commissioner to carry out his functions under this part
4 and shall—
5 "(1) provide that it shall be administered by the
6 State commission;
7 "(2) set forth objective standards and methods,
8 which are consistent with basic criteria prescribed by
9 regulation pursuant to section 706, for—
10 "(A) determining the relative priorities of
11 eligible projects submitted by institutions of higher
12 education within the State for the construction of
13 academic facilities, and
14 "(B) determining the Federal share of the
15 development cost of each such project;
16 "(3) provide that the funds apportioned for any
17 fiscal year under section 702 or 703 shall be used only
18 for the purposes set forth therein;
19 "(4) provide for—
20 "(A) assigning priorities solely on the basis of
21 such criteria, standards, and methods to eligible proj-
22 ects submitted to the State commission and found by
23 it otherwise approvable under the provisions of this
24 part, and
25 "(B) approving and recommending to the

1 Commissioner, in the order of such priority, appli-
2 cation covering such eligible projects, and for certify-
3 ing to the Commissioner the Federal share of the
4 development cost of the project involved;
5 "(5) provide for affording to every applicant which
6 has submitted a project to the State commission an op-
7 portunity for a fair hearing before the State commission
8 as to the priority assigned to such project, or as to any
9 other determination of the State commission adversely
10 affecting such applicant;
11 "(6) provide for—
12 "(A) such fiscal control and fund accounting
13 procedures as may be necessary to assure proper
14 disbursement of, and accounting for, Federal funds
15 paid to the State commission under this part, and
16 "(B) making such reports, in such form and
17 containing such information, as may be reasonably
18 necessary to enable the Commissioner to perform his
19 functions under this part.
20 "(b) The Commissioner shall approve any State plan
21 submitted under this section if he determines that it complies
22 with the provisions of this section and other appropriate pro-
23 visions of this title.
24 "ELIGIBILITY FOR GRANTS
25 "SEC. 705. (a) Except as is provided in subsection

1 (b), an institution of higher education shall be eligible for a
2 grant under this part only if the State commission determines,
3 in accordance with criteria prescribed by regulation, that the
4 construction project for which assistance is sought will, either
5 alone or together with other construction to be undertaken
6 within a reasonable time, result in—
7 "(1) a substantial expansion of, or
8 "(2) the creation of,
9 urgently needed (A) enrollment capacity, (B) the capac-
10 ity to provide student health care or other student services,
11 or (C) capacity to carry out extension and continuing
12 education programs on the campus of such institution.
13 "(b) If the Commissioner determines, in accordance
14 with criteria established by regulation, that the student en-
15 rollment capacity of an institution of higher education would
16 decrease if an urgently needed academic facility is not con-
17 structed, the construction of such a facility may be consid-
18 ered, for the purposes of this section, to result in an expan-
19 sion of the institution's student enrollment capacity.
20 "BASIC CRITERIA FOR DETERMING PRIORITIES AND
21 FEDERAL SHARE
22 "SEC. 706. (a) (1) The Commissioner shall, by reg-
23 ulation, prescribe basic criteria to which the provisions of
24 State plans setting forth standards and methods for deter-
25 mining relative priorities of eligible construction projects,

1 and the application of such standards and methods to such
2 projects under such plans, shall be subject.
3 "(2) Such basic criteria shall, at least—
4 "(A) be such as will best tend to achieve the
5 objectives of this part, while leaving opportunity and
6 flexibility for the development of State plan standards
7 and methods that will best accommodate the varied
8 needs of institutions in the several States;
9 "(B) give special consideration to the expansion of
10 undergraduate enrollment capacity; and
11 "(C) give consideration to the expansion of capac-
12 ity to provide needed health care to students.
13 "(3) Subject to paragraph (2), such regulations may
14 establish additional and appropriate basic criteria, including—
15 "(A) provision for considering the degree to which
16 applicant institutions are effectively utilizing existing
17 facilities;
18 "(B) provision for allowing State plans to group,
19 or to allow grouping, in a reasonable manner, facilities
20 or institutions according to functional or educational type
21 for priority purposes; and
22 "(C) in view of the national objectives of this title,
23 provision for considering the degree to which applicant
24 institutions serve students from two or more States or
25 from outside the United States.

1 "(4) In no event shall such basic criteria permit the
2 readiness of an institution to admit out-of-State students to
3 be considered as a priority adverse to such institution.
4 "(b) (1) The Commissioner shall prescribe, by regu-
5 lation, the basic criteria for determining the Federal share
6 of the development cost of any eligible project under this
7 part within a State, to which criteria the applicable standards
8 and methods set forth in the State plan for such State shall
9 conform.
10 "(2) In no case shall such basic criteria permit the
11 Federal share to exceed 50 per centum of the development
12 cost of a project.
13 "(c) Section 553 of title V, United States Code shall
14 apply to the prescription of regulations under this section,
15 notwithstanding clause (2) of subsection (a) thereof.
16 "APPLICATIONS FOR GRANTS; AMOUNT OF GRANTS
17 "SEC. 707. (a) (1) Any institution of higher education
18 which desires to receive a grant under this part shall submit
19 an application therefor at such time or times, in such man-
20 ner, and containing such information as the Commissioner
21 shall prescribe by regulation.
22 "(2) The Commissioner shall approve an application
23 for a construction project under this part only if he deter-
24 mines that—

1 "(A) it meets the requirements prescribed under
2 paragraph (1);
3 "(B) the project for which assistance is sought is
4 an eligible project under section 705;
5 "(C) such project has been submitted through, and
6 been approved and recommended by, the appropriate
7 State Commission;
8 "(D) such State Commission has certified to the
9 Commissioner, in accordance with the State plan, the
10 Federal share of the development cost of the project,
11 and that sufficient funds to pay such Federal share are
12 available from the applicable apportionment of the State;
13 "(E) such project has, pursuant to the State plan,
14 been assigned a priority that is higher than that assigned
15 to all other projects within the State which are charge-
16 able to the same apportionment, and meet the require-
17 ments of this section, and for which Federal funds have
18 not yet been reserved;
19 "(F) the construction to be carried out under the
20 application will be undertaken in a timely and economic
21 manner and will not be of elaborate or extravagent de-
22 sign or materials;
23 "(G) in the case of a student health care facility,
24 no assistance will be provided for such facility under
25 title IV of the Housing Act of 1950; and

1 "(H) the application contains assurances or is sup-
2 ported by satisfactory assurances—
3 "(i) that title to the site is in accordance with
4 regulations of the Commissioner relating thereto,
5 "(ii) that Federal funds received by the appli-
6 cant will be solely used for defraying the develop-
7 ment cost of the project covered by the application,
8 "(iii) that sufficient funds will be available to
9 meet the non-Federal portion of such cost and to
10 provide for the effective use of the academic fa-
11 cility upon completion,
12 "(iv) that the facility will be used as an aca-
13 demic facility for at least the period of the Federal
14 interest therein, as provided in section 781, and
15 "(v) that the plans for such facilities comply
16 with such standards as the Secretary may prescribe,
17 or approve, in order to insure that facilities con-
18 structed with the use of Federal funds appropriated
19 under this part, shall be, to the extent appropriate
20 in view of the uses to be made of the facility, ac-
21 cessible to, and usable by, handicapped persons.
22 "(b) Amendments to applications submitted under this
23 section shall, except as the Commissioner may otherwise
24 provide by regulations, be subject to approval in the same
25 manner as original applications.

1 "(c) (1) Upon his approval of any application under
2 this section, the Commissioner shall reserve from the ap-
3 plicable apportionment available therefor, the amount of
4 such grant, which shall be equal to the Federal share of the
5 development cost of the project covered by the application,
6 and, in accordance with regulations, shall pay the amount
7 reserved to the applicant.

8 "(2) Upon approval of an amendment of an applica-
9 tion, or revision of the estimated development cost of a
10 project, for which there has been a reservation made under
11 paragraph (1), the Commissioner may adjust the amount
12 so reserved, accordingly. If an adjustment under the first
13 sentence of this section results in a greater amount being
14 reserved, he may reserve the Federal share of the added
15 cost only from the applicable apportionment available at the
16 time of such approval.

17 "ADMINISTRATION OF STATE PLANS; JUDICIAL
18 REVIEW

19 "SEC. 708. (a) (1) The Commissioner shall not finally
20 disapprove any State plan submitted under this title, or any
21 modification thereof, without first affording the State com-
22 mission submitting the plan reasonable notice and oppor-
23 tunity for a hearing.

24 "(2) Whenever the Commissioner, after reasonable
25 notice and opportunity for hearing to the State commission
26 administering a State plan approved under this title, finds—

1 "(A) that the State plan has been so changed that
2 it no longer complies with the provisions of section 704,
3 or
4 "(B) that in the adminstration of the plan there
5 is a failure to comply substantially with any such pro-
6 vision,
7 the Commissioner shall notify such State commission that
8 the State will not be regarded as eligible to participate in
9 the program under this title until he is satisfied that there
10 is no longer any such failure to comply.
11 "(b) (1) If any State is dissatisfied with the Commis-
12 sioner's final action with respect to the approval of its State
13 plan submitted under section 704, or with his final action
14 under subsection (a), such State may appeal to the United
15 States court of appeals for the circuit in which such State
16 is located. The summons and notice of appeal may be served
17 at any place in the United States. The Commissioner shall
18 forthwith certify and file in the court the transcript of the
19 proceedings and the record on which he based his action.
20 "(2) The findings of fact by the Commissioner, if sup-
21 ported by substantial evidence, shall be conclusive; but the
22 court, for good cause shown, may remand the case to the
23 Commissioner to take further evidence, and the Commis-
24 sioner may thereupon make new or modified findings of

1 fact and may modify his previous action, and shall certify
2 to the court the transcript and record of the further pro-
3 ceedings. Such new or modified findings of fact shall like-
4 wise be conclusive if supported by substantial evidence.
5 "(3) The court shall have jurisdiction to affirm the ac-
6 tion of the Commissioner or to set it aside, in whole or in
7 part. The judgment of the court shall be subject to review
8 by the Supreme Court of the United States upon certiorari
9 or certification as provided in title 28, United States Code,
10 section 1254.
11 "PART B—GRANTS FOR CONSTRUCTION OF GRADUATE
12 ACADEMIC FACILITIES
13 "AUTHORIZATION
14 "SEC. 721. (a) The Commissioner shall carry out a
15 program of making grants to institutions of higher education
16 to assist them in improving existing graduate schools and
17 cooperative graduate centers, and in establishing graduate
18 schools and cooperative graduate centers of excellence, in
19 order to increase the supply of highly qualified personnel
20 needed by communities, industries, and governments.
21 "(b) For the purpose of making grants under this part,
22 there are authorized to be appropriated $120,000,000 for the
23 fiscal year ending June 30, 1972, and for each of the succeed-
24 ing fiscal years ending prior to July 1, 1976.

1 "APPLICATION FOR, AND AMOUNT OF, GRANTS

2 "SEC. 722. (a) (1) Any institution of higher education
3 desiring to receive a grant under this part shall submit an
4 application therefor at such time, in such manner, and con-
5 taining such information as the Commissioner may require.

6 "(2) In determining whether to approve applications
7 under this section, the order in which to approve such appli-
8 cations, and the amount of grants, the Commissioner shall
9 give consideration to the extent to which the projects for
10 which assistance is sought will contribute toward achieving
11 the objectives of this part, and the extent to which they will
12 aid in attaining a wider distribution of graduate schools and
13 cooperative graduate centers throughout the States. In no
14 case shall the total of the payments from appropriations for
15 any fiscal year pursuant to section 721 made with respect
16 to projects in any State exceed an amount equal to 12½ per
17 centum of such appropriations.

18 "(3) For the purposes of this section, the term 'institu-
19 tion of higher education' includes cooperative graduate center
20 boards.

21 "(b) The Commissioner shall not approve any applica-
22 tion under this section until he has obtained the advice and
23 recommendations of a panel of specialists who are not em-
24 ployees of the Federal Government and who are competent
25 to evaluate such application.

1 "(c) No grant under this part may be in an amount in
2 excess of 50 per centum of the development cost of the
3 project covered by the application.

4 "PART C—LOANS FOR CONSTRUCTION OF ACADEMIC
5 FACILITIES

6 "AUTHORIZATION

7 "SEC. 741. (a) (1) The Commissioner shall carry out
8 a program of making loans, in accordance with the provisions
9 of this part.

10 "(2) The Commissioner is authorized to make loans to
11 institutions of higher education and to higher education build-
12 ing agencies, which have submitted approvable applications
13 under part A, for the construction of academic facilities.

14 "(b) For the purpose of making payments into the fund
15 established under section 444, there are hereby authorized
16 to be appropriated $400,000,000 for the fiscal year ending
17 June 30, 1972, and for each of the succeeding fiscal years
18 ending prior to July 1, 1976. Sums appropriated pursuant
19 to this subsection for any fiscal year shall be available without
20 fiscal year limitations.

21 "ELIGIBILITY CONDITIONS, AMOUNTS, AND TERMS OF LOANS

22 "SEC. 742. (a) No loan pursuant to this part shall be
23 made unless the Commissioner finds (1) that not less than
24 20 per centum of the development cost of the facility will be
25 financed from non-Federal sources, (2) that the applicant

1 is unable to secure the amount of such loan from other sources
2 upon terms and conditions equally as favorable as the terms
3 and conditions applicable to loans under this part, (3) that
4 the construction will be undertaken in an economical manner
5 and that it will not be of elaborate or extravagant design or
6 materials, and (4) that, in the case of a project to construct
7 an infirmary or other facility designed to provide primarily
8 for outpatient care of students and institutional personnel,
9 no financial assistance will be provided such project under
10 title IV of the Housing Act of 1950.
11 "(b) A loan pursuant to this part shall be secured in
12 such manner and shall be repaid within such period not ex-
13 ceeding fifty years, as may be determined by the Commis-
14 sioner; and it shall bear interest at (1) a rate determined by
15 the Commissioner which shall not be less than a per annum
16 rate that is one-quarter of 1 percentage point above the aver-
17 age annual interest rate on all interest-bearing obligations of
18 the United States forming a part of the public debt as com-
19 puted at the end of the preceding fiscal year, adjusted to the
20 nearest one-eighth of 1 per centum, or (2) the rate of 3 per
21 centum per annum, whichever is the lesser.
22 "GENERAL PROVISION FOR LOAN PROGRAM
23 "SEC. 743. (a) Such financial transactions of the Com-
24 missioner as the making of loans and vouchers approved by
25 the Commissioner in connection with such financial transac-

1 tions, except with respect to administrative expenses, shall
2 be final and conclusive on all officers of the Government.
3 "(b) In the performance of, and with respect to, the
4 functions, powers, and duties vested in him by this part, the
5 Commissioner may—
6 "(1) prescribe such rules and regulations as may be
7 necessary to carry out the purposes of this part;
8 "(2) sue and be sued in any court of record of a
9 State having general jurisdiction or in any district court
10 of the United States, and such district courts shall have
11 jurisdiction of civil actions arising under this part without
12 regard to the amount in controversy, and any action in-
13 stituted under this subsection by or against the Commis-
14 sioner shall survive notwithstanding any change in the
15 person occupying the office of Commissioner or any
16 vacancy in such office; but no attachment, injunction,
17 garnishment, or other similar process, mesne or final,
18 shall be issued against the Commissioner or property
19 under his control, and nothing herein shall be construed
20 to except litigation arising out of activities under this part
21 from the application of sections 507 (b) and 517 and
22 2679 of title 28 of the United States Code.
23 "(3) foreclose on any property or commence any
24 action to protect or enforce any right conferred upon
25 him by any law, contract, or other agreement, and bid for

1 and purchase at any foreclosure or any other sale any
2 property in connection with which he has made a loan
3 pursuant to this part; and, in the event of any such
4 acquisition (and notwithstanding any other provisions of
5 law relating to the acquisition, handling, or disposal of
6 real property by the United States), complete, admin-
7 ister, remodel and convert, dispose of, lease, and other-
8 wise deal with, such property: *Provided*, That any such
9 acquisition of real property shall not deprive any State
10 or political subdivision thereof of its civil or criminal
11 jurisdiction in and over such property or impair the civil
12 rights under the State or local laws of the inhabitants on
13 such property;
14 "(4) sell or exchange at public or private sale, or
15 lease, real or personal property, and sell or exchange
16 any securities or obligations, upon such terms as he may
17 fix:
18 "(5) subject to the specific limitations in this part,
19 consent to the modification, with respect to the rate of
20 interest, time of payment of any installment of principal
21 or interest, security, or any other term of any contract
22 or agreement to which he is a party or which has been
23 transferred to him pursuant to this section; and
24 "(6) include in any contract or instrument made
25 pursuant to this part such other covenants, conditions,

1 or provisions (including provisions designed to assure
2 against use of the facility, contructed with the aid of a
3 loan under this part, for purposes described in section
4 782 (1) as he may deem necessary to assure that the
5 purpose of this part will be achieved.

6 "REVOLVING LOAN FUND

7 "SEC. 744. (a) There is hereby created within the
8 Treasury a separate fund for higher education academic
9 facilities loans (hereafter in this section called 'the fund')
10 which shall be available to the Commissioner without fiscal
11 year limitation as a revolving fund for the purposes of this
12 part.

13 "(b) (1) The Commissioner shall transfer to the fund
14 available appropriations provided under section 741 (c) to
15 provide capital for the fund. All amounts received by the
16 Commissioner as interest payments or repayments of prin-
17 cipal on loans, and any other moneys, property, or assets
18 derived by him from his operations in connection with this
19 part, including any moneys derived directly or indirectly
20 from the sale of assets, or beneficial interests or participations
21 in assets of the fund, shall be deposited in the fund.

22 "(2) All loans, expenses, and payments pursuant to
23 operations of the Commissioner under this part shall be paid
24 from the fund, including (but not limited to) expenses and
25 payments of the Commissioner in connection with sale,

1 under section 302 (c) of the Federal National Mortgage
2 Association Charter Act, of participations in obligations
3 acquired under this title. From time to time, and at least
4 at the close of each fiscal year, the Commissioner shall pay
5 from the fund into the Treasury as miscellaneous receipts
6 interest on the cumulative amount of appropriations paid out
7 for loans under this title or available as capital to the fund,
8 less the average undisbursed cash balance in the fund during
9 the year. The rate of such interest shall be determined by
10 the Secretary of the Treasury, taking into consideration the
11 average market yield during the month preceding each fiscal
12 year on outstanding Treasury obligations of maturity com-
13 parable to the average maturity of loans made from the fund.
14 Interest payments may be deferred with the approval of the
15 Secretary of the Treasury, but any interest payments so
16 deferred shall themselves bear interest. If at any time the
17 Commissioner determines that moneys in the fund exceed
18 the present and any reasonably prospective future require-
19 ments of the fund, such excess shall be available for the pur-
20 poses of part A and shall be deemed to have been appropri-
21 ated pursuant to section 701 (b).

22 "ANNUAL INTEREST GRANTS

23 "SEC. 745. (a) To assist institutions of higher educa-
24 tion and higher education building agencies, which have had
25 applications projects approved under part A, to reduce the

1 cost of borrowing from other sources for the construction of
2 academic facilities, the Commissioner may make annual in-
3 terest grants to such institutions and agencies.
4 "(b) Annual interest grants to an institution of higher
5 education or higher education building agency with respect
6 to any academic facility shall be made over a fixed period
7 not exceeding forty years, and provision for such grants
8 shall be embodied in a contract guaranteeing their payment
9 over such period. Each such grant shall be in an amount
10 not greater than the difference between (1) the average
11 annual debt service which would be required to be paid,
12 during the life of the loan, on the amount borrowed from other
13 sources for the construction of such facilities, and (2) the
14 average annual debt service which the institution would have
15 been required to pay, during the life of the loan, with respect
16 to such amounts if the applicable interest rate were the maxi-
17 mum rate specified in section 743 (b): *Provided*, That the
18 amount on which such grant is based shall be approved by
19 the Secretary.
20 "(c) (1) There are hereby authorized to be appropriated
21 to the Commissioner such sums as may be necessary for the
22 payment of annual interest grants to institutions of higher
23 education and higher education building agencies in accord-
24 ance with this section.
25 "(2) Contracts for annual interest grants under this

1 section shall not be entered into in an aggregate amount
2 greater than is authorized in appropriation Acts; and in any
3 event the total amount of annual interest grants which may
4 be paid to institutions of higher education and higher educa-
5 tion building agencies in any year pursuant to contracts
6 entered into under this section shall not exceed $5,000,000
7 which amount shall be increased by $6,750,000 on July 1,
8 1969, and by $13,500,000 on July 1, 1970 and on July 1
9 of each of the four succeeding years.

10 "(d) Not more than 12½ per centum of the funds pro-
11 vided for in this section for grants may be used within any
12 one State.

13 "(e) No annual interest grant pursuant to this section
14 shall be made unless the Commissioner finds (1) that not
15 less than 10 per centum of the development cost of the
16 facility will be financed from non-Federal sources, (2) that
17 the applicant is unable to secure a loan in the amount of the
18 loan with respect to which the annual interest grant is to
19 be made, from other sources upon terms and conditions
20 equally as favorable as the terms and conditions applicable
21 to loans under this title, and (3) that the construction will
22 be undertaken in an economical manner and that it will not
23 be of elaborate or extravagant design or materials. For pur-
24 poses of this section, a loan with respect to which an interest

1 grant is made under this section shall not be considered
2 financing from a non-Federal source. For purposes of the
3 other provisions of this title, such a loan shall be considered
4 financing from a non-Federal source.

5 "PART D—ASSISTANCE IN MAJOR DISASTER AREAS

6 "AUTHORIZATION

7 "SEC. 761. (a) The Commissioner shall carry out a
8 program of financial assistance to public institutions of higher
9 education, in accordance with the provisions of this part.

10 "(b) There are authorized to be appropriated for each
11 fiscal year such sums as may be necessary to carry out the
12 provisions of this part.

13 "ASSISTANCE FOR CONSTRUCTION OF ACADEMIC
14 FACILITIES

15 "SEC. 762. (a) If the Director of the Office of Emer-
16 gency Planning determines that a public institution of higher
17 education is, in whole or in part, within an area which, after
18 June 30, 1971, and before July 1, 1976, has suffered a
19 disaster which is a major disaster, and if the Commissioner
20 determines with respect to such institution that—

21 "(1) the academic facilities of such institution have
22 been destroyed or seriously damaged as a result of the
23 disaster;

24 "(2) such institution is exercising due diligence in

availing itself of State and other financial assistance available for restoration or replacement of such facilities; and

"(3) the institution does not have sufficient funds available from such other sources, including proceeds of insurance on the facilities, to provide for the restoration or replacement of such facilities;

the Commissioner is authorized to provide such assistance to such institution as is provided in subsection (b).

"(b) (1) Assistance under this section shall be a grant to an eligible institution, as determined under subsection (a), of an amount necessary to enable the institution to carry out the construction necessary to restore or replace the academic facilities determined to be damaged or destroyed under clause (1) of subsection (a).

"(2) The maximum amount of a grant under this section shall not exceed the cost of construction incident to the restoration or replacement of the facilities determined to be damaged or destroyed under clause (1) of subsection (a) less the amount of additional assistance determined to be available under clause (3) of subsection (a).

"(c) (1) Assistance under this section may include a grant of an amount necessary to enable the institution to lease, or otherwise obtain the use of, such facilities as are

needed to replace, temporarily, facilities which have been made unavailable as a result of a major disaster.

"(2) An institution shall be eligible for assistance under this subsection if it qualifies for assistance under subsection (a), whether or not it receives assistance under subsection (b).

"EQUIPMENT AND SUPPLIES

"SEC. 763. If an institution is eligible for assistance under section 762 (a), the Commissioner is authorized, whether or not such institution receives assistance under section 762 (b), to make a grant to such institution of not in excess of an amount he determines necessary to replace equipment, maintenance supplies, and instructional supplies (including books, and curricular and program materials) destroyed or seriously damaged as a result of the major disaster.

"REPAYABLE ASSISTANCE IN LIEU OF A GRANT

"SEC. 764. If the Commissioner's determinations under clauses (2) and (3) of section 762 (a) indicate that financial resources will become available to an institution otherwise qualified for assistance under section 762 at some future date or dates, he is authorized, subject to such terms and conditions as may be in the public interest, to extend assistance to such institution under section 762 (b), 762 (c), or

1 763 (or all such sections) with an agreement with such
2 institution which provides that the institution will repay part
3 or all of the funds received by it under this part.
4 "APPLICATIONS
5 "SEC. 765. No payment may be made to a public in-
6 stitution of higher education for academic facilities under
7 this part unless an application therefor is submitted through
8 the appropriate State commission and is filed with the Com-
9 missioner in accordance with regulations prescribed by him.
10 In determining the order in which such applications shall
11 be approved, the Commissioner shall consider the relative
12 educational and financial needs of the institutions which have
13 submitted approvable applications. No payment may be
14 made under section 762 (b) unless the Commissioner finds,
15 after consultation with the State commission, that the proj-
16 ect or projects with respect to which it is made are not in-
17 consistent with overall State plans, submitted under section
18 704 (a), for the construction of academic facilities. All deter-
19 minations made by the Commissioner under this part shall be
20 made only after consultation with the appropriate State
21 commission.
22 "DEFINITIONS
23 "SEC. 766. For the purposes of this part—
24 "(1) the term 'major disaster' means a disaster
25 determined to be a major disaster as defined in section

1 2 (a) of the Act of September 30, 1950 (42 U.S.C.
2 185a (a)); and
3 "(2) an institution of higher education shall be
4 deemed to be a 'public institution of higher education' if
5 such institution is found by the Commissioner to be under
6 public supervision and control.
7 "PART E—GENERAL
8 "RECOVERY OF PAYMENTS
9 "SEC. 781. (a) The Congress hereby finds and declares
10 that, if a facility constructed with the aid of a grant or grants
11 under part A or B of this title is used as an academic fa-
12 cility for twenty years following completion of such con-
13 struction, the public benefit accruing to the United States
14 from such use will equal in value the amount of such grant
15 or grants. The period of twenty years after completion of
16 such construction shall therefore be deemed to be a period of
17 Federal interest in such facility for the purposes of this Act.
18 "(b) If, within twenty years after completion of con-
19 struction of an academic facility which has been constructed
20 in part with a grant or grants under part A or B of this
21 title—
22 "(1) the applicant (or its successor in title or
23 possession) ceases or fails to be a public or nonprofit
24 institution, or
25 "(2) the facility ceases to be used as an academic

1 facility, or the facility is used as a facility excluded
2 from the term 'academic facility',
3 the United States shall be entitled to recover from such
4 applicant (or successor) an amount which bears to the then
5 value of the facility (or so much thereof as constituted an
6 approved project or projects) the same ratio as the amount
7 of such Federal grant or grants bore to the development cost
8 of the facility financed with the aid of such grant or
9 grants. Such value shall be determined by agreement of
10 the parties or by action brought in the United States district
11 court for the district in which such facility is situated.
12 "DEFINITIONS
13 "SEC. 782. The following definitions apply to terms
14 used in this title:
15 "(1) (A) Except as provided in subparagraph (B) of
16 this paragraph, the term 'academic facilities' means struc-
17 tures suitable for use as classrooms, laboratories, libraries,
18 and related facilities necessary or appropriate for instruction
19 of students, or for research, or for administration of the edu-
20 cational or research programs, of an institution of higher
21 education, and maintenance, storage, or utility facilities es-
22 sential to operation of the foregoing facilities. For purposes
23 of parts A, C, and D, such term includes infirmaries or other
24 facilities designed to provide primarily for outpatient care
25 of students and institutional personnel.

1 "(B) The term 'academic facilities' shall not include
2 (i) any facility intended primarily for events for which
3 admission is to be charged to the general public, or (ii) any
4 gymnasium or other facility specially designed for athletic or
5 recreational activities, other than for an academic course in
6 physical education or where the Commissioner finds that the
7 physical integration of such facilities with other academic
8 facilities included under this Act is required to carry out the
9 objectives of this Act, or (iii) any facility used or to be used
10 for sectarian instruction or as a place for religious worship,
11 or (iv) any facility which (although not a facility described
12 in the preceding clause) is used or to be used primarily in
13 connection with any part of the program of a school or
14 department of divinity, or (v) any facility used or to be
15 used by a school of medicine, school of dentistry, school of
16 osteopathy, school of pharmacy, school of optometry, school
17 of podiatry, or school of public health as these terms are
18 defined in section 724 of the Public Health Service Act, or
19 a school of nursing as defined in section 843 of that Act.
20 For the purposes of this subparagraph (B), the term
21 'school or department of divinity' means an institution, or
22 a department or branch of an institution, whose program is
23 specifically for the education of students to prepare them to
24 become ministers of religion or to enter upon some other
25 religious vocation or to prepare them to teach theological
26 subjects.

1 "(2) The term 'construction' means (A) erection of
2 new or expansion of existing structures, and the acquisition
3 and installation of initial equipment therefor; or (B) ac-
4 quisition of existing structures not owned by the institution
5 involved; or (C) rehabilitation, alteration, conversion, or
6 improvement (including the acquisition and installation of
7 initial equipment, or modernization or replacement of built-
8 in equipment) of existing structures; or (D) a combination
9 of any two or more of the foregoing. For the purposes of
10 this paragraph and section 763, the term 'equipment' in-
11 cludes, in addition to machinery, utilities, and built-in equip-
12 ment and any necessary enclosures or structures to house
13 them, all other items necessary for the functioning of a par-
14 ticular facility as an academic facility, including necessary
15 furniture, except books, curricular and program materials,
16 and items of current operating expense such as fuel, supplies,
17 and the like; the term 'initial equipment' means equipment
18 acquired and installed in connection with construction as
19 defined in paragraph (2) (A) or (B) or, in cases referred
20 to in paragraph (2) (C), equipment acquired and installed
21 as part of the rehabilitation, alteration, conversion, or im-
22 provement of an existing structure, which structure would
23 otherwise not be adequate for use as an academic facility;
24 and the terms 'equipment', 'initial equipment', and 'built-in

1 equipment' shall be more particularly defined by the Com-
2 missioner by regulation.
3 "(3) (A) The term 'development cost', with respect
4 to an academic facility, means the amount found by the
5 Commissioner to be the cost, to the applicant for a grant or
6 loan under this title, of the construction involved and the
7 cost of necessary acquisition of the land on which the facility
8 is located and of necessary site improvements to permit its
9 use for such facility. There shall be excluded from the de-
10 velopment cost—
11 "(i) in determining the amount of any grant under
12 part A or B, an amount equal to the sum of (I) any
13 Federal grant which the institution has obtained, or is
14 assured of obtaining, under any law other than this title,
15 with respect to the construction that is to be financed
16 with the aid of a grant under part A or B, and (II) the
17 amount of any non-Federal funds required to be ex-
18 pended as a condition of such other Federal grant; and
19 "(ii) in determining the amount of any loan under
20 part C, an amount equal to the amount of any Federal
21 financial assistance which the institution has obtained,
22 or is assured of obtaining, under any law other than this
23 title, with respect to the construction that is to be
24 financed with the aid of a loan under part C.

1 "(B) In determining the development cost with respect
2 to an academic facility, the Commissioner may include ex-
3 penditures for works of arts for the facility of not to exceed
4 1 per centum of the total cost (including such expenditures)
5 to the applicant of construction of, and land acquisition and
6 site improvements for, such facility.

7 "(4) The term 'Federal share' means, in the case of
8 any project a percentage (as determined under the applicable
9 State plan) not in excess of 50 per centum of its develop-
10 ment cost.

11 "(5) The term 'higher education building agency'
12 means (A) an agency, public authority, or other instru-
13 mentality of a State authorized to provide, or finance the
14 construction of, academic facilities for institutions of higher
15 education (whether or not also authorized to provide or
16 finance other facilities for such or other educational institu-
17 tions, or for their students or faculty), or (B) any corpora-
18 tion (no part of the net earnings of which inures or may
19 lawfully inure to the benefit of any private shareholder or
20 individual) (I) established by an institution of higher edu-
21 cation for the sale purpose of providing academic facilities
22 for the use of such institution, and (II) upon dissolution of
23 which, all title to any property purchased or built from the
24 proceeds of any loan made under part C will pass to such
25 institution.

1 "(6) The term 'public community college and public
2 technical institute' means an institution of higher education
3 which is under public supervision and control, and is orga-
4 nized and administered principally to provide a two-year
5 program which is acceptable for full credit toward a bach-
6 elor's degree, or a two-year program in engineering, mathe-
7 matics, or the physical or biological sciences which is de-
8 signed to prepare the student to work as a technician and at
9 a semiprofessional level in engineering, scientific, or other
10 technological fields which require the understanding and ap-
11 plication of basic engineering, scientific, or mathematical
12 principles or knowledge; and the term includes a branch of
13 an institution of higher education offering four or more years
14 of higher education which is located in a community different
15 from that in which its parent institution is located.

16 "(7) The term 'cooperative graduate center' means an
17 institution or program created by two or more institutions
18 of higher education which will offer to the students of the
19 participating institutions of higher education graduate work
20 which could not be offered with the same proficiency or
21 economy (or both) at the individual institution of higher
22 education. The center may be located or the program car-
23 ried out on the campus of any of the participating institu-
24 tions or at a separate location.

25 "(8) The term 'cooperative graduate center board'

1 means a duly constituted board established to construct and
2 maintain the cooperative graduate center and coordinate
3 academic programs. The board shall be composed of repre-
4 sentatives of each of the higher institutions participating in
5 the center and of the community involved. At least one-
6 third of the board's members shall be community repre-
7 sentatives. The board shall elect by a majority vote a chair-
8 man from among its membership.".

9 (b) (1) The programs authorized by title VII of the
10 Higher Education Act of 1965 shall be deemed to be a con-
11 tinuation of the comparable programs authorized by the
12 Higher Education Facilities Act of 1963.

13 (2) Effective July 1, 1972, the Higher Education Fa-
14 cilities Act of 1963 is amended by striking out titles I and II
15 thereof.

16 (3) Effective July 1, 1971, such Act is amended by
17 striking out section 306 thereof.

18 (4) The revolving fund created by section 744 of the
19 Higher Education Act of 1965 shall be deemed to be a
20 continuation of the revolving fund created by section 305
21 of the Higher Education Facilities Act of 1963. Any funds in
22 the fund for higher education academic facilities created by
23 such section 305 on the date of enactment of this Act shall
24 be transferred to the fund created by section 744 of the
25 Higher Education Act of 1965, and all such funds shall be

1 deemed to have been made available for such fund. Notwith-
2 standing any other provision of law, unless enacted in specific
3 limitation of the provisions of this sentence, any sums appro-
4 priated pursuant to section 303 (c) for any fiscal year ending
5 prior to July 1, 1972, which have not been loaned under
6 title III of the Higher Education Facilities Act of 1963 shall
7 be deemed to have been appropriated pursuant to section
8 741 (b) of the Higher Education Act of 1965 for the fiscal
9 year ending June 30, 1972.

10 EXTENSION OF AUTHORIZATIONS OF APPROPRIATIONS FOR
11 THE HIGHER EDUCATION FACILITIES ACT OF 1963

12 SEC. 162. Sections 101 (b), 201, 303 (c), and 408 (a)
13 of the Higher Education Facilities Act of 1963 are each
14 amended by striking out "July 1, 1971" and inserting in lieu
15 thereof "July 1, 1972".

16 STATE HIGHER EDUCATION COMMISSIONS

17 SEC. 163. Section 1202 of the Higher Education Act
18 of 1965, having been superseded by section 425 of the
19 General Education Provisions Act, is hereby repealed. Title
20 XII of such Act is amended by adding after section 1201
21 the following new section:

22 "STATE HIGHER EDUCATION COMMISSIONS

23 "SEC. 1202. (a) (1) Any State desiring to participate
24 in any program authorized by this Act which requires the
25 use of a State Commission in the administration thereof

1 shall designate, for such purpose, a State agency which is
2 broadly representative of the public and of the public and
3 private institutions of higher education (including public
4 community colleges and public technical institutes) in the
5 State. If, in the case of any State, no such State agency
6 exists, such State shall create such an agency.
7 "(2) Each State commission shall be authorized to, and
8 shall carry out, such functions as may be required or author-
9 ized with respect to the program in which the State is par-
10 ticipating. The Commissioner shall pay to each State com-
11 mission the amount necessary for the proper and efficient
12 administration of each State plan which is approved by him
13 under this Act.
14 "(b) (1) The Commissioner is authorized to make
15 grants to State commissions to enable them to make com-
16 prehensive inventories of, and studies with respect to, the
17 postsecondary educational resources in the States and means
18 by which such resources may be better planned and coordi-
19 nated, improved, expanded, or altered in order to insure that
20 all persons within the States who desire, and who can benefit
21 from, postsecondary education may have an opportunity to
22 do so.
23 "(2) The Commissioner is further authorized to make
24 grants to State commissions to enable them to conduct com-
25 prehensive planning for statewide postsecondary education

1 systems which will achieve the purpose set forth in para-
2 graph (1). Such planning shall include a consideration of a
3 system of comprehensive public community colleges as a
4 means of achieving such purpose.
5 "(c) There is authorized to be appropriated such sums
6 as may be necessary to carry out the provisions of this
7 section.".
8 PART H—NETWORKS FOR KNOWLEDGE EXTENSION
9 EXTENSION OF AUTHORIZATION OF APPROPRIATIONS
10 SEC. 171. Section 802 of the Higher Education Act of
11 1965 is amended by inserting before the period at the end
12 thereof "and for each of the succeeding fiscal years ending
13 prior to July 1, 1976".
14 PART I—GRADUATE PROGRAMS AND FELLOWSHIPS
15 NEW TITLES IX AND X OF THE HIGHER EDUCATION
16 ACT OF 1965
17 SEC. 181. (a) The Higher Education Act of 1965 is
18 amended by striking out titles IX and X and inserting in lieu
19 thereof the following:
20 "TITLE IX—GRADUATE PROGRAMS
21 "PURPOSES; AUTHORIZATION
22 "SEC. 901. (a) It is the purpose of this title to make
23 financial assistance available to institutions of higher educa-
24 tion—
25 "(1) to strengthen and improve the quality of grad-

1 uate programs leading to an advanced degree in such
2 institutions and to increase the number of such programs;
3 "(2) to establish, strengthen, and support graduate
4 centers for the study of the languages and cultures of
5 foreign countries, areas, or regions;
6 "(3) to establish, strengthen, and support graduate
7 centers to serve as national and international resources
8 for research and training in international studies; and
9 "(4) to establish, strengthen, and improve pro-
10 grams designed to prepare graduate and professional
11 students for the public service.
12 "(b) The Commissioner shall carry out a program of
13 making grants to institutions of higher education to carry out
14 the purposes set forth in subsection (a).
15 "(c) There are authorized to be appropriated $100,-
16 000,000 for the fiscal year ending June 30, 1972, and for
17 each of the succeeding fiscal years ending prior to July 1,
18 1976.
19 "APPLICATIONS
20 "SEC. 902. (a) An institution of higher education desir-
21 ing to receive a grant under this title shall submit to the
22 Commissioner an application therefor at such time or times,
23 in such manner, and containing such information as the Com-
24 missioner may prescribe by regulation. Such application shall
25 set forth a program of activities carrying out one or more of

1 the purposes set forth in section 901 (a) in such detail as
2 will enable the Commissioner to determine the degree to
3 which such program will accomplish such purpose or pur-
4 poses, and such other policies, procedures, and assurances
5 as the Commissioner may require by regulation.
6 "(b) The Commissioner shall approve an application
7 only if he determines—
8 "(1) that the application sets forth a program of
9 activities which are likely to make substantial progress
10 toward achieving the purposes of this title; and
11 "(2) that the approval of the application will result
12 in a wider distribution of the programs described in
13 section 901 (a) throughout the States.
14 "TITLE X—GRADUATE FELLOWSHIPS
15 "AUTHORIZATION
16 "SEC. 1001. (a) The Commissioner shall carry out a
17 program of awarding fellowships, in accordance with the
18 provisions of this title, for graduate or professional study
19 leading to an advanced degree for persons who are planning
20 to teach in institutions of higher education or to enter the
21 public service. Such fellowships shall be awarded for such
22 periods, not to exceed three academic years, as the Com-
23 missioner may determine.
24 "(b) Fellowships shall be awarded under this title dur-
25 ing the period beginning July 1, 1972, and ending June 30,

1976. The number of fellowships awarded during any fiscal year in such period shall not exceed seven thousand five hundred. There are authorized to be appropriated such sums as may be necessary to enable the Commissioner to award such fellowships.

"ALLOCATION OF FELLOWSHIPS

"SEC. 1002. The Commissioner shall allocate fellowships under this title among institutions of higher education with programs approved under the provisions of this title for the use of individuals accepted into such programs, in such manner and according to such plan as will, insofar as practicable—

"(1) provide an equitable distribution of such fellowships throughout the United States; and

"(2) attract recent college graduates to pursue a career in public serivce or in higher education.

"APPROVAL OF PROGRAMS

"SEC. 1003. The Commissioner shall approve a graduate or professional program of an institution of higher education only upon application by the institution and only upon his findings—

"(1) that the application sets forth a program which is in effect and of high quality, or can readily be put into effect and may reasonably be expected to be of high quality; and

1 "(2) that the application contains satisfactory as-
2 surance that (A) the institution will recommend to the
3 Commissioner, for the award of fellowships under this
4 part for study in such program, only persons of superior
5 promise who have demonstrated to the satisfaction of
6 the institution a serious intent to enter the public serv-
7 ice upon completing the program, and (B) the insti-
8 tution will make reasonable continuing efforts to encour-
9 age recipients of fellowships under this part, enrolled
10 in such programs, to enter the public service upon com-
11 pleting the program.

12 "STIPENDS

13 "SEC. 1004. (a) The Commissioner shall pay to per-
14 sons awarded fellowships under this title such stipends (in-
15 cluding such allowances for subsistence and other expenses
16 for such persons and their dependents) as he may determine
17 to be consistent with prevailing practices under comparable
18 federally supported programs.

19 "FELLOWSHIP CONDITIONS

20 "SEC. 1005. A person awarded a fellowship under the
21 provisions of this title shall continue to receive the payments
22 provided in this part only during such periods as the Com-
23 missioner finds that he is maintaining satisfactory proficiency
24 and devoting full time to study or research in the field in
25 which such fellowship was awarded in an institution of higher

1 education, and is not engaging in gainful employment other
2 than employment approved by the Commissioner by or pur-
3 suant to regulation.".

4 (b) Of the sums appropriated pursuant to section 901 (c)
5 of the Higher Education Act of 1963 for any fiscal year an
6 amount equal to at least $18,000,000 shall be for the pur-
7 poses of sections 901 (a) (2) and (3).

8 EXTENSION OF TITLES IV AND VI OF THE NATIONAL DE-
9 FENSE EDUCATION ACT OF 1958 AND OF THE INTER-
10 NATIONAL EDUCATION ACT

11 SEC. 182. (a) (1) Section 402 (a) of the National De-
12 fense Education Act of 1958 is amended by striking out
13 "seven succeeding fiscal years" and inserting in lieu thereof
14 "eight succeeding fiscal years".

15 (2) Section 603 of such Act is amended by striking out
16 "for the fiscal year ending June 30, 1971," and inserting in
17 lieu thereof "for each of the fiscal years ending June 30,
18 1971, and June 30, 1972,".

19 (b) The second sentence of section 105 (a) of the Inter-
20 national Education Act of 1966 is amended by striking out
21 "July 1, 1971" and inserting in lieu thereof "July 1, 1972".

22 PART J—LAW SCHOOL CLINICAL EXPERIENCE PROGRAMS

23 SEC. 191. Section 1103 of the Higher Education Act of
24 1965 is amended by striking out "fiscal years ending June 30,

1970, and June 30, 1971" and inserting in lieu thereof "succeeding fiscal years ending prior to July 1, 1976".

TITLE II—VOCATIONAL EDUCATION GRANTS TO STATES; RESEARCH

SPECIAL PROGRAMS FOR THE DISADVANTAGED

"SEC. 201. (a) Section 102 (a) of the Vocational Education Act of 1963 is amended by inserting "ending prior to July 1, 1975," after "each succeeding fiscal year".

(b) Section 102 (b) of such Act is amended by inserting after "1972," the following: "and for each succeeding fiscal year ending prior to July 1, 1975,".

EXEMPLARY PROGRAMS AND PROJECTS

SEC. 202. Section 142 (a) of the Vocational Education Act of 1963 is amended by striking out "two succeeding fiscal years" and inserting in lieu thereof "succeeding fiscal years ending prior to July 1, 1975,".

RESIDENTIAL VOCATIONAL SCHOOLS

SEC. 203. (a) Section 151 (b) of the Vocational Education Act of 1963 is amended by striking out "the succeeding fiscal year" and inserting in lieu thereof "each of the succeeding fiscal years ending prior to July 1, 1975".

(b) Section 152 (a) (1) of such Act is amended by striking out "July 1, 1972" and inserting in lieu thereof "July 1, 1975".

(c) Section 153 (d) (2) of such Act is amended by striking out "July 1, 1971" and inserting in lieu thereof "July 1 of each of the four succeeding fiscal years".

CONSUMER AND HOMEMAKING EDUCATION

SEC. 204. (a) Section 161 (a) (1) of the Vocational Education Act of 1963 is amended by striking out "the fiscal year ending June 30, 1972" and inserting in lieu thereof "each of the succeeding fiscal years ending prior to July 1, 1975".

(b) Section 161 (c) of such Act is amended by striking out "and the two succeeding" and inserting in lieu thereof "and the five succeeding".

COOPERATIVE VOCATIONAL EDUCATION

SEC. 205. Section 172 (a) of the Vocational Education Act of 1963 is amended by striking out "the fiscal year ending June 30, 1972" and inserting in lieu thereof "each of the succeeding fiscal years ending prior to July 1, 1975".

WORK-STUDY PROGRAMS

SEC. 206. Section 181 (a) of the Vocational Education Act of 1963 is amended by inserting after "June 30, 1972," the following: "and for each of the succeeding fiscal years ending prior to July 1, 1975,".

CURRICULUM DEVELOPMENT

SEC. 207. Section 191 (b) of the Vocational Education Act of 1963 is amended by striking out "July 1, 1972" and inserting in lieu thereof "July 1, 1975".

1 TITLE III—ESTABLISHMENT OF A NATIONAL
2 FOUNDATION FOR HIGHER EDUCATION AND
3 A NATIONAL INSTITUTE FOR EDUCATION

4 AMENDMENT TO THE GENERAL EDUCATION PROVISIONS
5 ACT

6 SEC. 301. (a) The General Education Provisions Act
7 (title IV of Public Law 90–247) is amended—
8 (1) by redesignating, and all references thereto,
9 parts A, B, and C thereof, as parts B, C, and D and
10 redesignating, and all references thereto, sections 401,
11 402, 403, 404, 405, 406, 411, 412, 413, 414, 415,
12 416, 417, 418, 421, 422, 423, 424, 425, 426, 431,
13 432, 433, 434, 435, 436, 437, 438, as sections 400,
14 411, 412, 413, 414, 415, 421, 422, 423, 424, 425,
15 426, 427, 428, 431, 432, 433, 434, 435, 436, 441,
16 442, 443, 444, 445, 446, 447, and 448, respectively;
17 and
18 (2) by inserting after section 400 (as so redesig-
19 nated by clause (1)) the following new part:

20 "PART A—EDUCATION DIVISION OF THE DEPARTMENT
21 OF HEALTH, EDUCATION, AND WELFARE

22 "THE EDUCATION DIVISION

23 "SEC. 401. There shall be, within the Department of
24 Health, Education, and Welfare, an Education Division
25 which shall be composed of the Office of Education, the Na-

1 tional Foundation for Higher Education, and the National
2 Institute for Education, and shall be headed by the Commis-
3 sioner of Education.

4 "THE OFFICE OF EDUCATION

5 "SEC. 402. (a) The Office of Education shall—

6 "(1) have the primary responsibility for the ad-
7 ministration of programs of Federal assistance to educational
8 agencies, organizations, and institutions in the United States;

9 "(2) collect statistics, and other data, respecting
10 education in the United States, and disseminate infor-
11 mation relating thereto;

12 "(3) promote the improvement of educational op-
13 portunities for the people of the United States, in such
14 manner as may be specifically authorized by law; and

15 "(4) carry out such other responsibilities as may
16 be specified by law or as may be specified by the Presi-
17 dent in accordance with law.

18 Nothing in this section, or any other provision of law, shall
19 be construed to grant the Office of Education any authority
20 which is not expressly provided for by statute or implied
21 therein.

22 "(b) (1) The management of the Office of Education
23 shall, subject to the direction and supervision of the Secre-
24 tary, be entrusted to a Commissioner of Education, who shall
25 be appointed by the President by and with the advice and

1 consent of the Senate, and who shall serve at the pleasure of
2 the President.
3 "(2) There shall be a Deputy Commissioner of Educa-
4 tion (referred to in this section as 'Deputy Commissioner')
5 and six Associate Commissioners of Education (referred to
6 in this title as 'Associate Commissioners') who shall be
7 appointed by the President, by and with the advice and
8 consent of the Senate, and shall serve at the pleasure of the
9 President, and who shall perform such duties as the Com-
10 missioner may prescribe by regulation. The Deputy Com-
11 missioner shall serve as Commissioner during the absence or
12 disability of the Commissioner.
13 "(3) Persons holding the offices created by paragraphs
14 (1) and (2) shall be compensated at the following rates
15 specified for the Executive Schedule in subchapter II of
16 title 5, United States Code:
17 "(A) The Commissioner shall be compensated at
18 the rate provided for level III under section 5314
19 thereof.
20 "(B) The Deputy Commissioner shall be compen-
21 sated at the rate provided for level IV under section
22 5315 thereof.
23 "(C) Each Associate Commissioner shall be com-
24 pensated at the rate provided for level V under section
25 5316 thereof.

1 Any modification of the rates of pay specified for such
2 Executive Schedule which is the result of actions of the
3 President, after December 16, 1967, pursuant to section 225
4 of Public Law 90–206, shall be applicable to positions cre-
5 ated, and for which rates of pay are specified, by this sub-
6 section.

7 "(4) The Commissioner, the Deputy Commissioner,
8 and the Associate Commissioners may not engage in any
9 other business, vocation, or employment while serving in
10 any such position; nor may any of them, except with the
11 express approval of the President in writing, hold any office
12 in, or act in any capacity for, or have a financial interest in,
13 any organization, agency, or institution to which the Office
14 of Education makes a grant or with which it makes a con-
15 tract or other financial arrangement.

16 "NATIONAL FOUNDATION FOR HIGHER EDUCATION

17 "SEC. 403. (a) (1) The National Foundation for Higher
18 Education (referred to in this section as the 'Foundation'),
19 shall consist of a Higher Education Board (referred to in
20 this section as the 'Board') and a Director. The Foundation
21 shall have only such authority as may be vested therein by
22 this section and shall be subject to the general regulations
23 of the Commissioner promulgated for its management.

24 "(2) It shall be the purpose of the Foundation—

1 "(1) to provide a source of funds to encourage ex-
2 cellence, innovation, and reform in higher education;
3 "(2) to strengthen postsecondary educational in-
4 stitutions or courses of instruction that play a uniquely
5 valuable role in American higher education or that are
6 faced with special difficulties; and
7 "(3) to provide an organization concerned with the
8 development of national policy in higher education.
9 "(b) (1) The Board shall consist of fifteen members,
10 appointed by the President, by and with the advice and con-
11 sent of the Senate, the Director, and such other ex officio
12 members who are officers of the United States as the Presi-
13 dent may designate. Eight members (excluding ex officio
14 members) shall constitute a quorum. The Chairman of the
15 Board shall be designated by the President from among its
16 members.
17 "(2) The term of office of members of the Board (other
18 than ex officio members) shall be six years, except that (A)
19 any member appointed to fill a vacancy shall serve only such
20 portion of a term as shall not have been expired at the time
21 of such appointment, and (B) in the case of initial members,
22 five shall serve for terms of four years and five for terms of
23 two years. Any person, whose term of office is subject to
24 this paragraph, who has been a member of the Board for six

1 consecutive years shall thereafter be ineligible for appoint-
2 ment to the Board during the two-year period following the
3 expiration of such sixth year.
4 "(3) Subject to such general regulations of the Commis-
5 sioner promulgated for the management of the Foundation,
6 the Board shall—
7 "(A) establish policies for the Foundation;
8 "(B) meet at the call of the Chairman of the Board,
9 except that it shall meet (i) at least one time during
10 each fiscal year, or (ii) whenever one-third of the mem-
11 bers request a meeting in writing, in which event one-
12 third of the members (excluding ex officio members)
13 shall constitute a quorum; and
14 "(C) submit an annual report to the President on
15 the activities of the Foundation and the status of higher
16 education in the United States, which (i) shall include
17 such recommendations and comments as the Board may
18 deem appropriate, and (ii) shall be submitted to the
19 Congress as a part of the Commissioner's annual report.
20 The Board shall have the primary responsibility for the
21 powers, duties, and authorities vested in the Foundation
22 under this section and is authorized to delegate any of such
23 powers, duties, and authorities as it may deem appropriate to
24 the Director, or other officers, or permanent employees of the
25 Foundation.

1 "(c) (1) The Director of the Foundation (referred to in
2 this section as the 'Director') shall be appointed by the Presi-
3 dent, by and with the advice of the Senate, and shall serve at
4 the pleasure of the President. The Director shall be compen-
5 sated at the rate provided for level IV of the Executive
6 Schedule under section 5315 of title 5, United States Code.
7 and shall perform such duties and exercise such powers as the
8 Board, subject to general regulations of the Commissioner,
9 may prescribe.

10 "(2) There shall be a Deputy Director of the Founda-
11 tion (referred to in this section as the 'Deputy Director')
12 who shall be appointed by the President, by and with the
13 advice and consent of the Senate, and shall serve at the
14 pleasure of the President. The Deputy Director shall be
15 compensated at the rate provided for level V of the Execu-
16 tive Schedule under section 5316 of title 5, United States
17 Code, and shall exercise such powers as the Director may
18 prescribe. The Deputy Director shall serve as Director during
19 the absence or disability of the Director or in the event of a
20 vacancy in the Office of Director.

21 "(d) The Foundation is authorized to make grants to
22 institutions of higher education (including combinations of
23 such institutions) to improve educational opportunities at
24 the undergraduate and graduate levels by—

25 "(1) encouraging the reform, innovation, and im-

1 provement of higher education, and providing equal
2 educational opportunity for all;
3 "(2) the strengthening of new and developing
4 institutions of higher education that fill unmet needs,
5 as well as established institutions seeking to provide new
6 and useful services;
7 "(3) the strengthening of postsecondary institutions
8 seeking to expand enrollment of students from minority
9 groups, and from among students whose limited financial
10 resources, for whatever reason, restrict their opportuni-
11 ties for higher education;
12 "(4) the encouragement of research and experi-
13 mentation with respect to, and development of, institu-
14 tions of learning beyond high school which do not con-
15 centrate on traditional academic or vocational fields; and
16 "(5) the development and improvement of post-
17 secondary career education.
18 "(e) There is authorized to be appropriated, without
19 fiscal year limitations, $200,000,000, in the aggregate, for
20 the period beginning July 1, 1972, and ending June 30,
21 1976, to carry out the functions of the Foundation. Sums so
22 appropriated shall, notwithstanding any other provision of
23 law, unless enacted in express limitation of this subsection,
24 remain available for the purposes of this section until
25 expended.

1 "NATIONAL INSTITUTE OF EDUCATION

2 SEC. 404. (a) (1) The National Institute of Education
3 (hereinafter referred to as the 'Institute') shall consist of
4 a National Council on Educational Research (hereinafter
5 referred to as the 'Council') and a Director of the Institute
6 (hereinafter referred to as the 'Director'). The Institute
7 shall have only such authority as may be vested therein by
8 this section and subject to general regulations of the Com-
9 missioner promulgated for its management.

10 "(2) The Institute shall, in accordance with the provi-
11 sions of this section, seek to improve education in the United
12 States through—

13 "(A) helping to solve or to alleviate the problems
14 of, and achieve the objectives of American education:

15 "(B) advancing the practice of education, as an
16 art, science, and profession;

17 "(C) the strengthening of the scientific and tech-
18 nological foundations of education; and

19 "(D) building an effective educational research and
20 development system.

21 "(b) (1) The Council shall consist of fifteen members
22 appointed by the President, by and with the advice and
23 consent of the Senate, the Director, and such other ex officio
24 members who are officers of the United States as the Presi-
25 dent may designate. Eight members of the Council (exclud-

1 ing ex officio members) shall constitute a quorum. The
2 Chairman of the Council shall be designated by the President.
3 "(2) The term of office of the members of the Council
4 (other than ex officio members) shall be three years, except
5 that (A) any member appointed to fill a vacancy shall
6 serve only such portion of a term as shall not have been
7 expired at the time of such appointment, and (B) in the
8 case of initial members, five shall serve terms of two years
9 and five shall serve terms of one year. Any person who has
10 been a member of the Council for six consecutive years shall
11 thereafter be ineligible for appointment to the Council during
12 the two-year period following the expiration of such sixth
13 year.
14 "(3) Subject to general regulations of the Commissioner
15 promulgated for the management of the Institute, the Council
16 shall—
17 "(A) establish policies for, and direct the conduct
18 of, the Institute;
19 "(B) review, and advise the Commissioner on the
20 status of educational research in the United States;
21 "(C) meet at the call of the Chairman, except that
22 it shall meet (i) at least six times during each fiscal
23 year, or (ii) whenever one-third of the members request
24 a meeting in writing, in which event one-third of the

1 members (excluding ex officio members) shall constitute
2 a quorum; and
3 "(D) submit an annual report to the President on
4 the activities of the Institute, and on educational research
5 in general, which (i) shall include such recommenda-
6 tions and comments as the Council may deem appropri-
7 ate, and (ii) shall be submitted to the Congress as part
8 of the Commissioner's annual report.
9 The Council shall have the primary responsibility for the
10 powers, duties, and authorities vested in the Institute under
11 this section, and is authorized to delegate any of such powers,
12 duties, and authorities as it may deem appropriate, to the
13 Director, or other officers, or permanent employees of the
14 Institute.
15 "(c) (1) The Director of the Institute shall be ap-
16 pointed by the President, by and with the advice and con-
17 sent of the Senate, and shall serve at the pleasure of the
18 President. The Director shall be compensated at the rate
19 provided for level IV of the Executive Schedule under sec-
20 tion 5315 of title 5, United States Code, and shall perform
21 such duties and exercise such powers and authorities as the
22 Council, subject to general regulations of the Commissioner,
23 may prescribe.
24 "(2) There shall be a Deputy Director of the Institute

1 (referred to in this section as the 'Deputy Director') who
2 shall be appointed by the President, by and with the advice
3 and consent of the Senate, and shall serve at the pleasure
4 of the President. The Deputy Director shall be compensated
5 at the rate provided for level IV of the Executive Schedule
6 under section 5316 of title 5, United States Code, and shall
7 act for the Director during the absence or disability of the
8 Director and exercise such powers and authorities as the
9 Director may prescribe.

10 "(d) (1) Within the Institute, there shall be the follow-
11 ing divisions:

12 "(A) There shall be a Division of Institute Pro-
13 grams, which shall (i) identify and describe major edu-
14 cational problems and opportunities, and (ii) organize
15 and manage comprehensive national programs of re-
16 search, development, experimentation, and evaluation
17 directed toward those problems and opportunities.

18 "(B) There shall be a Division of Education
19 Studies, which shall (i) conduct studies on the state
20 of education in the United States, (ii) carry out analyses
21 and evaluations of educational policies, and (iii) assist
22 in planning and evaluating educational research and de-
23 velopment programs.

24 "(C) There shall be a Division of Research and
25 Development, which shall organize and manage pro-

1 grams designed (i) to improve education policies, prac-
2 tices, and techniques, and (ii) to strengthen the scientific
3 and technological foundations of education, and shall
4 identify the need for improvements in educational re-
5 search and development systems and carry out pro-
6 grams to improve such systems.
7 "Each of the divisions of the Institute shall be headed
8 by an Assistant Director of the Institute. Such Assistant
9 Directors shall be compensated at the rate prescribed for
10 grade GS–18 in section 5332 of title 5, United States Code,
11 and shall perform such functions as the Director may pre-
12 scribe.
13 "(e) (1) In order to carry out the objectives of the
14 Institute, the Commissioner is authorized, through the In-
15 stitute, to conduct educational research; collect and dis-
16 seminate the findings of educational research; train indi-
17 viduals in educational research; assist and foster such re-
18 search, collection, dissemination, or training through grants,
19 or technical assistance to, or jointly financed cooperative
20 arrangements with, public or private organizations, institu-
21 tions, agencies, or individuals; promote the coordination of
22 such research and research support within the Federal Gov-
23 ernment; and may construct or provide (by grant or other-
24 wise) for such facilities as he determines may be required
25 to accomplish such purposes. As used in this subsection, the

1 term 'educational research' includes research, planning, sur-
2 veys, evaluations, investigations, experiments, developments,
3 and demonstrations (including experimental schools) in the
4 field of education.

5 "(2) The Commissioner is authorized, in accordance
6 with regulations promulgated by him, to appoint, on a tem-
7 porary basis, and compensate, without regard to the pro-
8 visions of title 5, United States Code, governing appoint-
9 ments in the competitive service, and without regard to
10 chapter 51 and subchapter III of chapter 53 of such title,
11 relating to classification and General Schedule rates, such
12 technical and professioinal personnel as may be necessary
13 to accomplish the functions of the Institute.

14 "(f) There are hereby authorized to be appropriated,
15 without fiscal year limitations, $500,000,000, in the aggre-
16 gate, for the period beginning July 1, 1972, and ending
17 June 30, 1976, to carry out the functions of the Institute.
18 Sums so appropriated shall, notwithstanding any other pro-
19 vision of law unless enacted in express limitation of this
20 subsection, remain available for the purposes of this subsec-
21 tion until expended.".

22 (b) (1) The amendments made by subsection (a) shall
23 be effective after June 30, 1972.

24 (2) (A) Effective July 1, 1972, sections 516 and 517

1 of the Revised Statutes of the United States (20 U.S.C. 1, 2)
2 are repealed.
3 (B) Effective July 1, 1972, section 422 of the General
4 Education Provisions Act is amended by striking out "(as
5 set forth in section 516 of the Revised Statutes (20 U.S.C.
6 1))" and inserting in lieu thereof "(as set forth in section
7 402(a) of this Act)".
8 (3) Effective July 1, 1972, the Cooperative Research
9 Act is amended by striking out sections 2 and 3.

10 TITLE IV—MISCELLANEOUS

11 ADMINISTRATION OF PROGRAMS AND PROJECTS

12 SEC. 401. Section 434 of the General Education Provi-
13 sions Act (title IV of Public Law 90-247) is amended by—
14 (1) amending the caption head thereof to read
15 "ADMINISTRATION OF EDUCATION PROGRAMS AND
16 PROJECTS";
17 (2) striking out "(a)" after "SEC. 424." and in-
18 serting in lieu thereof "(a) (1)" and striking out "(b)"
19 and inserting in lieu thereof "(2)";
20 (3) adding at the end thereof the following new
21 subsection:
22 "(b) Each application for assistance under any appli-
23 cable program, whether such application is approved by
24 the Commissioner or by an agency administering a State plan

1 approved by him and each State plan submitted to the Com-
2 missioner under any applicable program shall, as a precondi-
3 tion for approval—
4 "(1) provide for such methods of administration as
5 are necessary for the proper and efficient administration
6 of the program or project for which application is made;
7 "(2) set forth such policies and procedures as will
8 insure that Federal funds made available under the appli-
9 cation will be so used as to supplement and, to the extent
10 practical, increase the level of funds that would, in the
11 absence of such funds, be available for the purposes of
12 the program or project for which application is made,
13 and in no case supplant such funds;
14 "(3) make provision for such fiscal control and fund
15 accounting procedures as may be necessary to assure
16 proper disbursement of, and accounting for, Federal
17 funds paid to the applicant under the application; and
18 "(4) provide for making such reports as the Com-
19 missioner may require to carry out his functions."
20 EXTENSION OF AUTHORIZATION OF APPROPRIATIONS OF
21 TITLE III OF THE NATIONAL DEFENSE EDUCATION ACT
22 OF 1958
23 SEC. 402. (a) The first sentence of section 301 of the
24 National Defense Education Act of 1958 is amended by
25 striking out "for the fiscal year ending June 30, 1971" and

1 inserting in lieu thereof "for each of the succeeding fiscal
2 years ending prior to July 1, 1976".
3 (b) The second sentence of such section 301 is amended
4 by striking out "July 1, 1971" and inserting in lieu thereof
5 "July 1, 1976".

6 STUDY AND REPORT ON RULES AND REGULATIONS

7 SEC. 403. (a) The Commissioner shall conduct a study
8 of all rules, regulations, guidelines, or other published inter-
9 pretations or orders issued by him or by the Secretary of
10 Health, Education, and Welfare (or any of their delegates)
11 in connection with, or affecting, the administration of any
12 program to which the General Education Provisions Act
13 applies. Such study shall include a review of each such rule,
14 regulation, guideline, interpretation or order as it relates to
15 the statutory or other legal authority upon which it is based,
16 and of committee reports relating to such statutory authority.
17 (b) No later than ninety days after the enactment of
18 this Act, the Commissioner shall submit a report on the
19 study conducted pursuant to subsection (a) to the Commit-
20 tee on Labor and Public Welfare of the Senate and the
21 Committee on Education and Labor of the House, which
22 report shall include the specific legal authority of each section,
23 or other division, of each rule, regulation, guideline, inter-
24 pretation, or other order to which this section applies.
25 (c) Not earlier than one-hundred twenty days after

1 the date of the enactment of this Act nor later than one-
2 hundred fifty days after such date all rules, regulations, guide-
3 lines, interpretations, or other orders to which this section
4 applies shall be published in the Federal Register. During
5 the thirty-day period following such publication, the Com-
6 missioner shall provide interested parties an opportunity for
7 a public hearing on the matters so published.
8 (d) After a study of comments and recommendations
9 offered to the Commissioner during the thirty-day period
10 specified in subsection (c), he shall submit a report to the
11 Committee on Labor and Public Welfare of the Senate and
12 the Committee on Education and Labor of the House on
13 such comments and recommendations, and any action he
14 has taken as a result thereof, and he shall, not later than
15 one-hundred eighty days after the enactment of this Act,
16 republish all rules, regulations, guidelines, interpretations
17 and orders in the Federal Register, which shall supersede
18 all preceding rules, regulations, guidelines, interpretations
19 and orders issued in connection with, or affecting, any pro-
20 gram to which the General Education Provisions Act applies,
21 and become effective thirty days after such republication.

92D CONGRESS
1ST SESSION

S. 659

IN THE SENATE OF THE UNITED STATES

MAY 11, 1971

Referred to the Committee on Labor and Public Welfare and ordered to be printed

AMENDMENT

Intended to be proposed by Mr. PELL to S. 659, a bill to amend the Higher Education Act of 1965, the Vocational Educational Act of 1963, and related Acts, and for other purposes, viz:

On page 28, strike out all that appears on lines 11, 12, and 13, and insert in lieu thereof "allowances paid under this section shall exceed $1,000.".

Amdt. No. 85

92D CONGRESS
1ST SESSION

S. 659

IN THE SENATE OF THE UNITED STATES

FEBRUARY 25 (legislative day, FEBRUARY 17), 1971

Referred to the Committee on Labor and Public Welfare and ordered to be printed

AMENDMENT

Intended to be proposed by Mr. KENNEDY (for himself, Mr. MONDALE, Mr. BYRD of West Virginia, Mr. CANNON, Mr. CRANSTON, Mr. DOMINICK, Mr. EAGLETON, Mr. HART, Mr. HUGHES, Mr. HUMPHREY, Mr. INOUYE, Mr. JAVITS, Mr. MCGOVERN, Mr. MUSKIE, Mr. PASTORE, and Mr. TUNNEY) to S. 659, a bill to amend the Higher Education Act of 1965, the Vocational Education Act of 1963, and related Acts, and for other purposes, viz: On page 120, after line 21, insert the following:

Amdt. No. 6

1 TITLE V—INDIAN EDUCATION

2 PART A—REVISION OF IMPACTED AREAS PROGRAM AS

3 IT RELATES TO INDIAN CHILDREN

4 SEC. 501. (a) The Act of September 30, 1950 (Public

5 Law 874, Eighty-first Congress), is amended by redesig-

6 nating title III as title IV, by redesignating sections 301

7 through 303 and references thereto as sections 401 through

8 403, respectively, and by adding after title II the following

9 new title:

10 "TITLE III—FINANCIAL ASSISTANCE TO LOCAL

11 EDUCATIONAL AGENCIES FOR THE EDUCA-

12 TION OF INDIAN CHILDREN

13 "SHORT TITLE

14 "SEC. 301. This title may be cited as the 'Indian

15 Elementary and Secondary School Assistance Act'.

16 "DECLARATION OF POLICY

17 "SEC. 302. (a) In recognition of the special educational

18 needs of Indian students in the United States, Congress

19 hereby declares it to be the policy of the United States to

20 provide financial assistance to local educational agencies to

21 develop and carry out elementary and secondary school pro-

22 grams specially designed to meet these special educational

23 needs.

24 "(b) During the period beginning June 1, 1972, and

25 ending June 30, 1977, the Commissioner shall, in order to

1 effectuate the policy set forth in subsection (a), carry out a
2 program of making grants to local educational agencies
3 which are entitled to payments under this title and which
4 have submitted, and had approved, applications therefor,
5 in accordance with the provisions of this title.

6 "GRANTS TO LOCAL EDUCATIONAL AGENCIES

7 "SEC. 303. (a) For the purpose of computing the
8 amount to which a local educational agency is entitled under
9 this title for any fiscal year in the period during which grants
10 are to be made, as specified in section 303 (b), the Commis-
11 sioner shall determine the number of Indian children who
12 were enrolled in the schools of a local educational agency,
13 and for whom such agency provided free public education,
14 during such fiscal year.

15 "(b) (1) The amount of the grant to which a local
16 educational agency is entitled under this title for any fiscal
17 year shall be an amount equal to (A) the average per pupil
18 expenditure for such agency (as determined under paragraph
19 (3)) multiplied by (B) the sum of the number of children
20 determined under subsection (a).

21 "(2) A local educational agency shall not be entitled to
22 receive a grant under this title for any fiscal year unless
23 the number of children under subsection (a), with respect
24 to such agency, is at least ten.

25 "(3) For the purposes of this subsection, the average

1 per pupil expenditure for a local educational agency shall
2 be the aggregate current expenditures, during the second
3 fiscal year preceding the fiscal year for which the computa-
4 tion is made, of all of the local educational agencies in the
5 State in which such agency is located, plus any direct cur-
6 rent expenditures by such State for the operation of such
7 agencies (without regard to the sources of funds from which
8 either of such expenditures are made), divided by the aggre-
9 gate number of children who were in average daily en-
10 rollment for whom such agencies provided free public edu-
11 cation during such preceding fiscal year.

12 "(c) In addition to the sums appropriated for any
13 fiscal year for grants to local educational agencies under
14 this title, there is hereby authorized to be appropriated
15 for any fiscal year an amount not in excess of 1 per centum
16 of the amount appropriated for payments on the basis of en-
17 titlements under this section for that fiscal year, for the pur-
18 pose of enabling the Commissioner to provide financial
19 assistance to schools on or near reservations which are not
20 local educational agencies or have not been local educa-
21 tional agencies for more than three years, in accordance with
22 the appropriate provisions of this title.

23 "USES OF FEDERAL FUNDS

24 "SEC. 304. Grants under this title may be used, in ac-
25 cordance with applications approved under section 305,
26 for—

1 "(a) planning for and taking other steps leading to
2 the development of programs specially designed to meet
3 the special educational needs of Indian children, includ-
4 ing pilot projects designed to test the effectiveness of
5 plans so developed; and
6 "(b) the establishment, maintenance, and operation
7 of programs, including, in accordance with special regu-
8 lations of the Commissioner, minor remodeling of class-
9 room or other space used for such programs and acqui-
10 sition of necessary equipment, specially designed to meet
11 the special educational needs of Indian children.
12 "APPLICATION FOR GRANTS; CONDITIONS FOR APPROVAL
13 "SEC. 305. (a) A grant under this title, except as pro-
14 vided in section 303 (b) (3), may be made only to a local
15 educational agency or agencies, but only upon application
16 to the Commissioner at such time or times, in such manner,
17 and containing or accompanied by such information as the
18 Commissioner deems necessary. Such application shall—
19 "(1) provide that the activities and services for
20 which assistance under this title is sought will be ad-
21 ministered by or under the supervision of the applicant;
22 "(2) set forth a program for carrying out the pur-
23 poses of section 304, and provide for such methods
24 of administration as are necessary for the proper and
25 efficient operation of the program;

1 "(3) in the case of an application for payments for
2 planning, provide that (A) the planning was or will be
3 directly related to programs or projects to be carried out
4 under this title and has resulted, or is reasonably likely
5 to result, in a program or project which will be carried
6 out under this title, and (B) the planning funds are
7 needed because of the innovative nature of the program
8 or project or because the local educational agency lacks
9 the resources necessary to plan adequately for programs
10 and projects to be carried out under this title;
11 "(4) provide that effective procedures, including
12 provisions for appropriate objective measurement of
13 educational achievement, will be adopted for evaluating
14 at least annually the effectiveness of the programs and
15 projects in meeting the special educational needs of
16 Indian students;
17 "(5) set forth policies and procedures which assure
18 that Federal funds made available under this title for any
19 fiscal year will be so used as to supplement and, to the
20 extent practical, increase the level of funds that would,
21 in the absence of such Federal funds, be made available
22 by the applicant for the education of Indian children
23 and in no case supplant such funds;
24 "(6) provide for such fiscal control and fund
25 accounting procedures as may be necessary to assure

1 proper disbursement of, and accounting for, Federal
2 funds paid to the applicant under this title; and
3 "(7) provide for making an annual report and such
4 other reports, in such form and containing such infor-
5 mation, as the Commissioner may reasonably require to
6 carry out his functions under this title and to determine
7 the extent to which funds provided under this title have
8 been effective in improving the educational opportunities
9 of Indian students in the area served, and for keeping
10 such records and for affording such access thereto as the
11 Commissioner may find necessary to assure the correct-
12 ness and verification of such reports.
13 "(b) An application by a local educational agency or
14 agencies for a grant under this title may be approved only
15 if it is consistent with the applicable provisions of this title
16 and—
17 "(1) meets the requirements set forth in subsec-
18 tion (a);
19 "(2) provides that the program or project for which
20 application is made—
21 "(A) will utilize the best available talents and
22 resources (including persons from the Indian com-
23 munity) and will substantially increase the educa-
24 tional opportunities of Indian students in the area
25 to be served by the applicant; and

1 "(B) has been developed—

2 "(i) in open consultation with parents of

3 Indian children, teachers, and, where applica-

4 ble, secondary school students, including public

5 hearings at which such persons have had a full

6 opportunity to understand the program for

7 which assistance is being sought and to offer

8 recommendations thereon, and

9 "(ii) with the participation and approval of

10 a committee composed of parents of children

11 participating in the program for which assist-

12 ance is sought, teachers, and, where applicable,

13 secondary school students, of which at least half

14 the members shall be such parents;

15 "(C) sets forth such policies and procedures as

16 will insure that the program for which assistance is

17 sought will be operated in consultation with, and

18 the involvement of, parents of the children and repre-

19 sentatives of the area to be served, including the

20 committee established for the purposes of clause (2)

21 (B) (ii).

22 "(3) has been submitted to the appropriate State

23 educational agency for comment and recommendations.

24 "(c) Amendments of applications shall, except as the

25 Commissioner may otherwise provide by or pursuant to

1 regulations, be subject to approval in the same manner as
2 original applications.

3 "PAYMENTS

4 "SEC. 306. (a) The Commissioner shall, subject to the
5 provisions of section 307, from time to time pay to each local
6 educational agency which has had an application approved
7 under section 305, an amount equal to the amount expended
8 by such agency in carrying out activities under such appli-
9 cation.

10 "(b) (1) No payments shall be made under this title
11 for any fiscal year to any local educational agency in a State
12 which has taken into consideration payments under this title
13 in determining the eligibility of such local educational agency
14 in that State for State aid, or the amount of that aid, with
15 respect to the free public education of children during that
16 year or the preceding fiscal year.

17 "(2) No payments shall be made under this title to
18 any local educational agency for any fiscal year unless the
19 State educational agency finds that the combined fiscal
20 effort (as determined in accordance with regulations of the
21 Commissioner) of that agency and the State with respect to
22 the provision of free public education by that agency for the
23 preceding fiscal year was not less than such combined fiscal
24 effort for that purpose for the second preceding fiscal year.

1 "ADJUSTMENTS WHERE NECESSITATED BY
2 APPROPRIATIONS
3 "SEC. 307. (a) If the sums appropriated for any fiscal
4 year for making payments under this title are not sufficient
5 to pay in full the total amounts which all local educational
6 agencies are eligible to receive under this title for that fiscal
7 year, the maximum amounts which all such agencies are
8 eligible to receive under this title for such fiscal year shall
9 be ratably reduced. In case additional funds become avail-
10 able for making such payments for any fiscal year during
11 which the first sentence of this subsection is applicable, such
12 reduced amounts shall be increased on the same basis as
13 they were reduced.
14 "(b) In the case of any fiscal year in which the maxi-
15 mum amounts for which local educational agencies are eligi-
16 ble have been reduced under the first sentence of subsection
17 (a), and in which additional funds have not been made
18 available to pay in full the total of such maximum amounts
19 under the second sentence of such subsection, the Commis-
20 sioner shall fix dates prior to which each local educational
21 agency shall report to him on the amount of funds available
22 to it, under the terms of section 306 (a) and subsection (a)
23 of this section, which it estimates, in accordance with reg-
24 ulations of the Commissioner, that it will expend under
25 approved applications. The amounts so available to any local

1 educational agency, or any amount which would be available
2 to any other local education agency if it were to submit an
3 approvable application therefor, which the Commissioner
4 determines will not be used for the period of its availability,
5 shall be available for allocation to those local educational
6 agencies, in the manner provided in the second sentence of
7 subsection (a), which the Commissioner determines will
8 need additional funds to carry out approved applications,
9 except that no local educational agency shall receive an
10 amount under this sentence which, when added to the amount
11 available to it under subsection (a), exceeds its entitlement
12 under section 303.

13 "DEFINITION

14 "SEC. 308. As used in this title, the term 'Indian' means
15 any individual who is an enrolled member of a tribe, band,
16 or other organized group of Indians, or who is a descendant
17 of any such enrolled member, or who is considered by the
18 Secretary of the Interior to be an Indian."

19 (b) (1) Paragraph (1) of section 103 (a) of title I of
20 the Elementary and Secondary Education Act of 1965 is
21 amended—

22 (A) by striking out subparagraph (B), and by
23 striking out "(A)" where it appears after "SEC. 103.
24 (a) (1)";

1 (B) in the fourth sentence thereof, by striking out
2 "and the terms upon which payment shall be made to
3 the Department of Interior"; and
4 (C) by striking out the third sentence thereof.
5 (2) Paragraph (1) of section 303 of the Act of
6 September 30, 1950, is amended—
7 (A) in the second sentence, by striking out "(A)
8 except for the purposes of section 6, real property held
9 in trust by the United States for individual Indians or
10 Indian tribes, and real property held by individual
11 Indians or Indian tribes which is subject to restrictions
12 on alienation imposed by the United States," and by
13 redesignating clauses (B), (C), and (D) therein, and
14 all references thereto, as clauses (A), (B), and (C),
15 respectively; and
16 (B) in the fourth sentence, (i) by inserting before
17 the period at the end thereof the following: ", or (C)
18 Indian reservations, or other property held (i) in trust
19 by the United States for individual Indians or Indian
20 tribes or (ii) held by individual Indians or Indian
21 tribes which is subject to restrictions on alienation im-
22 posed by the United States", and (ii) by striking out
23 "and (B)" and inserting in lieu thereof ", or (B)".

1 PART B—SPECIAL PROGRAMS AND PROJECTS TO IMPROVE
2 EDUCATIONAL OPPORTUNITIES FOR INDIAN CHILDREN
3 AMENDMENT TO TITLE VIII OF THE ELEMENTARY AND
4 SECONDARY EDUCATION ACT OF 1965

5 SEC. 521. (a) Title III of the Elementary and Sec-
6 ondary Education Act of 1965 is amended by adding to the
7 end thereof the following new section:

8 "IMPROVEMENT OF EDUCATIONAL OPPORTUNITIES FOR
9 AMERICAN INDIAN CHILDREN

10 "SEC. 810. (a) The Commissioner shall carry out a
11 program of making grants for the improvement of educa-
12 tional opportunities for American Indian children—

13 "(1) to support planning, pilot, and demonstration
14 projects, in accordance with subsection (b), which are
15 designed to test and demonstrate the effectiveness of
16 programs for improving educational opportunities for
17 American Indian children;

18 "(2) to assist in the establishment and operation of
19 programs, in accordance with subsection (c), which are
20 designed to stimulate (A) the provision of educational
21 services not available to American Indian children in
22 sufficient quantity or quality, and (B) the development
23 and establishment of exemplary educational programs to

1 serve as models for regular school programs in which
2 American Indian children are educated;
3 "(3) to assist in the establishment and operation of
4 preservice and inservice training programs, in accord-
5 ance with subsection (d), for persons serving Indian
6 children as educational personnel; and
7 "(4) to encourage the dissemination of informa-
8 tion and materials relating to, and the evaluation of the
9 effectiveness of, education programs which may offer
10 educational opportunities to American Indian children.
11 In the case of activities of the type described in clause (3),
12 preference shall be given to the training of Indians.
13 "(b) The Commissioner is authorized to make grants
14 to State and local educational agencies and other appropriate
15 public and private educational and research agencies, organi-
16 zations, and institutions (including federally supported ele-
17 mentary and secondary schools for Indian children) to sup-
18 port planning, pilot, and demonstration projects which are
19 designed to plan for, and test and demonstrate the effective-
20 ness of, programs for improving educational opportunities
21 for American Indian children, including—
22 "(1) innovative programs related to the educational
23 needs of educationally deprived children;
24 "(2) bilingual and bicultural education programs
25 and projects;

1 "(3) special health and nutrition services, and other
2 related activities, which meet the special health, social,
3 and psychological problems of Indian children; and
4 "(4) coordinating the operation of other federally
5 assisted programs which may be used to assist in meet-
6 ing the needs of such children.
7 "(c) The Commissioner is also authorized to make
8 grants to State and local educational agencies and to the Na-
9 tional Board of Indian Education to assist and stimulate them
10 in developing and establishing educational services and pro-
11 grams specifically designed to improve educational opportuni-
12 ties for American Indian children. Grants may be used—
13 "(1) to provide educational services not available
14 to such children in sufficient quantity or quality, in-
15 cluding—
16 "(A) remedial and compensatory instruction,
17 school health, physical education, psychological, and
18 other services designed to assist and encourage In-
19 dian children to enter, remain in, or reenter ele-
20 mentary or secondary school;
21 "(B) comprehensive academic and vocational
22 instruction;
23 "(C) instructional materials (such as library
24 books, textbooks, and other printed or published
25 or audiovisual materials) and equipment;

1 "(D) comprehensive guidance, counseling, and
2 testing services;
3 "(E) special education programs for handi-
4 capped and preschool children;
5 "(F) bilingual and bicultural education pro-
6 grams; and
7 "(G) other services which meet the purposes
8 of this subsection; and
9 "(2) for the establishment and operation of exem-
10 plary and innovative educational programs and centers,
11 involving new educational approaches, methods, and
12 techniques designed to enrich programs of elementary
13 and secondary education for Indian children.
14 "(d) The Commissioner is also authorized to make
15 grants to institutions of higher education and to State and
16 local educational agencies, in combination with institutions
17 of higher education, for carrying out programs and projects—
18 "(1) to prepare persons to serve Indian children
19 as teachers, teacher aides, social workers, and ancillary
20 educational personnel; and
21 "(2) to improve the qualifications of such persons
22 who are serving Indian children in such capacities.
23 Grants for the purposes of this subsection may be used for
24 the establishment of fellowship programs leading to an

1 advanced degree, for institutes and, as part of a continuing
2 program, for seminars, symposia, workshops, and conferences.
3 "(e) The Commissioner is also authorized to make
4 grants to, and contracts with, public and private agencies,
5 organizations, and institutions (except that no grant may be
6 made to an agency, organization, or institution other than
7 one which is nonprofit) for—
8 "(1) the dissemination of information concerning
9 education programs, services, and resources available to
10 Indian children, including evaluations thereof; and
11 "(2) the evaluation of the effectiveness of federally
12 assisted programs in which Indian children may partici-
13 pate in achieving the purposes of such programs with
14 respect to such children.
15 "(f) Applications for a grant under this section shall be
16 submitted at such time, in such manner, and shall contain such
17 information, and shall be consistent with such criteria, as may
18 be established as requirements in regulations promulgated
19 by the Commissioner. Such applications shall—
20 "(1) set forth a statement describing the activities
21 for which assistance is sought;
22 "(2) in the case of an application for the purposes
23 of subsection (c), subject to such criteria as the Com-
24 missioner shall prescribe, provide for the use of funds

1 available under this section, and for the coordination of
2 other resources available to the applicant, in order to
3 insure that, within the scope of the purpose of the proj-
4 ect, there will be a comprehensive program to achieve
5 the purposes of this section;
6 "(3) in the case of an application for the purposes
7 of subsection (c), make adequate provision for the
8 training of the personnel participating in the project;
9 and
10 "(4) provide for an evaluation of the effectiveness
11 of the project in achieving its purposes and those of this
12 section.
13 The Commissioner shall not approve an application for a
14 grant under subsection (b) or (c) unless he is satisfied that
15 there has been participation by tribal communities and
16 parents of the children to be served in the planning and
17 development of the project, and that there will be such a
18 participation in the operation and evaluation of the project.
19 In approving applications under subsection (a) or (b), the
20 Commissioner shall not approve an application from non-
21 Indian educational agencies, organizations, and institutions
22 until all approvable applications from Indian educational
23 agencies, organizations, and institutions have been approved.
24 "(g) For the purpose of making grants under this sec-
25 tion there are hereby authorized to be appropriated $25,000,-

1 000 for the fiscal year ending June 30, 1972, and $35,000,-
2 000 for each of the four succeeding fiscal years.".
3 (b) (1) Effective after June 30, 1972, the Elementary
4 and Secondary Education Act of 1965 is amended—
5 (A) in section 202 (a) (1), by striking out "(A)
6 the Secretary of the Interior the amount necessary for
7 such assistance for children and teachers in elementary
8 and secondary schools operated for Indian children by
9 the Department of the Interior, and (B)" and by strik-
10 ing out "Secretary of the Interior and the".
11 (B) in section 302 (a) (1), by striking out "(A)
12 the Secretary of the Interior the amount necessary to
13 provide programs and projects for the purpose of this
14 title for individuals on reservations serviced by elemen-
15 tary and secondary schools operated for Indian children
16 by the Department of the Interior, and (B)" and by
17 striking out "Secretary of the Interior and the".
18 (2) Effective after June 30, 1972, the second sentence
19 of paragraph (1) of section 612 (a) of the Education of the
20 Handicapped Act is amended to read as follows: "The Com-
21 missioner shall allot the amount appropriated pursuant to
22 this paragraph among Puerto Rico, Guam, American
23 Samoa, the Virgin Islands, and the Trust Territory of the
24 Pacific Islands, according to their respective needs.".

1 PART C—SPECIAL PROGRAMS RELATING TO ADULT EDU-
2 CATION FOR AMERICAN INDIANS
3 AMENDMENT TO TITLE III OF THE ELEMENTARY AND
4 SECONDARY EDUCATION ACT OF 1965
5 SEC. 541. Title III of the Elementary and Secondary
6 Education Amendments of 1966 (the Adult Education Act)
7 is amended by redesignating sections 314 and 315, and all
8 references thereto, as sections 315, and 316, respectively, and
9 by adding after section 313 the following new section:
10 "IMPROVEMENT OF EDUCATIONAL OPPORTUNITIES FOR
11 ADULT AMERICAN INDIANS
12 "SEC. 314. (a) The Commissioner shall carry out a pro-
13 gram of making grants to State and local educational agencies
14 and other appropriate public and private educational and
15 research agencies, organizations, and institutions to support
16 planning, pilot, and demonstration projects which are de-
17 signed to plan for, and test and demonstrate the effectiveness
18 of programs for providing adult education for American
19 Indians—
20 "(1) to support planning, pilot, and demonstra-
21 tion projects which are designed to test and demonstrate
22 the effectiveness of programs for improving employment
23 and educational opportunities for adult American In-
24 dians;
25 "(2) to assist in the establishment and operation of

1 programs which are designed to stimulate (A) the pro-
2 vision of basic literacy opportunities to all nonliterate
3 Indian adults, and (B) the provision of opportunities to
4 all Indian adults to qualify for a high school equivalency
5 certificate in the shortest period of time feasible;
6 "(3) to support a major research and development
7 program to develop more innovative and effective tech-
8 niques for achieving the literacy and high school equiv-
9 alency goals;
10 "(4) to provide for basic surveys and evaluations
11 thereof to define accurately the extent of the problems of
12 illiteracy and lack of high school completion on Indian
13 reservations;
14 "(5) to encourage the dissemination of information
15 and materials relating to, and the evaluation of the effec-
16 tiveness of, education programs which may offer educa-
17 tional opportunities to Indian adults.
18 "(b) The Commissioner is also authorized to make
19 grants to, and contracts with, public and private agencies,
20 organizations, or institutions (except that no grant may be
21 made to an agency, organization, or institution other than
22 one which is nonprofit) for—
23 "(1) the dissemination of information concerning
24 educational programs, services, and resources available
25 to Indian adults, including evaluations thereof; and

1 "(2) the evaluation of the effectiveness of federally
2 assisted programs in which Indian adults may participate
3 in achieving the purposes of such programs with respect
4 to such adults.
5 "(c) Applications for a grant under this section shall be
6 submitted at such time, in such manner, and contain such
7 information, and shall be consistent with such criteria, as
8 may be established as requirements in regulations promul-
9 gated by the Commissioner. Such applications shall—
10 "(1) set forth a statement describing the activities
11 for which assistance is sought;
12 "(2) provide for an evaluation of the effectiveness
13 of the project in achieving its purposes and those of
14 this section.
15 The Commissioner shall not approve an application for a
16 grant under subsection (a) unless he is satisfied that there
17 has been participation by tribal communities and individuals
18 to be served in the planning and development of the project,
19 and that there will be such a participation in the operation
20 and evaluation of the project. In approving applications
21 under subsection (a), the Commissioner shall not approve
22 an application from non-Indian educational agencies, or-
23 ganizations, and institutions until all approvable applica-
24 tions from Indian educational agencies, organizations, and
25 institutions have been approved.

1 "(d) For the purpose of making grants under this sec-
2 tion there are hereby authorized to be appropriated $5,-
3 000,000 for the fiscal year ending June 30, 1972, and
4 $8,000,000 for each of the four succeeding fiscal years.".

5 PART D—NATIONAL BOARD OF INDIAN EDUCATION;
6 BUREAU OF INDIAN EDUCATION; MISCELLANEOUS

7 NATIONAL BOARD OF INDIAN EDUCATION

8 SEC. 561. (a) There is hereby established the National
9 Board of Indian Education (referred to in this title as the
10 "National Board"), which shall consist of fifteen members
11 appointed by the President of the United States, with the
12 advice and consent of the Senate. Such appointments shall
13 be made by the President from lists of nominees furnished,
14 from time to time, by Indian tribes and organizations, and
15 shall represent diverse geographic areas of the country.
16 (b) Members of the National Board shall be appointed
17 for terms of three years; except that the terms of office of
18 the members first taking office shall expire, as designated by
19 the President at the time of appointment, five at the end of
20 one year, five at the end of two years, and five at the end
21 of three years. No member shall serve for more than two
22 consecutive terms. Any person appointed to fill a vacancy
23 occurring prior to the expiration of the term for which his
24 predecessor was appointed shall be appointed for the re-
25 mainder of that term. The President shall designate one of

1 the members to serve as Chairman and one to serve as Vice
2 Chairman. The Vice Chairman, during the absence or dis-
3 ability of the Chairman, shall act for, and exercise the powers
4 of, the Chairman. The Vice Chairman shall perform such
5 duties as the Chairman may prescribe from time to time.
6 (c) Members of the National Board shall be com-
7 pensated at the rate prescribed for grade GS-18 of the
8 General Schedule under section 5332 of title 5, United
9 States Code.

10 STAFF OF NATIONAL BOARD

11 SEC. 562. Subject to such rules and regulations as it
12 may adopt, the National Board shall be authorized to—
13 (1) appoint and fix the compensation of an
14 Executive Director, and such additional staff personnel
15 as the Chairman deems necessary, without regard to
16 the provisions of title 5, United States Code, governing
17 appointments in the competitive service, and without
18 regard to the provisions of chapter 51 and subchapter
19 III of chapter 53 of such title relating to classifications
20 and General Schedule pay rates, but at rates not in
21 excess of the maximum rate for grade GS-18 of the
22 General Schedule under section 5332 of such title;
23 (2) appoint and affix the compensation of a
24 Superintendent of Indian Education, without regard to
25 the provisions of title 5, United States Code, governing

1 appointments in competitive service, who shall be
2 compensated at the rate prescribed for grade GS-18 of
3 the General Schedule under section 5332 of such title,
4 and who have such duties as the National Board
5 shall prescribe; and
6 (3) procure temporary and intermittent services
7 to the same extent as is authorized by section 3109 of
8 title 5, United States Code, but at rates not to exceed
9 $100 a day for individuals.
10 POWERS AND DUTIES OF NATIONAL BOARD
11 SEC. 563. The National Board is authorized and
12 directed—
13 (1) to carry out the functions transferred to the
14 National Board pursuant to section 404 of this title;
15 (2) to establish and support local school districts
16 comprising Federal Indian schools over which it has
17 jurisdiction and control;
18 (3) to establish and support local school boards,
19 who shall be selected at the local level in accordance
20 with regulations promulgated by the National Board,
21 having administrative control and direction over Federal
22 Indian schools located within districts established pur-
23 suant to clause (2) of this section;
24 (4) to advise the Commissioner of Education with
25 respect to the administration of any program in which

1 Indian children participate, including title III of the Act
2 of September 30, 1950 (Public Law 874, Eighty-first
3 Congress), as added by this Act, and section 810, title
4 VIII of the Elementary and Secondary Education Act
5 of 1965, as added by this Act; and
6 (5) to submit to the Congress not later than March
7 31 each year a report on its activities, which shall in-
8 clude any recommendations it may deem necessary for
9 the improvement of Federal programs in which Indian
10 children participate.

11 FUNCTIONS OF NATIONAL BOARD

12 SEC. 564. (a) (1) There are hereby vested in the Na-
13 tional Board all functions which were carried out immedi-
14 ately before the effective date of this Act by the head of
15 any agency in the executive branch of the Government,
16 except the Department of Health, Education, and Welfare
17 and the Office of Economic Opportunity, relating to the edu-
18 cation of Indians in any elementary, secondary, or voca-
19 tional school, or any institution of higher education, including
20 all such functions being administered through any agency,
21 service, bureau, office, or other entity of any such agency.
22 (2) All functions of any agency of the United States,
23 except the Office of Education and the Office of Economic
24 Opportunity, relating to the education of Indians in any
25 elementary, secondary, or vocational school, or any institu-

1 tion of higher learning, are hereby transferred to, and vested
2 in, the National Board.
3 (3) All orders, determinations, rules, regulations, per-
4 mits, contracts, grants, certificates, licenses, and privileges—
5 (A) which have been issued, made, granted or al-
6 lowed to become effective in the exercise of functions
7 transferred by this section; and
8 (B) which are in effect at the time this section takes
9 effect,
10 shall continue in effect according to their terms until modi-
11 fied, terminated, superseded, set aside, or repealed by the
12 National Board, by any court of competent jurisdiction, or
13 by operation of law.
14 (4) All personnel, assets, liabilities, contracts, property,
15 and records as are determined by the Director of the Office
16 of Management and Budget to be employed, held, or used
17 primarily in connection with the functions transferred under
18 this section are transferred to the National Board. Person-
19 nel engaged in functions transferred under this section shall
20 be transferred in accordance with applicable laws and regu-
21 lations relating to transfer of functions.
22 (5) As used in this section, the term "functions" in-
23 cludes powers and duties.
24 (b) The National Board is directed—
25 (1) to conduct, in concert with a team of profes-

1 sional consultants competent in areas of personality de-
2 velopment and mental health, a detailed investigation of
3 the off-reservation boarding schools to determine which
4 ones should be converted into therapeutic treatment
5 centers, and to cooperate with the Public Health Service
6 to the extent necessary to bring about such conversion;
7 (2) to examine the present distribution and location
8 of Federal boarding schools and the pattern of student
9 placement, with the view to developing and implement-
10 ing a new rationale and plan with regard to such schools;
11 and
12 (3) to submit to the Congress on or before Jan-
13 uary 1, 1973, a report on its activities under this sub-
14 section.
15 BUREAU OF INDIAN EDUCATION
16 SEC. 565. (a) There is hereby established, in the Office
17 of Education, a bureau to be known as the "Bureau of
18 Indian Education" which, under the direction of the Com-
19 missioner, shall have the responsibility for administering
20 the provisions of title III of the Act of September 30, 1950
21 (Public Law 874, Eighty-first Congress), as added by this
22 Act, section 810 of title VIII of the Elementary and Second-
23 ary Education Act of 1965, as added by this Act, and section
24 314 of title III of the Elementary and Secondary Education
25 Amendments of 1966, as added by this Act. The Bureau shall

1 be headed by a Deputy Commissioner of Indian Education,
2 who shall be appointed by the President of the United States
3 from a list of nominees submitted to him by the National
4 Board of Indian Education.

5 (b) The Deputy Commissioner of Indian Education
6 shall be compensated at the rate prescribed for grade 17 of
7 the General Schedule of the Classification Act of 1949 and
8 shall perform such duties as are delegated or assigned to him
9 by the Commissioner.

10 PART E—MISCELLANEOUS PROVISIONS

11 AMENDMENT TO TITLE V OF HIGHER EDUCATION ACT
12 OF 1965

13 SEC. 581. (a) Section 503 (a) of the Higher Education
14 Act of 1965 is amended (1) by inserting after "and higher
15 education," the following: "including the need to provide
16 such programs and education to Indians," and (2) by in-
17 serting after "the Department of Labor," the following:
18 "the National Board of Indian Education,".

19 (b) Section 504 (a) (1) of such Act is amended by
20 inserting after "secondary schools" the following: "(in-
21 cluding such schools operated by the National Board of In-
22 dian Education or by an agency of an Indian tribe.)".

23 (c) Section 505 of such Act is amended by inserting
24 after "shall consult with" the following: "the Chairman of
25 the National Board of Indian Education,".

1 (d) Subsections (a) and (d) of section 552 of such
2 Act of 1965 are each amended by inserting after "in all
3 the States" a comma and the following: "including such
4 needs in schools operated by the National Board of Indian
5 Education, or by an agency of an Indian tribe.".
6 (e) Section 553 (a) of such Act is amended by insert-
7 ing at the end thereof the following: "The Commissioner
8 may also enter into arrangements with the National Board
9 of Indian Education, or with an agency of an Indian tribe,
10 and use funds appropriated for the purpose of this section,
11 for carrying out the purpose of this section with respect to
12 schools operated by the National Board of Indian Educa-
13 tion, or by an agency of an Indian tribe or tribes.".

14 AMENDMENT TO TITLE III OF HIGHER EDUCATION ACT
15 OF 1965

16 SEC. 582. Section 302 (d) of the Higher Education Act
17 of 1965 is amended by inserting before the semicolon at the
18 end thereof a comma and the following: "except that the
19 Commissioner may waive the five-year requirement of this
20 clause with respect to an institution located on or near an
21 Indian reservation in any case in which he determines that
22 such action will increase the availability of higher education
23 to Indians".

24 INSTITUTE OF AMERICAN INDIAN ARTS

25 SEC. 583. The National Board of Indian Education is
26 directed and authorized to raise the Institute of American

1 Indian Arts at Santa Fe, New Mexico, to the level of a
2 4-year college.

3 COMMUNITY COLLEGES

4 SEC. 584. (a) The National Board of Indian Educa-
5 tion is directed and authorized to provide continuing sup-
6 port for the community colleges in which a substantial num-
7 ber of Indian students are enrolled.

8 (b) The National Board is directed to conduct a study
9 exploring the feasibility of Indian community colleges, to
10 work toward the establishment of such Indian-controlled in-
11 stitutions, and to submit a report respecting such study to
12 the Congress on or before July 1, 1972.

13 AMENDMENT TO THE ELEMENTARY AND SECONDARY
14 EDUCATION ACT OF 1965

15 SEC. 585. Section 706 (a) of the Elementary and Sec-
16 ondary Education Act of 1965 is amended to read as follows:

17 "(a) For the purpose of carrying out programs pursu-
18 ant to this title for individuals on or from reservations serv-
19 iced by elementary and secondary schools operated on or
20 near such reservations for Indian children, a nonprofit insti-
21 tution or organization of the Indian tribe concerned which
22 operates any such school and which is approved by the
23 Commissioner for the purpose of this section, may be con-
24 sidered to be a local educational agency, as such term is
25 used in this title.".

1 On page 3, above line 1, add the following at the end
2 of the table of contents:

TITLE V—INDIAN EDUCATION

PART A—REVISION OF IMPACTED AREAS PROGRAM AS IT RELATES TO INDIAN CHILDREN

Sec. 501. Revision of Public Law 874 provisions relating to Indians.

PART B—SPECIAL PROGRAMS AND PROJECTS TO IMPROVE EDUCATIONAL OPPORTUNITIES FOR INDIAN CHILDREN

Sec. 521. Addition of Indian education program part to title III, ESEA.

PART C—SPECIAL PROGRAMS RELATING TO ADULT EDUCATION FOR AMERICAN INDIANS

Sec. 541. Addition of Indian program part to Adult Education Act.

PART D—NATIONAL BOARD OF INDIAN EDUCATION; BUREAU OF INDIAN EDUCATION; MISCELLANEOUS

Sec. 561. National Board of Indian Education.
Sec. 562. Staff of National Board.
Sec. 563. Powers and duties of National Board.
Sec. 564. Functions of National Board.
Sec. 565. Bureau of Indian Education.

PART E—MISCELLANEOUS PROVISIONS

Sec. 581. Inclusion of Indians in Higher Education Act.
Sec. 582. Waiver of five-year requirement of Higher Education Act for Indian schools.
Sec. 583. Elevation of Institute of American Indian Arts.
Sec. 584. Support and study of Indian community colleges.
Sec. 585. Expansion of Indian eligibility under section 706(a), Elementary and Secondary Education Act.

92D CONGRESS
1ST SESSION

S. 659

IN THE SENATE OF THE UNITED STATES

MARCH 16, 1971

Referred to the Committee on Labor and Public Welfare and ordered to be printed

AMENDMENT

Intended to be proposed by Mr. MOSS to S. 659, a bill to amend the Higher Education Act of 1965, the Vocational Educational Act of 1963, and related Acts, and for other purposes, viz: At the end of the bill, add the following new title:

1 TITLE V—CONSTITUTING THE COLLEGE OF THE
2 VIRGIN ISLANDS AND THE UNIVERSITY OF
3 GUAM AS LAND-GRANT COLLEGES
4 SEC. 501. The College of the Virgin Islands and the
5 University of Guam shall be considered land-grant colleges
6 established for the benefit of agriculture and mechanic arts
7 in accordance with the provisions of the Act of July 2,
8 1862, as amended (12 Stat. 503; 7 U.S.C. 301-305, 307,
9 308).

1 SEC. 502. In lieu of extending to the Virgin Islands
2 and Guam those provisions of the Act of July 2, 1862, as
3 amended, referred to above, relating to donations of public
4 land or land script for the endowment and maintenance of
5 colleges for the benefit of agriculture and the mechanic
6 arts, there is authorized to be appropriated to both the
7 Virgin Islands and Guam the sum of $3,000,000 each.
8 Amounts appropriated under this section shall be held and
9 considered to have been granted to the Virgin Islands and
10 Guam subject to the provisions of that Act applicable to
11 the proceeds from the sale of land or land script.
12 SEC. 503. The Act of August 30, 1890, as amended
13 (26 Stat. 417; 7 U.S.C. 322–326), is further amended—
14 (1) by striking the words "and Territory" wher-
15 ever they appear and substituting in lieu thereof the
16 words ", Puerto Rico, the Virgin Islands, and Guam";
17 (2) by striking the words "and Territories" wher-
18 ever they appear and substituting in lieu thereof the
19 words ", Puerto Rico, the Virgin Islands, and Guam";
20 (3) by striking the words "or Territory" wherever
21 they appear and substituting in lieu thereof the words
22 ", Puerto Rico, the Virgin Islands, or Guam";
23 (4) by striking the words "or Territories" wher-
24 ever they appear and substituting in lieu thereof the

1 words ", Puerto Rico, the Virgin Islands, or Guam";
2 and
3 (5) by striking the words "or Territorial" where
4 they appear.
5 SEC. 504. Section 22 of the Act of June 29, 1935, as
6 amended (49 Stat. 439; 7 U.S.C. 329), is further amended—
7 (1) by striking the words "and Puerto Rico"
8 wherever they appear and substituting in lieu thereof
9 the words ", Puerto Rico, the Virgin Islands, and
10 Guam";
11 (2) by striking the figure "$7,800,000" and sub-
12 stituting in lieu thereof the figure "$8,100,000"; and
13 (3) by striking the figure "$4,320,000" and sub-
14 stituting in lieu thereof the figure "$4,360,000".
15 SEC. 505. The Act of March 4, 1940 (54 Stat. 39; 7
16 U.S.C. 331) is amended—
17 (1) by striking the words "and Territories" wher-
18 ever they appear and substituting in lieu thereof the
19 words ", Puerto Rico, the Virgin Islands, and Guam";
20 (2) by striking the words "or Territories" wher-
21 ever they appear and substituting in lieu thereof the
22 words ", Puerto Rico, the Virgin Islands, or Guam";
23 and
24 (3) by striking the word "State" wherever it

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1 appears in the third proviso of that Act and substituting
2 in lieu thereof the words "State, Puerto Rico, the Virgin
3 Islands, or Guam".

4 SEC. 506. Section 207 of the Agricultural Marketing Act
5 of 1946 (60 Stat. 1091; 7 U.S.C. 1626), is amended by
6 striking the period at the end of the section and adding the
7 following words: ", and the term 'State' when used in this
8 chapter shall include the Virgin Islands and Guam."

9 SEC. 507. Section 3 of the Act of May 8, 1914, as
10 amended (38 Stat. 373; 7 U.S.C. 343), is further amended
11 by redesignating subsection (b) as paragraph (1) of sub-
12 section (b) and adding a new paragraph (2) to subsection
13 (b) to read as follows:

14 "(2) There is authorized to be appropriated for the
15 fiscal year ending June 30, 1971, and for each fiscal year
16 thereafter, for payment to the Virgin Islands and Guam,
17 $100,000 each, which sums shall be in addition to the sums
18 appropriated for the several States of the United States and
19 Puerto Rico under the provisions of this section. The amount
20 paid by the Federal Government to the Virgin Islands and
21 Guam pursuant to this paragraph shall not exceed during any
22 fiscal year, except the fiscal years ending June 30, 1971, and
23 June 30, 1972, when such amount may be used to pay the
24 total cost of providing services pursuant to this Act, the

1 amount available and budgeted for expenditure by the Virgin
2 Islands and Guam for the purposes of this Act."
3 SEC. 508. Section 10 of the Act of May 8, 1914, as
4 amended, is amended by striking the words "and Puerto
5 Rico" and inserting in lieu thereof the words ", Puerto Rico,
6 the Virgin Islands, and Guam".
7 SEC. 509. Section 4 of the Act of October 10, 1962 (76
8 Stat. 806; 16 U.S.C. 582a-3), is amended by striking the
9 period at the end of the first sentence thereof and adding the
10 following language: ", except that for the fiscal years ending
11 June 30, 1971, and June 30, 1972, the matching funds re-
12 quirement hereof shall not be applicable to the Virgin Islands
13 and Guam, and sums authorized for such years for the Virgin
14 Islands and Guam may be used to pay the total cost of pro-
15 grams for forestry research."
16 SEC. 510. Section 8 of the Act of October 10, 1962 (76
17 Stat. 807; 16 U.S.C. 582a-7), is amended by striking the
18 period at the end thereof and adding the words ", the Virgin
19 Islands and Guam.".
20 SEC. 511. Section 1 of the Act of August 11, 1955 (7
21 U.S.C. 361a-361i), is amended by striking the period after
22 the second sentence and adding the words, "Guam and
23 Virgin Islands," and deleting "and" between the words
24 "Hawaii and Puerto Rico."

1 SEC. 512. Section 3 of the Act of August 11, 1955 (7
2 U.S.C. 361a–361i), is amended by redesignating subsection
3 (b) as paragraph (1) of subsection (b) and adding a new
4 paragraph (2) to subsection (b) to read as follows:
5 "(2) There is authorized to be appropriated for the
6 fiscal year ending June 30, 1971, and for each fiscal year
7 thereafter, for payment to the Virgin Islands and Guam,
8 $100,000 each, which sums shall be in addition to the sums
9 appropriated for the several States of the United States and
10 Puerto Rico under the provisions of this section. The amount
11 paid by the Federal Government to the Virgin Islands and
12 Guam pursuant to this paragraph shall not exceed during
13 any fiscal year, except the fiscal years ending June 30, 1971,
14 and June 30, 1972, when such amount may be used to pay
15 the total cost of providing services pursuant to this Act, the
16 amount available and budgeted for expenditure by the Virgin
17 Islands and Guam for the purposes of this Act."
18 SEC. 513. With respect to the Virgin Islands and Guam,
19 the enactment of this title shall be deemed to satisfy any
20 requirement of State consent contained in laws or provisions
21 of law referred to in this title.

92D CONGRESS
1ST SESSION

S. 23

IN THE SENATE OF THE UNITED STATES

JANUARY 25, 1971

Mr. SCHWEIKER introduced the following bill; which was read twice and referred to the Committee on Labor and Public Welfare

A BILL

To provide a program to improve the opportunity for the study of cultural heritages of all ethnic groups in the Nation.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That this Act may be cited as "The Ethnic Heritage Studies
4 Centers Act of 1971".
5 SEC. 2. The Higher Education Act of 1965 is amended
6 by redesignating title XII as title XIII, and sections 1201
7 through 1210 (and references thereto however styled in such
8 Act or any other Act) as sections 1301 through 1310, re-
9 spectively. The Higher Education Act of 1965 is further
10 amended by inserting after title VII the following new title:

II

1 "TITLE XII—ETHNIC HERITAGE STUDIES
2 CENTERS

3 "STATEMENT OF POLICY

4 "SEC. 1201. In recognition of the heterogeneous com-
5 position of the Nation and of the fact that in a multiethnic
6 society a greater understanding of the contributions of one's
7 own heritage and those of one's fellow citizens can contribute
8 to a more harmonious, patriotic, and committed populace,
9 and in recognition of the principle that all students in elemen-
10 tary and secondary schools of the Nation should have an op-
11 portunity to learn about the differing and unique contribu-
12 tions to the national heritage made by each ethnic group, it
13 is the purpose of this title to provide assistance designed to
14 afford students an opportunity to learn about the nature of
15 their own cultural heritage, and to study the contributions of
16 the cultural heritages of the ethnic groups of this Nation.

17 "ETHNIC HERITAGE STUDIES CENTERS

18 "SEC. 1202. The Commissioner is authorized to provide
19 for the establishment and operation of ethnic heritage studies
20 centers through grants to public and private nonprofit educa-
21 tional agencies and organizations. Each such center will have
22 courses of study related to all ethnic groups represented in
23 the regional area to be served by such center.

24 "ACTIVITIES OF ETHNIC HERITAGE STUDIES CENTERS

25 "SEC. 1203. Each center provided for under this title
26 shall—

1 "(1) develop curriculum materials for use in elemen-
2 tary and secondary schools and institutions of higher
3 education which deal with the history, geography,
4 society, economy, literature, art, music, drama, language.
5 and general culture of the groups with which the center
6 is concerned, and the contributions of those ethnic groups
7 to the American heritage,
8 "(2) disseminate curriculum materials to permit
9 their use in elementary and secondary schools and institu-
10 tions of higher education throughout the Nation, and
11 "(3) provide training for persons utilizing or pre-
12 paring to utilize the curriculum materials developed
13 under this title.
14 "ADMINISTRATIVE PROVISIONS
15 "SEC. 1204. (a) In carrying out this title, the Com-
16 missioner shall make arrangements which will utilize (1)
17 the research facilities and personnel of institutions of higher
18 education, (2) the special knowledge of ethnic groups in
19 local communities and of foreign students pursuing their
20 education in this country, (3) the expertise of teachers in
21 elementary and secondary schools and institutions of higher
22 education, and (4) the talents and experience of any other
23 groups in the regional area to be served by centers assisted
24 under this title such as foundations, civic groups, and fraternal
25 organizations which would further the goals of the centers.

1 "(b) Funds appropriated to carry out this title may be
2 used to cover all or part of the cost of establishing, equipping,
3 and operating the centers, including the cost of research
4 materials and resources, academic consultants, and the cost
5 of training of staff for the purpose of carrying out the pur-
6 poses of this title. Such funds may also be used to provide
7 stipends (in such amounts as may be determined in accord-
8 ance with regulations of the Commissioner) to individuals
9 receiving training in such centers, including allowances for
10 dependents.

11 "AUTHORIZATION OF APPROPRIATIONS

12 "SEC. 1205. There is authorized to be appropriated to
13 carry out this title for the fiscal year ending June 30, 1971,
14 the sum of $10,000,000, and for the fiscal year ending June
15 30, 1972, the sum of $20,000,000."

92D CONGRESS
1ST SESSION

S. 276

IN THE SENATE OF THE UNITED STATES

JANUARY 26, 1971

MR. NELSON introduced the following bill; which was read twice and referred to the Committee on Labor and Public Welfare

A BILL

To authorize the Commissioner of Education to award fellowships to persons preparing for environmental careers.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That this Act may be cited as the "Environmental Career
4 Fellowships Act".

5 AWARD OF FELLOWSHIPS

6 SEC. 2. The Commissioner of Education is authorized
7 to award fellowships in accordance with the provisions of this
8 Act for graduate or professional study for persons who plan
9 to pursue environmental careers, in such fields as ecology,

1 hydrology, chemistry, biology, and engineering related to the
2 control of environmental pollution.

3 ALLOCATION OF FELLOWSHIPS

4 SEC. 3. The Commissioner shall allocate fellowships
5 under this Act among institutions of higher education with
6 programs approved under the provisions of this Act for the
7 use of individuals accepted for study in such programs, in such
8 manner and according to such plan as will insofar as practi-
9 cable provide for an equitable distribution of such fellowships
10 throughout all regions of the Nation.

11 APPROVAL OF PROGRAMS

12 SEC. 4. The Commissioner may approve a program of
13 study as eligible for fellowships under this Act only upon
14 application by an institution of higher education and only
15 upon his finding—

16 (1) that such program has as a principal or signifi-
17 cant objective the education of persons for environmental
18 careers, including professional or technical occupations
19 for which there is a significant need in environmental
20 fields;

21 (2) that such program will expand opportunities
22 for persons to undertake graduate or professional study
23 in preparation for environmental careers:

(3) that such program is in effect and of high quality, or can readily be put into effect and may reasonably be expected to be of high quality;

(4) that the institution provides satisfactory assurance that it will recommend to the Commissioner, for the award of fellowships under this Act, only persons who have demonstrated to the satisfaction of the institution a serious intent to pursue an environmental career upon completing the program; and

(5) that such institution agrees to accept the cost-of-education allowance provided under section 6(b) of this Act in lieu of any tuition or fees which would otherwise be charged to fellowship recipients for their course of study.

PROGRAM DEVELOPMENT GRANTS

SEC. 5. In order to expand the number of opportunities for graduate and professional study for persons preparing to serve in environmental careers and to achieve an appropriate geographical distribution of high quality programs offering such opportunities, the Commissioner is authorized to make grants to or contracts with institutions of higher education to pay part of the cost of developing or strengthening programs of graduate or professional study which meet, or as a

1 result of the assistance received under this section will be
2 enabled to meet, the requirements for an approved fellow-
3 ship program in accordance with section 4 of this Act.

4 STIPENDS AND COST-OF-EDUCATION ALLOWANCES

5 SEC. 6. (a) The Commissioner shall pay persons
6 awarded fellowships under this Act such stipends (including
7 such allowances for subsistence and other expenses for such
8 persons and their dependents) as he may determine to be
9 consistent with prevailing practices under comparable fed-
10 erally supported programs.

11 (b) The Commissioner shall (in addition to the stipends
12 paid to persons under subsection (a)) pay to the institution
13 of higher education at which such person is pursuing his
14 course of study a cost-of-education allowance of such amount
15 as the Commissioner may determine to be consistent with
16 prevailing practices under comparable federally supported
17 programs.

18 AUTHORIZATION OF APPROPRIATIONS

19 SEC. 7. For the purpose of carrying out this Act, there
20 are authorized to be appropriated $50,000,000 for the fiscal
21 year ending June 30, 1972, $100,000,000 for the fiscal year
22 ending June 30, 1973, $150,000,000 for the fiscal year
23 ending June 30, 1974, and $200,000,000 for each succeed-
24 ing fiscal year.

92D CONGRESS
1ST SESSION

S. 374

IN THE SENATE OF THE UNITED STATES

JANUARY 27 (legislative day, JANUARY 26), 1971

Mr. MCGOVERN introduced the following bill; which was read twice and referred to the Committee on Labor and Public Welfare

A BILL

To amend title I of the Vocational Education Act of 1963 in order to authorize the construction under the provisions of such title of student union rooms or buildings for area vocational schools.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That section 108 (3) of the Vocational Education Act of
4 1963 is amended by inserting after the first sentence the
5 following: "For the purposes of part B such term includes
6 student union rooms or buildings and related facilities, as
7 defined by the Commissioner, and initial equipment and inter-
8 ests in land on which such facilities are constructed."

II

92D CONGRESS
1ST SESSION

S. 404

IN THE SENATE OF THE UNITED STATES

JANUARY 28 (legislative day, JANUARY 26), 1971

Mr. METCALF introduced the following bill; which was read twice and referred to the Committee on Labor and Public Welfare

A BILL

To authorize the United States Office of Education to carry out certain activities concerning consumers' education.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That this Act may be cited as the "Consumers' Education
4 Act of 1971."

5 OFFICE OF CONSUMERS' EDUCATION

6 SEC. 2. There is hereby established within the Office of
7 Education an Office of Consumers' Education (hereafter in
8 this Act referred to as the "Office") which, subject to the
9 management of the Commissioner of Education (hereinafter
10 referred to as the "Commissioner"), shall have primary
11 responsibility for carrying out the provisions of this Act.

1 The Office shall be headed by a Director (hereinafter re-
2 ferred to as the "Director") who shall be compensated at
3 the rate prescribed for grade GS–17 in section 5332 of title
4 5, United States Code.

5 GRANTS TO INSTITUTIONS OF HIGHER EDUCATION

6 SEC. 3. The Commissioner, through the Office, shall carry
7 out a program of making grants to institutions of higher
8 education and other nonprofit organizations, institutions, and
9 agencies to assist them (1) in making studies and reports
10 relating to Federal and State laws, regulations, decisions, and
11 rulings affecting consumers; (2) in making studies and
12 reports relating to the needs of the consumer in the fields
13 of energy, communication and transportation and the special
14 problems of consumers in areas served by regulated industries
15 (whether regulated by State or Federal agencies); (3) in
16 training persons for research relating to such studies and
17 reports, and (4) in development of curricula and programs
18 of study in consumer interests in such fields.

19 STUDIES, REPORTS, AND TECHNICAL ASSISTANCE

20 SEC. 4. The Director is authorized to conduct such studies
21 and make such reports relating to the activities set forth in
22 section 3 as he may deem appropriate, and to furnish such
23 advice and technical assistance as may be appropriate, on
24 request, to any State or local government, institution of
25 higher education, or other nonprofit organizations for the

1 purpose of establishing and carrying out any program of
2 education in utility consumer interest within the scope of
3 such activities.

4 REPORTS AND EVALUATIONS

5 SEC. 5. Each recipient of Federal funds under this Act
6 shall make such reports and evaluations as the Commis-
7 sioner shall prescribe by regulation.

8 AUTHORIZATION OF APPROPRIATIONS

9 SEC. 6. There are hereby authorized to be appropriated
10 such sums as may be necessary to carry out the purposes of
11 this Act for the fiscal year ending June 30, 1972, and for
12 each of the succeeding fiscal years ending prior to July 1,
13 1977.

92D CONGRESS
1ST SESSION

S. 434

IN THE SENATE OF THE UNITED STATES

JANUARY 29 (legislative day, JANUARY 26), 1971

Mr. PROUTY (for himself, Mr. DOMINICK, Mr. GRIFFIN, Mr. JAVITS, Mr. PACKWOOD, Mr. SAXBE, Mr. SCHWEIKER, and Mr. SCOTT) introduced the following bill; which was read twice and referred to the Committee on Labor and Public Welfare

A BILL

To establish a National Institute of Education, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That this Act may be cited as the "National Institute of
4 Education Act".

5 FINDINGS AND DECLARATION OF POLICY

6 SEC. 2. The Congress hereby declares it to be the policy
7 of the United States to provide to every person an equal
8 opportunity to receive an education of high quality regard-
9 less of his race, color, religion, sex, national origin, or eco-
10 nomic status. Although the American educational system has

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1 pursued this objective, it has not attained it. Inequalities of
2 opportunity to receive high quality education remain pro-
3 nounced. To achieve equality will require far more dependable
4 knowledge about the processes of learning and education
5 than now exists or can be expected from present research and
6 experimentation in this field. While the direction of th edu-
7 cation system remains primarily the responsibility of State
8 and local governments, the Federal Government has a clear
9 responsibility to provide leadership in the conduct and sup-
10 port of scientific inquiry into the educational process. The
11 purpose of this Act is to establish a National Institute of
12 Education to conduct and support educational research, and
13 disseminate educational research findings throughout the
14 Nation.

15 ESTABLISHMENT OF NATIONAL INSTITUTE OF
16 EDUCATION

17 SEC. 3. (a) There is established in the Department of
18 Health, Education, and Welfare a National Institute of Edu-
19 cation (hereinafter referred to as the "Institute"). The Insti-
20 tute shall be headed by a Director who shall be appointed by
21 the President with the advice and consent of the Senate. The
22 Director shall perform such duties as are prescribed by the
23 Secretary of Health, Education, and Welfare (hereinafter
24 referred to as the "Secretary").

25 (b) Section 5316 of title 5, United States Code, re-

1 lating to positions in level V of the Executive Schedule, is
2 amended by adding the following paragraph at the end
3 thereof: "Director, National Institute of Education, Depart-
4 ment of Health, Education, and Welfare."

5 FUNCTIONS OF THE INSTITUTE

6 SEC. 4. The Secretary, through the Institute, shall con-
7 duct educational research; collect and disseminate the find-
8 ings of educational research; train individuals in educational
9 research; assist and foster such research, collection, dissemi-
10 nation, or training through grants, or technical assistance to,
11 or jointly financed cooperative arrangements with, public or
12 private organizations, institutions, agencies, or individuals;
13 promote the coordination of such research and research sup-
14 port within the Federal Government; and may construct or
15 provide (by grant or otherwise) for such facilities as he de-
16 termines may be required to accomplish such purposes. As
17 used in this Act the term "educational research" includes
18 research, planning, surveys, evaluations, investigations, ex-
19 periments, developments, and demonstrations in the field of
20 education.

21 EMPLOYMENT OF PERSONNEL

22 SEC. 5. The Secretary may appoint and compensate
23 without regard to the provisions of title 5, United States
24 Code, governing appointments in the competitive service and
25 chapter 51 and subchapter III of chapter 53 of such title,

1 relating to classification and general schedule rates, such
2 technical and professional personnel as he deems necessary
3 to accomplish the functions of the Institute.

4 NATIONAL ADVISORY COUNCIL ON EDUCATIONAL
5 RESEARCH AND DEVELOPMENT

6 SEC. 6. (a) The President shall appoint a National
7 Advisory Council on Educational Research and Development
8 which shall—

9 (1) review and advise the Secretary and the Di-
10 rector on the status of educational research in the United
11 States, and present to the Secretary such recommenda-
12 tions as it may deem appropriate for the strengthening
13 of such research and the improvement of methods of col-
14 lecting and disseminating the findings of educational
15 research;

16 (2) advise the Secretary and the Director of the
17 Institute on the development of programs to be carried
18 out by the Institute and on matters of general policy
19 arising in the administration of this Act;

20 (3) conduct such studies as may be necessary to
21 fulfill its functions under this section; and

22 (4) prepare an annual report to the Secretary on
23 the current status and needs of educational research in
24 the United States, which the Secretary shall transmit to

1 the President with such recommendations as he may
2 make.
3 (b) The Council shall be appointed by the President
4 without regard to the civil service laws and shall consist of
5 fifteen members apppointed for terms of three years; except
6 that (1) any member appointed to fill a vacancy occurring
7 prior to the expiration of the term for which his predecessor
8 was appointed shall be appointed for the remainder of such
9 term, and (2) the terms of office of the members first tak-
10 ing office shall begin upon enactment of the Act, and shall
11 expire as designated at the time of appointment, five at the
12 end of three years, five at the end of two years, and five at
13 the end of the first year. One of such members shall be des-
14 ignated by the President as Chairman. Members of the
15 Council who are not regular full-time employees of the
16 United States shall, while serving on the business of the
17 Council, be entitled to receive compensation at rates to be
18 determined by the Secretary, but not exceeding the per diem
19 equivalent for GS–18 for each day so engaged, including
20 traveltime and, while so serving away from their homes or
21 regular places of business, may be allowed travel expenses,
22 including per diem in lieu of subsistence, as authorized by
23 section 5703 of title 5, United States Code, for persons in
24 the Government service employed intermittently. The Direc-
25 tor of the Institute shall also serve on the Council ex officio.

1 (c) The Secretary shall provide to the Council such
2 professional, clerical, and other assistance as may be re-
3 quired to carry out its functions.
4 (d) The Council is authorized, without regard to the
5 provisions of title 5, United States Code, governing ap-
6 pointments in the competitive service, and without regard
7 to the provisions of chapter 51 and subchapter III of chap-
8 ter 53 of such title relating to classification and general
9 schedule pay rates, to employ and fix the compensation of
10 such personnel as may be necessary to carry out its func-
11 tions. The Council is further authorized to obtain services
12 in accordance with the provisions of section 3109 of title 5,
13 United States Code, and it may enter into contracts for the
14 conduct of studies and other activities necessary to the dis-
15 charge of its duties.
16 GENERAL PROVISIONS
17 SEC. 7. (a) In administering the provisions of this Act,
18 the Secretary is authorized to utilize the services and facili-
19 ties of any agency of the Federal Government and of any
20 other public or nonprofit private agency or institution, in
21 accordance with agreements between the Secretary and
22 the head thereof, on a reimbursable basis or otherwise.
23 (b) Payments under this Act to any individual or to
24 any organization, institution, or agency may be made in in-
25 stallments, and in advance or by way of reimbursement,

1 with necessary adjustments on account of overpayments or
2 underpayments.
3 (c) The Secretary is authorized to accept gifts to the
4 Institute and to apply them to carry out his functions under
5 this Act; and is similarly authorized to accept voluntary and
6 uncompensated services, notwithstanding the provisions of
7 section 3679 (b) of the Revised Statutes (31 U.S.C.
8 665 (b)).
9 (d) Funds available under this Act shall be available
10 for transfer to any other Federal department or agency (in-
11 cluding constituent agencies of the Department of Health,
12 Education, and Welfare) for use (in accordance with an in-
13 teragency agreement) by such agency (alone or in combina-
14 tion with funds of that agency) for purposes for which such
15 transferred funds could be otherwise expended by the Sec-
16 retary under this Act, and the Secretary is likewise author-
17 ized to accept and expend funds of any other Federal agency
18 for use under this Act.
19 (e) All laborers and mechanics employed by contractors
20 or subcontractors on all construction projects assisted under
21 this Act shall be paid wages at rates not less than those pre-
22 vailing on similar construction in the locality as determined
23 by the Secretary of Labor in accordance with the Davis-
24 Bacon Act, as amended (40 U.S.C. 276a—276a-5). The
25 Secretary of Labor shall have, with respect to the labor

1 standards specified in this section the authority and func-
2 tions set forth in Reorganization Plan Numbered 14 of 1950
3 (15 F.R. 3176; 5 U.S.C. 133z-15) and section 2 of the Act
4 of June 13, 1934, as amended (40 U.S.C. 276 (c)).

5 APPROPRIATIONS AUTHORIZED

6 SEC. 8. There are authorized to be appropriated for the
7 fiscal year ending June 30, 1972, and for each fiscal year
8 thereafter, such sums as may be necessary to carry out this
9 Act, which shall remain available until expended.

92D CONGRESS
1ST SESSION

S. 545

IN THE SENATE OF THE UNITED STATES

FEBRUARY 2 (legislative day, JANUARY 26), 1971

Mr. WILLIAMS (for himself, Mr. BROOKE, Mr. CASE, Mr. CHURCH, Mr. CRANSTON, Mr. COOPER, Mr. EAGLETON, Mr. GRAVEL, Mr. HARRIS, Mr. HART, Mr. HARTKE, Mr. HUGHES, Mr. HUMPHREY, Mr. INOUYE, Mr. JACKSON, Mr. KENNEDY, Mr. MCGEE, Mr. MCGOVERN, Mr. MONDALE, Mr. MOSS, Mr. MUSKIE, Mr. NELSON, Mr. RANDOLPH, Mr. RIBICOFF, and Mr. STEVENSON) introduced the following bill; which was read twice and referred to the Committee on Labor and Public Welfare

A BILL

To improve and increase postsecondary educational opportunities throughout the Nation by providing assistance to the States for the development and construction of comprehensive community colleges.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That this Act may be cited as the "Comprehensive Com-
4 munity College Act of 1971."

5 STATEMENT OF PURPOSE

6 SEC. 2. It is the purpose of this Act to assist the
7 States in providing postsecondary education to all persons in

1 all areas of each State through a program of Federal grants
2 to each State for the purpose of strengthening, improving,
3 and developing comprehensive commuunity colleges; to in-
4 sure that the education provided by such colleges is suited to
5 the needs, interests, and potential benefits of the total com-
6 munity; and to assist such colleges in providing educational
7 programs especially suited to the needs of educationally
8 and/or economically disadvantaged persons in each State.

9 TITLE I—DEVELOPMENT OF STATE PLANS

10 AUTHORIZATION

11 SEC. 101. In order to assist the States in developing
12 State plans for the purposes of title II of this Act, there is
13 authorized to be appropriated $15,000,000 for the fiscal year
14 beginning July 1, 1972, which sum shall be made available
15 for expenditure for each succeeding fiscal year ending prior
16 to July 1, 1975. The sums appropriated pursuant to this
17 section shall be used for making payments to States whose
18 applications for funds for carrying out such purposes have
19 been approved.

20 STATE APPLICATIONS

21 SEC. 102. The Commissioner shall approve any applica-
22 tion for funds for carrying out the purpose of section 101 if
23 such application—

24 (1) provides that a State agency to be designated
25 by the Governor of that State, which is representative

of all agencies in such State which are concerned with postsecondary education or which is presently responsible for the administration of community college education in such State, will be the sole agency for carrying out such purpose;

(2) provides for the development of a State comprehensive community college plan to meet the requirements of section 203 of this Act; and

(3) provides that such State agency will make such reports, in such form, and containing such information as the Commissioner may from time to time reasonably require, and, to assure verification of such reports, give the Commissioner, upon request, access to the records upon which such information is based.

ALLOTMENTS TO STATES

SEC. 103. The sums appropriated pursuant to section 101 shall be allotted by the Commissioner among the States on the basis of the amount needed by each State for the purpose of this title, except that no such allotment to any State shall be more than $300,000.

WITHHOLDING OF PAYMENTS

SEC. 104. Whenever the Commissioner, after reasonable notice and opportunity for hearing to a State agency, finds (1) that such State educational agency is not complying substantially with the provisions of this title or the terms and

1 conditions of its application approved under this title, or
2 (2) that any funds paid to such State educational agency
3 under this title have been diverted from the purposes for
4 which they had been allotted or paid, the Commissioner
5 shall notify such State agency that no further payments will
6 be made under this title with respect to such agency until
7 there is no longer any failure to comply or the diversion has
8 been corrected or, if compliance or correction is impossible,
9 until such State agency repays or arranges for the repay-
10 ment of Federal moneys which have been diverted or im-
11 properly expended.

12 TITLE II—FINANCIAL ASSISTANCE FOR COM-
13 PREHENSIVE COMMUNITY COLLEGES

14 AUTHORIZATION

15 SEC. 201. (a) The Commissioner shall, in accordance
16 with the provisions of this title, make payments to State
17 agencies for the period beginning July 1, 1972, and ending
18 June 30, 1975.

19 (b) There are authorized to be appropriated for the
20 purpose of making such payments for each fiscal year such
21 sums as the Congress shall deem necessary.

22 ALLOTMENTS

23 SEC. 202. (a) From the sums appropriated pursuant
24 to section 201 (b) for each fiscal year the Commissioner
25 shall (1) allot not more than 5 per centum thereof among

1 Puerto Rico, Guam, American Samoa, the Virgin Islands,
2 and the Trust Territory of the Pacific Islands according to
3 their respective needs and (2) reserve not more than 5
4 per centum thereof for the purposes of section 206. From
5 the remainder of such sums the Commissioner shall allot to
6 each State an amount which bears the same ratio to such
7 remainder as the population aged eighteen and over in such
8 State bears to the total of such population in all States. For
9 the purposes of this subsection, the term "State" does not
10 include Puerto Rico, Guam, American Samoa, the Virgin
11 Islands, and the Trust Territory of the Pacific Islands.
12 (b) The portion of any State's allotment under subsec-
13 tion (a) for a fiscal year which the Commissioner deter-
14 mines will not be required, for the period such allotment
15 is available, for carrying out the purposes of this title shall
16 be available for reallotment from time to time, on such
17 dates during such period as the Commissioner may fix, to
18 other States in proportion to the original allotments to such
19 States under subsection (a) for such year, but with such
20 proportionate amount for any of such other States being
21 reduced to the extent it exceeds the sum which the Com-
22 missioner estimates such State needs and will be able to
23 use for such period for carrying out such portion of its
24 State application approved under this title, and the total
25 of such reductions shall be similarly reallotted among the

1 States whose proportionate amounts are not so reduced. Any
2 amount reallotted to a State under this subsection during a
3 year shall be deemed part of its allotment under subsection
4 (a) for such year.

5 STATE PLANS AND PAYMENTS

6 SEC. 203. (a) Any State desiring to receive its allot-
7 ment of Federal funds under this title shall submit a State
8 plan, in such detail as the Commissioner deems necessary,
9 which—

10 (1) provides for the administration of such plan by
11 a State agency to be designated by the Governor of
12 that State, which is representative of all agencies in such
13 State which are concerned with postsecondary education
14 or which is presently responsible for the administration
15 of community college education in such State;

16 (2) sets forth a comprehensive statewide program
17 for the improvement, development, and construction of
18 comprehensive community colleges in the State for the
19 purposes of this Act, including (A) the development
20 and carrying out of comprehensive curriculum programs
21 with special emphasis on programs for educationally and
22 economically disadvantaged persons, including occupa-
23 tional-technical programs, adult continuing education
24 programs, community service programs, developmental
25 programs, counseling-advising programs, and lower di-

1 vision university parallel programs, (B) training and
2 development of faculty, administrators, counselors, and
3 other necessary personnel, and (C) research to be car-
4 ried out in such colleges to increase the effectiveness
5 of such colleges and to provide data for future
6 development;
7 (3) establishes priorities for the purpose of carry-
8 ing out such program;
9 (4) provides that such colleges will be tuition free
10 or low tuition to State residents or provide adequate
11 financial aid programs. The term "low tuition" as used
12 in this subsection shall be determined by the Commis-
13 sioner within his discretion upon approval of a State
14 plan;
15 (5) provides for the necessary State and local
16 financial support to carry out such program with assist-
17 ance under this title;
18 (6) sets forth policies and procedures designed to
19 assure that Federal funds made available under this title
20 will be so used as not to supplant State or local funds, or
21 funds of comprehensive community colleges, but to sup-
22 plement and, to the extent practicable, to increase the
23 amounts of such funds that would in the absence of such
24 Federal funds be made available for the purposes of this
25 Act;

1 (7) sets forth such fiscal control and fund account-
2 ing procedures as may be necessary to assure proper dis-
3 bursement of and accounting for Federal funds paid to
4 the State (including such funds paid by the State to
5 comprehensive community colleges) under this title;
6 (8) provides for making such reports in such form
7 and containing such information as the Commissioner
8 may reasonably require to carry out his functions under
9 this title, and for keeping such records and for affording
10 such access thereto as the Commissioner may find neces-
11 sary to assure the correctness and verification of such
12 reports;
13 (9) provides to the extent possible for interstate
14 cooperation in carrying out programs pursuant to this
15 title.
16 (b) The Commissioner shall approve any State plan
17 and any modification thereof which complies with the provi-
18 sions of subsection (a) and shall pay to such State, from its
19 allotment for each fiscal year, the reasonable cost, as deter-
20 mined by the Commissioner, of carrying out such approved
21 plan for such year.
22 (c) Payments to a State under this title may be made
23 in installments and in advance or by way of reimburse-
24 ment with necessary adjustments on account of overpay-
25 ments or underpayments, and they may be paid directly

1 to the State or to one or more participating colleges desig-
2 nated for this purpose by the State, or to both.

3 ADMINISTRATION OF STATE PLANS

4 SEC. 204. (a) The Commissioner shall not finally
5 disapprove any State plan submitted under this title, or any
6 modification thereof, without first affording the State agency
7 or institution submitting the plan reasonable notice and
8 opportunity for a hearing.

9 (b) Whenever the Commissioner, after reasonable notice
10 and opportunity for hearing to the State agency or institu-
11 tion administering a State plan approved under section 103,
12 finds that—

13 (1) the State plan has been so changed that it no
14 longer complies with the provisions of such section, or

15 (2) in the administration of the plan there is a
16 failure to comply substantially with any such provision,
17 the Commissioner shall notify the State agency or insti-
18 tution that the State will not be regarded as eligible
19 to participate in the program under this title until he
20 is satisfied that there is no longer any such failure to
21 comply.

22 LABOR STANDARDS

23 SEC. 205. All laborers and mechanics employed by con-
24 tractors on all construction projects assisted under this title

1 shall be paid wages at rates not less than those prevailing
2 on similar construction in the locality as determined by the
3 Secretary of Labor in accordance with the Davis-Bacon Act,
4 as amended (40 U.S.C. 276a—276a-5). The Secretary of
5 Labor shall have with respect to the labor standards speci-
6 fied in this section authority and functions set forth in
7 Reorganization Plan Numbered 14 of 1950 (15 F.R. 3176)
8 and section 2 of the Act of June 13, 1934, as amended
9 (40 U.S.C. 276c).

10 DEMONSTRATION PROJECTS AND RESEARCH FOR
11 COMPREHENSIVE COMMUNITY COLLEGE PURPOSES

12 SEC. 206. The Commissioner is authorized to enter into
13 such contracts or other arrangements as may be necessary
14 to carry out innovative and exemplary demonstration proj-
15 ects and research to promote the purpose of this Act.

16 TITLE III—GENERAL PROVISIONS

17 DEFINITIONS

18 SEC. 301. As used in this Act—

19 (1) the term "Commissioner" means the Commis-
20 sioner of Education.

21 (2) the term "comprehensive community college"
22 means any junior college, technical institute, or any
23 other educational institution in any State which—

24 (A) is legally authorized within such State to

1 provide a program of education beyond secondary
2 education;
3 (B) admits as regular students high school
4 graduates or equivalent, or persons at least eighteen
5 years of age;
6 (C) provides a two-year postsecondary educa-
7 tional program leading to an associate degree, or
8 acceptable for credit toward a bachelor's degree, and
9 also provides programs of postsecondary vocational,
10 technical, occupational, and specialized education;
11 (D) is a public or other nonprofit institution;
12 (E) has a Board of Trustees or other desig-
13 nated governing body which includes individuals
14 representative of the community which it serves;
15 (F) is accredited as an institution by a na-
16 tionally recognized accrediting agency or associa-
17 tion, or if not so accredited—
18 (i) is an institution that has obtained rec-
19 ognized preaccreditation status from a nationally
20 recognized accrediting body, or
21 (ii) is an institution whose credits are
22 accepted on transfer, by not less than three
23 accredited institutions, for credit on the same
24 basis as if transferred from an institution so
25 accredited, and

1 for purposes of this paragraph, the Commissioner shall
2 publish a list of nationally recognized accrediting agen-
3 cies or associations which he determines to be reliable
4 authority as to the quality of training offered.

5 (3) The term "construction" includes the prep-
6 aration of drawings and specifications for college fa-
7 cilities; erecting, building, acquiring, altering, remodel-
8 ing, improving, or extending such facilities; and the
9 inspection and supervision of the construction of such
10 facilities. Such term does not include interests in land
11 or off-site improvements.

12 (4) The term "college facilities" includes classrooms
13 and related facilities; and initial equipment, machinery,
14 and utilities necessary or appropriate for comprehensive
15 community college purposes. Such term does not in-
16 clude athletic stadiums, or structures or facilities intended
17 primarily for athletic exhibitions, contests, or games or
18 other events for which admission is to be charged to the
19 general public.

20 (5) The term "State" includes, in addition to the
21 several States of the Union, the Commonwealth of
22 Puerto Rico, the District of Columbia, Guam, American
23 Samoa, the Virgin Islands, and the Trust Territory of
24 the Pacific Islands.

1 ADMINISTRATION

2 SEC. 302. (a) The Commissioner shall administer the
3 provisions of this Act through a Bureau of Community Edu-
4 cation which he shall establish in the Office of Education.
5 Such Bureau shall be headed by a Deputy Commissioner for
6 Community Education, which position is hereby created in
7 the Office of Education. Such Bureau shall, upon request,
8 advise any State with respect to its programs pursuant to
9 this Act.

10 (b) The Commissioner shall, within one hundred
11 twenty days of enactment of this statute, make a report to
12 Congress (1) identifying all other programs administered
13 by the Office of Education which should, for the purpose of
14 consolidating the administration of programs affecting com-
15 prehensive community colleges, be administered through
16 the Bureau of Community Education, and (2) what action
17 is being taken to provide for the administration of such
18 programs by such Bureau.

19 (c) In administering the provisions of this Act, the
20 Commissioner is authorized to utilize the services and facili-
21 ties of any agency of the Federal Government and of any
22 other public or nonprofit agency or institution in accordance
23 with appropriate agreements, and to pay for such services
24 either in advance or by way of reimbursement, as may be
25 agreed upon.

1 JUDICIAL REVIEW

2 SEC. 303. (a) If any State is dissatisfied with the Com-
3 missioner's final action with respect to the approval of its
4 application submitted under section 102 or its plan submitted
5 under section 203, or with his final action under section
6 104 or section 205, such State may, within sixty days after
7 notice of such action, file with the United States court of
8 appeals for the circuit in which such State is located a peti-
9 tion for review of that action. A copy of the petition shall
10 be forthwith transmitted by the clerk of the court to the
11 Commissioner. The Commissioner thereupon shall file in
12 the court the record of the proceedings on which he based
13 his action, as provided in section 2112 of title 28, United
14 States Code.

15 (b) The findings of fact by the Commissioner, if sup-
16 ported by substantial evidence, shall be conclusive; but the
17 court, for good cause shown, may remand the case to the
18 Commissioner to take further evidence, and the Commis-
19 sioner may thereupon make new or modified findings of fact
20 and may modify his previous action, and shall file in the
21 court the record of the further proceedings. Such new or
22 modified findings of fact shall likewise be conclusive if sup-
23 ported by substantial evidence.

24 (c) Upon the filing of such petition, the court shall have
25 jurisdiction to affirm the action of the Commissioner or to

1 set it aside, in whole or in part. The judgment of the court
2 shall be subject to review by the Supreme Court of the
3 United States upon certiorari or certification as provided in
4 section 1254 of title 28, United States Code.

5 PROHIBITIONS

6 SEC. 304. (a) Nothing contained in this Act shall be
7 construed to authorize any department, agency, officer, or
8 employee of the United States to exercise any direction,
9 supervision, or control over the curriculum, program of in-
10 struction, administration, or personnel of any educational
11 institution or school system.

12 (b) Nothing contained in this Act shall be construed
13 to authorize the making of any payment under this Act for
14 the construction of facilities as a place of worship or religious
15 instruction.

16 NATIONAL ADVISORY COUNCIL

17 SEC. 305. (a) The Commissioner shall appoint a Na-
18 tional Advisory Council on Comprehensive Community Col-
19 leges. The members of such Council shall be appointed
20 without regard to the civil service laws, to represent appro-
21 priate fields competent or interested in the development of
22 such colleges for the purposes of this Act.

23 (b) The Council shall advise the Commissioner with
24 respect to (1) criteria for the evaluation of applications and
25 State plans pursuant to this Act, (2) the administration of

1 title II of this Act, and (3) means of improving the admin-
2 istration and operation of this Act.
3 (c) The Council shall make an annual report of its
4 findings and recommendations (including recommendations
5 for changes in the provisions of this Act) to the President
6 not later than March 31 of each calendar year after the cal-
7 endar year in which this Act is enacted. The President shall
8 transmit each such report to the Congress together with his
9 comments and recommendations.
10 (d) Members of the Council who are not regular full-
11 time employees of the United States shall, while serving on
12 business of the Council, be entitled to receive compensation
13 at rates fixed by the President, but not exceeding $100 per
14 day, including travel time; and while so serving away from
15 their homes or regular places of business, they may be
16 allowed travel expenses, including per diem in lieu of sub-
17 sistence, as authorized by section 5703 of title 5 of the
18 United States Code for persons in Government service em-
19 ployed intermittently.
20 STUDY AND RECOMMENDATIONS IN ORDER TO AVOID
21 DUPLICATION OF BENEFITS
22 SEC. 306. The Commissioner shall (1) make an in-
23 vestigation and study of all Federal programs assisting com-
24 prehensive community colleges in order to determine which
25 of such programs provide assistance which is a duplication

1 of assistance provided pursuant to this Act, and (2) report
2 to Congress, not later than six months after the date of
3 enactment of this Act, his recommendations, including any
4 necessary legislation, for terminating such duplication.

202 10

92D CONGRESS
1ST SESSION

S. 1062

IN THE SENATE OF THE UNITED STATES

MARCH 2 (legislative day, FEBRUARY 17), 1971

Mr. JAVITS (for himself, Mr. BEALL, Mr. DOMINICK, Mr. GRIFFIN, Mr. PROUTY, Mr. SCHWEIKER, and Mr. SCOTT) introduced the following bill; which was read twice and referred to the Committee on Labor and Public Welfare

A BILL

To establish a National Foundation for Higher Education, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "National Foundation for Higher Education Act of 1971".

ESTABLISHMENT OF NATIONAL FOUNDATION FOR HIGHER EDUCATION

SEC. 2. There is established in the Department of Health, Education, and Welfare a National Foundation for Higher Education (hereinafter referred to as the "Foundation"). The President shall appoint, with the advice and consent of the Senate, a Director of the Foundation (hereinafter in this

1 Act referred to as the "Director") who shall perform such
2 duties in carrying out this Act as are prescribed by the
3 Secretary of Health, Education, and Welfare (hereinafter
4 in this Act referred to as the "Secretary").

5 PURPOSES OF THE FOUNDATION

6 SEC. 3. The purposes of the Foundation are—

7 (1) to encourage excellence, innovation, and re-
8 form in postsecondary education;

9 (2) to provide assistance for the design and estab-
10 lishment of innovative structures for providing post-
11 secondary education and innovative modes of teaching
12 and learning therein;

13 (3) to expand the ways and patterns of acquiring
14 postsecondary education and to open opportunities for
15 such education to individuals of all ages and circum-
16 stances;

17 (4) to strengthen the autonomy, individuality, and
18 sense of mission of postsecondary educational institu-
19 tions, and to support programs which are distinctive or
20 of special value to American society; and

21 (5) to encourage postsecondary educational insti-
22 tutions to develop policies, programs, and practices re-
23 sponsive to social needs, and to provide an organization
24 concerned with the rationalization of public policies to-
25 ward postsecondary education.

1 HIGHER EDUCATION FOUNDATION BOARD

2 SEC. 4. (a) The President shall appoint, without regard
3 to the provisions of title 5 of the United States Code govern-
4 ing appointments in the competitive service, a Higher Edu-
5 cation Foundation Board (hereinafter in this Act referred
6 to as the "Board") which shall—

7 (1) advise the Secretary and the Director with
8 respect to matters of general policy arising in the admin-
9 istration of this Act and programs to be carried out by
10 the Foundation; and

11 (2) prepare an annual report to the Secretary
12 on the current status and needs of postsecondary edu-
13 cation in the United States, which the Secretary shall
14 transmit to the President with such recommendations as
15 he may make.

16 (b) The Board shall consist of the Director, ex officio,
17 and eighteen members who shall be broadly representative of
18 the general public as well as the education community. The
19 members of the Board shall be appointed for terms of three
20 years; except that (1) any member appointed to fill a va-
21 cancy occurring prior to the expiration of the term for which
22 his predecessor was appointed shall be appointed for the re-
23 mainder of such term, and (2) the terms of office of the mem-
24 bers first taking office shall begin upon enactment of this Act,
25 and shall expire as designated at the time of appointment, six

at the end of three years, six at the end of two years, and six at the end of the first year. One of the members shall be designated by the President as Chairman. Members of the Board who are not regular full-time employees of the United States shall, while serving on the business of the Board, be entitled to receive compensation at rates to be determined by the Secretary, but not exceeding the per diem equivalent for GS–18 for each day so engaged, including traveltime, and, while so serving away from their homes or regular places of business, may be allowed travel expenses, including per diem in lieu of subsistence, as authorized by section 5703 of title 5, United States Code, for persons in the Government service employed intermittently.

ASSISTANCE

SEC. 5. (a) The Secretary is authorized to make grants to or contracts with any public or private agency, organization, or institution, any combination thereof, or any individual, in order to achieve the purposes of the Foundation, except that no grant may be made to a private agency, organization, or institution other than a nonprofit one. Such assistance may be given to support activities designed to achieve the purposes of this Act, including—

(1) the creation of institutions and programs involving new paths to career and professional training,

1 and new combinations of academic and experiential
2 learning;
3 (2) the establishment of institutions and programs
4 based on the technology of communications;
5 (3) the carrying out in postsecondary educational
6 institutions of changes in internal structure and opera-
7 tions designed to clarify institutional priorities and
8 purposes;
9 (4) the design and introduction of cost-effective
10 methods of instruction and operation;
11 (5) the introduction of institutional reforms de-
12 signed to expand individual opportunities for entering
13 and reentering institutions and pursuing programs of
14 study tailored to individual needs;
15 (6) the introduction of reforms in graduate educa-
16 tion, in the structure of academic professions, and in the
17 recruitment and retention of faculties;
18 (7) the creation of new institutions and programs
19 for examining and awarding credentials to individuals,
20 and the introduction of reforms in current institutional
21 practices related thereto;
22 (8) the development or revitalization of educational
23 and training programs of national importance; and
24 (9) the alteration or remodeling of buildings to the

1 extent necessary to achieve the objectives of any other
2 activity assisted under this section.
3 (b) The Secretary is similarly authorized to make
4 grants or contracts for the purpose of assisting in carrying
5 out studies in the field of postsecondary education, including
6 studies related to postsecondary education finance, organiza-
7 tion, and management.
8 FELLOWSHIPS
9 SEC. 6. The Secretary is authorized, where appropriate
10 and necessary to carry out the purposes of this Act, to
11 award fellowships and to pay to fellowship holders stipends
12 (including allowances for subsistence and other expenses
13 for themselves and their dependents) for stated periods of
14 time.
15 GENERAL AUTHORITY
16 SEC. 7. In carrying out this Act, the Secretary shall
17 have the authority—
18 (1) to enter into contracts without performance
19 or other bonds, and without regard to section 3709 of
20 the Revised Statutes (41 U.S.C. 5);
21 (2) to make advance, progress, and other pay-
22 ments without regard to the provisions of section 3648
23 of the Revised Statutes (31 U.S.C. 529);
24 (3) to receive money and other property donated,
25 bequeathed, or devised to the Foundation with or with-

1 out a condition or restriction, including a condition that
2 the Foundation use other funds for the purposes of the
3 gift; and to use, sell, or otherwise dispose of such prop-
4 erty for the purposes of this Act;
5 (4) to publish or arrange for the publication of
6 information without regard to the provisions of section
7 501 of title 44, United States Code;
8 (5) to accept and utilize the services of voluntary
9 and uncompensated personnel, notwithstanding the pro-
10 visions of section 3679 (b) of the Revised Statutes (31
11 U.S.C. 665 (b)), and to provide transportation and
12 subsistence as authorized by section 5703 of title 5,
13 United States Code, for persons serving without com-
14 pensation; and
15 (6) to arrange with and reimburse the heads of
16 other Federal agencies for the performance of any activ-
17 ity which the Foundation is authorized to conduct.

18 MISCELLANEOUS PROVISIONS

19 SEC. 8. (a) The Secretary may appoint and compensate
20 without regard to the provisions of title 5, United States
21 Code, governing appointments in the competitive service
22 and chapter 51 and subchapter III of chapter 53 of such
23 title, relating to classification and general schedule rates,
24 such technical and professional personnel as he deems neces-
25 sary to accomplish the functions of the Foundation.

1 (b) Funds available under this Act shall be available
2 for transfer to any other Federal department or agency
3 (including constituent agencies of the Department of Health,
4 Education, and Welfare) for use (in accordance with an
5 interagency agreement) by such agency (alone or in com-
6 bination with funds of that agency) for purposes for which
7 such transferred funds could be otherwise expended by the
8 Secretary under this Act, and the Secretary is likewise
9 authorized to accept and expend funds of any other Federal
10 agency for use under this Act.

11 (c) All laborers and mechanics employed by contractors
12 or subcontractors on all construction projects assisted under
13 this Act shall be paid wages at rates not less than those
14 prevailing on similar construction in the locality as deter-
15 mined by the Secretary of Labor in accordance with the
16 Davis-Bacon Act, as amended (40 U.S.C. 276a—276a-5).
17 The Secretary of Labor shall have with respect to the labor
18 standards specified in this section the authority and func-
19 tions set forth in Reorganization Plan Numbered 14 of
20 1950 (15 F.R. 3176; 50 U.S.C. 133z-15) and section 2
21 of the Act of June 13, 1934, as amended (40 U.S.C.
22 276(c)).

23 JOINT FUNDING

24 SEC. 9. Pursuant to regulations prescribed by the Presi-
25 dent, where funds are advanced by the Foundation and one

1 or more other Federal agencies (including any other part
2 of the Department of Health, Education, and Welfare) for
3 any activity assisted under this Act, any one Federal agency
4 may be designated to act for all in administering the funds
5 advanced. In such cases, any such agency may waive any
6 technical grant or contract requirement (as defined by such
7 regulations) which is inconsistent with the similar require-
8 ments of the administering agency or which the administer-
9 ing agency does not impose.

10 AMENDMENTS TO EXECUTIVE SCHEDULE

11 SEC. 10. (a) Section 5316 of title 5, United States Code,
12 relating to positions at level V of the Executive Schedule,
13 is amended by striking out "(41) Commissioner of Educa-
14 tion, Department of Health, Education, and Welfare." and
15 by inserting "(41) Director, National Foundation for Higher
16 Education, Department of Health, Education, and Welfare."
17 in lieu thereof.

18 (b) Section 5315 of such title, relating to positions at
19 level IV of the Executive Schedule, is amended by adding
20 the following paragraph at the end thereof:

21 "Commissioner of Education, Department of Health
22 Education, and Welfare".

23 AVAILABILITY OF APPROPRIATIONS

24 SEC. 11. Funds appropriated to carry out this Act shall
25 remain available until expended.

92D CONGRESS
1ST SESSION

S. 1072

IN THE SENATE OF THE UNITED STATES

MARCH 2 (legislative day, FEBRUARY 17), 1971

Mr. JAVITS introduced the following bill; which was read twice and referred to the Committee on Labor and Public Welfare

A BILL

To amend the Higher Education Facilities Act of 1963 in order to increase the maximum Federal share under such Act to 66 per centum in the case of certain developing institutions.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That section 401 (d) of the Higher Education Facilities Act
4 of 1963 is amended by inserting before the period at the end
5 thereof a comma and the following: "except that in either
6 such case such percentage may be not in excess of 66 per
7 centum if the institution is a developing institution as defined
8 in section 302 of the Higher Education Act of 1965".

II

92D CONGRESS
1ST SESSION

S. 1073

IN THE SENATE OF THE UNITED STATES

MARCH 2 (legislative day, FEBRUARY 17), 1971

Mr. JAVITS introduced the following bill; which was read twice and referred to the Committee on Labor and Public Welfare

A BILL

To consolidate and improve certain programs for higher education, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That this Act may be cited as the "Improvement of Educa-
4 tion Programs Act".

5 TITLE I—CONSOLIDATION OF SPECIAL HIGHER
6 EDUCATION PROGRAMS

7 CONSOLIDATION OF TITLES VIII, IX, AND XI OF THE HIGHER
8 EDUCATION ACT OF 1965, TITLE VI OF THE NATIONAL
9 DEFENSE EDUCATION ACT OF 1958, AND THE INTER-
10 NATIONAL EDUCATION ACT

11 SEC. 2. Title VIII of the Higher Education Act of
12 1965 is amended to read as follows:

II—O

1 "TITLE VIII—SPECIAL EDUCATIONAL IMPROVE-
2 MENT PROGRAMS

3 "APPROPRIATIONS AUTHORIZED

4 "SEC. 801. (a) The Commissioner is authorized to make
5 grants to institutions of higher education, or combinations of
6 such institutions, for the uses and purposes set forth in section
7 803 of this title.

8 "(b) For the purpose of making grants under this title,
9 there is authorized to be appropriated $86,500,000 for the
10 fiscal year ending June 30, 1972, and such sums as may be
11 necessary for each of the four succeeding fiscal years.

12 "ALLOCATION

13 "SEC. 802. The Commissioner shall allocate grants, fel-
14 lowships, and other assistance authorized by this title in
15 such manner and according to such plan as will most nearly
16 provide an equitable distribution of the grants, fellowships,
17 and other assistance throughout the States while at the same
18 time giving a preference to those institutions of higher edu-
19 cation which show real promise of being able to use funds
20 effectively.

21 "USES OF FEDERAL FUNDS

22 "SEC. 803. (a) It is the purpose of this title to combine
23 within a single authorization, subject to the modifications
24 required by the provisions and requirements of this title, the
25 programs formerly authorized by titles VIII, IX, and XI of

1 the Higher Education Act of 1965, by title VI of the Na-
2 tional Defense Education Act of 1958, and by the Interna-
3 tional Education Act and, except as expressly provided
4 otherwise by this title, Federal funds may be used for the
5 purchase of the same kinds of equipment and materials and
6 the funding of the same types of programs as were previously
7 authorized by such titles and that Act.
8 "(b) Grants under this title may be used, in accordance
9 with the provisions of this title, for—
10 "(1) programs designed to encourage institutions of
11 higher education to share their technical and other educa-
12 tional and administrative facilities and resources includ-
13 ing (A) the planning, development, and joint operation
14 by institutions of higher education of closed-circuit tele-
15 vision, electronic computer networks, or equivalent trans-
16 mission facilities, and (B) cooperative arrangements for
17 shared classrooms, laboratories, library resources, and
18 other similar facilities or resources;
19 "(2) programs for the preparation of graduate or
20 professional students to enter or pursue a career in public
21 service, including awarding fellowships to such students,
22 and programs of research into improved methods of edu-
23 cation for the public service in Federal, State, and local
24 governments;
25 "(3) programs for clinical experience conducted or

1 supervised by accredited law schools for students of law
2 and, to the extent practical, with preference being given
3 to experience in the preparation and trial of cases; and
4 "(4) programs for international studies conducted
5 at institutions of higher education located in the United
6 States, including the study of foreign languages.
7 "(c) In addition to the uses specified in subsections (a)
8 and (b), funds appropriated for carrying out this title may,
9 subject to the limitations specified in section 805, be used
10 for—
11 "(1) proper and efficient administration of the pro-
12 grams for which application is made; and
13 "(2) evaluation of plans, programs, and projects,
14 and dissemination of the results thereof.
15 "APPLICATIONS
16 "SEC. 804. (a) A grant may be made under this section
17 only upon application to the Commission at such time or
18 times and containing such information as he deems neces-
19 sary. The Commissioner shall not approve an application
20 unless it—
21 "(1) sets forth a program for carrying out one or
22 more of the purposes set forth in section 803;
23 "(2) sets forth policies and procedures which as-
24 sure that Federal funds made available under this sec-
25 tion for any fiscal year will be so used as to supplement

1 and, to the extent practical, increase the level of funds
2 that would, in the absence of such Federal funds, be
3 made available for purposes for which the application is
4 made, and in no case supplant such funds;
5 "(3) contains satisfactory assurances, in case of
6 any program described in paragraph (2) of section
7 803(b) that (A) the institution of higher education
8 will recommend to the Commissioner, for the award of
9 fellowships under this title, for study in such program,
10 only persons of superior promise who have demonstrated
11 to the satisfaction of the institution a serious intent to
12 enter the public service upon completing the program,
13 and (B) the institution will make reasonable continu-
14 ing efforts to encourage recipients of fellowships under
15 this title, enrolled in such programs, to enter the public
16 service upon completing the program;
17 "(4) provides for making such reports, in such form
18 and containing such information, as the Commissioner
19 may reasonably require to carry out his functions under
20 this title, and for keeping such records and for affording
21 such access thereto as the Commissioner may find neces-
22 sary to assure the correctness and verification of such
23 reports; and
24 "(5) provides for the adoption of effective pro-

1 cedure for the evaluation of the effectiveness of programs
2 assisted under this title.
3 "(b) In administering this title, the Commissioner shall
4 give primary emphasis to the assistance of programs and
5 activities not otherwise assisted by the Department of Health,
6 Education, and Welfare, or by other agencies of the Federal
7 Government, so as to promote most effectively the objectives
8 of this title.
9 "SPECIAL CONDITIONS AND LIMITATIONS
10 "SEC. 805. (a) (1) Grants pursuant to paragraph (1)
11 of section 803 (b) may not be used to pay the costs of
12 electronic transmission terminals.
13 "(2) In the case of a program for the establishment and
14 operation of a computer network under such paragraph (1),
15 grants may not include—
16 "(A) the cost of operating administrative ter-
17 minals or student terminals at participating institu-
18 tions; or
19 "(B) the cost, or any participating institution's
20 pro rata share of the cost, of using the central com-
21 puter facilities of the network, except (i) such costs
22 of systems development and programing of computers
23 and transmission costs as are necessary to make the
24 network operational, (ii) the administrative and pro-
25 gram support costs of the central facilities of the net-

1 work, and (iii) the line-access costs incurred by par-
2 ticipating institutions.
3 "(b) A person awarded a fellowship pursuant to a
4 program described in section 803 (b) shall continue to
5 receive the payments provided in this title only during such
6 periods as the Commissioner finds that he is maintaining
7 satisfactory proficiency and devoting full time to study or
8 research in the field in which such fellowship was awarded
9 in an institution of higher education, and is not engaging
10 in gainful employment other than employment approved by
11 the Commissioner by or pursuant to regulation.
12 "(c) No law school may receive more than $75,500
13 in any fiscal year under a program described in paragraph
14 (3) of section 803 (b).
15 "(d) No grant, contract, or fellowship shall be awarded
16 under this title to, or for study at, a school or department of
17 divinity. For the purposes of this section, the term 'school
18 or department of divinity' means an institution or depart-
19 ment or branch of an institution whose program is specifi-
20 cally for the education of students to prepare them to become
21 ministers of religion or to enter upon some other religious
22 vocation or to prepare them to teach theological subjects.
23 "(e) Department and agencies of the United States are
24 encouraged, to the extent consistent with efficient adminis-

1 tration, to enter into arrangements with institutions of
2 higher education for the full-time, part-time, or temporary
3 employment, whether in the competitive or excepted serv-
4 ice, of students enrolled in programs described in paragraph
5 (2) of section 803 (b).

6 "STIPENDS

7 "SEC. 806. (a) (1) The Commissioner shall pay to
8 persons awarded fellowships under this title such stipends
9 (including such allowances for subsistence and other ex-
10 penses for such persons and their dependents) as he may
11 determine to be consistent with prevailing practices under
12 comparable federally supported programs.

13 "(2) The Commissioner shall (in addition to the sti-
14 pends paid to persons under paragraph (1)) pay to the
15 institution of higher education at which such person is pur-
16 suing his course of study such amount as the Commissioner
17 may determine to be consistent with prevailing practices
18 under comparable federally supported programs.

19 "(b) The Commissioner, subject to such terms and con-
20 ditions as he may prescribe, is authorized to pay part of the
21 compensation of students employed in public service, other
22 than public service as an employee in any branch of the
23 Government of the United States, as part of a program for
24 which a grant has been set forth in paragraph (2) of section
25 803 (b).

220[illegible]

1 "DEFINITIONS

2 "SEC. 807. As used in this title—

3 "(1) The term 'institution of higher education' means
4 an educational institution described in the first sentence
5 of section 1201 (other than an institution of any agency
6 of the United States) which is accredited by a nationally
7 recognized accrediting agency or association approved by
8 the Commissioner for this purpose. For purposes of this
9 subsection, the Commissioner shall publish a list of nationally
10 recognized accrediting agencies or associations which he de-
11 termines to be reliable authority as to the quality of training
12 offered.

13 "(2) The term 'public service' means service as an
14 officer or employee in any branch of State, local, or Federal
15 Government.

16 "AUTHORITY FOR FREE OR REDUCED RATE COMMUNICA-
17 TIONS INTERCONNECTION SERVICES

18 "SEC. 808. Nothing in the Communications Act of
19 1934, as amended, or in any other provision of law shall
20 be construed to prevent United States communications com-
21 mon carriers from rendering, subject to such rules and
22 regulations as the Federal Communications Commission
23 may prescribe, free or reduced rate communications in-
24 terconnection services for interconnection systems within the

1 purview of this title, whether or not included in a project
2 for which a grant is made under this title."

3 REPEALS AND TRANSITIONAL PROVISIONS FOR
4 CONSOLIDATION

5 SEC. 3. (a) There is hereby authorized to be ap-
6 propriated to the Office of Education $_____ for the
7 period ending June 30, 1971, for planning and other pre-
8 paratory activities of the Commissioner for the consolidated
9 program enacted by section 101 of this Act.

10 (b) Effective July 1, 1971—

11 (1) titles IX and XI of the Higher Education Act
12 of 1965;

13 (2) title VI of the National Defense Education Act
14 of 1958; and

15 (3) the International Education Act
16 are repealed.

92D CONGRESS
1ST SESSION

S. 1074

IN THE SENATE OF THE UNITED STATES

MARCH 2 (legislative day, FEBRUARY 17), 1971

Mr. JAVITS introduced the following bill; which was read twice and referred to the Committee on Labor and Public Welfare

A BILL

To authorize assistance to the States in establishing and carrying out programs of higher education student aid.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That this Act may be cited as the "State Higher Education
4 Student Aid Act of 1971".
5 SEC. 2. The Higher Education Act of 1965 is amended
6 by redesignating title XII as title XIII, by redesignating
7 sections 1201, 1202, 1204, and 1205 and all references
8 thereto as sections 1301, 1302, 1303, and 1304, respec-
9 tively, and by inserting after title XI a new title as follows:

II

1 "TITLE XII—ASSISTANCE FOR STATE PROGRAMS
2 OF HIGHER EDUCATION STUDENT AID
3 "PART A—STUDENT INCENTIVE GRANTS
4 "APPROPRIATIONS AUTHORIZED
5 "SEC. 1201. There is hereby authorized to be appropri-
6 ated $50,000,000 for the fiscal year ending June 30, 1972,
7 and such amounts as the Congress may determine for each of
8 the next three fiscal years, for payments to the States for
9 student incentive grants to persons who have not previously
10 been awarded such grants under this part and who are
11 selected for award of such grants beginning with the fiscal
12 year ending June 30, 1972, and for each of the six succeeding
13 fiscal years such sums as are necessary for making payments
14 to persons who have been awarded such grants for previous
15 years. Sums appropriated pursuant to the first sentence of this
16 fiscal year remain available for payment to a State for the
17 award of grants pursuant to this title until the close of the
18 fiscal year succeeding the fiscal year for which they were
19 appropriated.
20 "ALLOTMENT OF FUNDS AMONG STATES
21 "SEC. 1202. (1) From the sums appropriated pursuant
22 to the first sentence of section 1201 for any fiscal year,
23 the Commissioner shall allot to each State an amount which
24 bears the same ratio to the amount so appropriated as the
25 number of persons enrolled on a full-time basis in institutions

1 of higher education in such State bears to the total number of
2 persons enrolled on a full-time basis in institutions of higher
3 education in all the States. The number of persons enrolled on
4 a full-time basis in institutions of higher education for pur-
5 poses of this section shall be determined by the Commissioner
6 for the most recent year for which satisfactory data are avail-
7 able to him.

8 "(2) If the total of the sums determined by the Com-
9 missioner to be required for any fiscal year for the student in-
10 centive grant program of a State is less than the amount of
11 the allotment to that State under paragraph (1) for that
12 year, the Commissioner may reallot the remaining amount
13 from time to time, on such date or dates as he may fix, to
14 other States in such manner as he determines will best assist
15 in achieving the purposes of this part.

16 "STATE STUDENT INCENTIVE GRANT PROGRAMS

17 "SEC. 1203. From a State's allotment under this part for
18 any fiscal year the Commissioner is authorized to make pay-
19 ments to such State for paying 50 per centum of the amount
20 of student incentive grants pursuant to a State program
21 which—

22 "(1) is administered by a single State agency;

23 "(2) provides that such grants will be in amounts
24 not in excess of $1,500 per academic year for attendance

on a full-time basis as an undergraduate at an institution of higher education;

"(3) provides for the selection of recipients of such grants on the basis of substantial financial need determined on the basis of criteria established by the Commissioner;

"(4) provides for the payment of the non-Federal portion of such grants from funds supplied by such State which represent an additional expenditure for such year by such State for grants for students attending institutions of higher education over the amount expended by such State for such grants during the fiscal year preceding the fiscal year in which such State initially received funds under this part; and

"(5) provides (A) for such fiscal control and fund accounting procedures as may be necessary to assure proper disbursement of and accounting for Federal funds paid to the State agency under this part, and (B) for the making of such reports, in such form and containing such information, as may be reasonably necessary to enable the Commissioner to perform his functions under this part.

"APPLICATIONS FOR GRANTS

"SEC. 1204. A State which desires to obtain a payment under this part for any fiscal year shall submit an application

1 therefor through the State agency administering its program
2 of student incentive grants, at such time or times and in such
3 manner as may be prescribed by the Commissioner, and such
4 application shall contain such information as may be required
5 by or pursuant to regulation for the purpose of enabling the
6 Commissioner to make the determinations to be made by
7 him under this part.

8 "AMOUNT OF PAYMENT

9 "SEC. 1205. Upon his approval of any application for a
10 payment under this part, the Commissioner shall reserve from
11 the applicable allotment (including any applicable reallot-
12 ment) available therefor, the amount of such payment, which
13 (subject to the limits of such allotment or reallotment) shall
14 be equal to the Federal share of the cost of the student incen-
15 tive grants covered by such application. The Commissioner
16 shall pay such reserved amount, in advance or by way of re-
17 imbursement, and in such installments as he may determine.
18 The Commissioner's reservation of any amount under this
19 section may be amended by him, either upon approval of
20 an amendment of the application or upon revision of the
21 estimated cost of the student incentive grants with respect to
22 which such reservation was made, and in the event of an
23 upward revision of such estimated cost approved by him he
24 may reserve the Federal share of the added cost only from

1 the applicable allotment (or reallotment) available at the
2 time of such approval.

3 "ADMINISTRATION OF STATE PROGRAMS

4 "SEC. 1206. (a) The Commissioner shall not finally
5 disapprove any State program submitted under this part, or
6 any modification thereof, without first affording the State
7 agency submitting the program reasonable notice and oppor-
8 tunity for a hearing.

9 "(b) Whenever the Commissioner, after reasonable
10 notice and opportunity for hearing to the State agency ad-
11 ministering a State program approved under this part, finds—

12 "(1) that the State program has been so changed
13 that it no longer complies with the provisions of this
14 part, or

15 "(2) that in the administration of the program
16 there is a failure to comply substantially with any such
17 provision,

18 the Commissioner shall notify such State agency that the
19 State will not be regarded as eligible to participate in the
20 program under this part until he is satisfied that there is no
21 longer any such failure to comply.

22 "JUDICIAL REVIEW

23 "SEC. 1207. (a) If any State is dissatisfied with the
24 Commissioner's final action with respect to the approval of

1 its State program submitted under this part or with his final
2 action under section 1206, such State may appeal to the
3 United States court of appeals for the circuit in which such
4 State is located. The summons and notice of appeal may be
5 served at any place in the United States. The Commissioner
6 shall forthwith certify and file in the court the transcript
7 of the proceedings and the record on which he based his
8 action.

9 "(b) The findings of fact by the Commissioner, if sup-
10 ported by substantial evidence, shall be conclusive; but the
11 court, for good cause shown, may remand the case to the
12 Commissioner to take further evidence, and the Commis-
13 sioner may thereupon make new or modified findings of fact
14 and may modify his previous action, and shall certify to the
15 court the transcript and record of the further proceedings.
16 Such new or modified findings of fact shall likewise be con-
17 clusive if supported by substantial evidence.

18 "(c) The court shall have jurisdiction to affirm the
19 action of the Commissioner or to set it aside, in whole or in
20 part. The judgment of the court shall be subject to review by
21 the Supreme Court of the United States upon certiorari or
22 certification as provided in title 28, United States Code,
23 section 1254.

1 "PART B—EDUCATIONAL OPPORTUNITY CENTERS AND
2 COORDINATION OF RECRUITING AND COUNSELING
3 "AUTHORIZATION
4 "SEC. 1221. There are authorized to be appropriated
5 $20,000,000 for the fiscal year ending June 30, 1972, and
6 such sums as the Congress may determine for each of the
7 three succeeding fiscal years for carrying out the provisions
8 of this part.
9 "GRANTS AND CONTRACTS AUTHORIZED
10 "SEC. 1222. (a) The Commissioner is authorized to
11 make grants to or enter into contracts with institutions of
12 higher education, State agencies responsible for the super-
13 vision of public institutions of higher education in a State,
14 or combinations of such institutions and agencies, for the
15 purpose of paying not to exceed 75 per centum of the cost
16 of planning, developing, and carrying out projects for—
17 "(1) educational opportunity centers to serve areas
18 with major concentrations of low-income populations by
19 providing, in coordination with other applicable pro-
20 grams and services—
21 "(A) information with respect to financial and
22 academic assistance available for persons in such
23 areas desiring to attend institutions of higher educa-
24 tion;
25 "(B) assistance to such persons in applying

1 for admission to such institutions, including prepar-
2 ing necessary applications for use by admission and
3 financial aid officers; and
4 "(C) counseling services and tutorial and other
5 necessary assistance to such persons while attending
6 such institutions; and
7 "(2) recruiting and counseling pools to coordi-
8 nate resources and staff efforts of institutions of high-
9 er education in admitting educationally disadvantaged
10 persons.
11 "(b) The portion of the cost of any project pursuant
12 to this section borne by any institution of higher educa-
13 tion or State agency shall represent an increase in expend-
14 iture by such institution or agency for the purposes of such
15 project."

92D CONGRESS
1ST SESSION

S. 1123

IN THE SENATE OF THE UNITED STATES

MARCH 4 (legislative day, FEBRUARY 17), 1971

Mr. PROUTY (for himself, Mr. GRIFFIN, Mr. JAVITS, Mr. JORDAN of Idaho, and Mr. SCOTT) introduced the following bill; which was read twice and referred to the Committee on Labor and Public Welfare

A BILL

To extend and amend the Higher Education Act of 1965, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That this Act may be cited as the "Higher Education Op-
4 portunity Act of 1971".

5 TITLE I—AMENDMENTS TO TITLE I OF THE
6 HIGHER EDUCATION ACT (COMMUNITY
7 SERVICE AND CONTINUING EDUCATION)

8 EXTENSION OF PROGRAM

9 SEC. 101. Section 101 of title I of the Higher Educa-

232 465

1 tion Act of 1965 is amended by striking out "and" before
2 "$60,000,000" and by adding ", and such sums as may be
3 necessary for each of the next two fiscal years" immediately
4 following "June 30, 1971".

5 EFFECTIVE DATE

6 SEC. 102. The amendments made by section 101 shall
7 be effective July 1, 1971.

8 TITLE II—AMENDMENTS TO TITLE II OF HIGHER
9 EDUCATION ACT (COLLEGE LIBRARY AS-
10 SISTANCE)

11 EXTENSION OF PROGRAM

12 SEC. 201. (a) Section 201 of the Higher Education
13 Act of 1965 is amended by striking out "and" before
14 "$90,000,000" and inserting the following after "June 30,
15 1971,": "and such sums as may be necessary for each of
16 the next two fiscal years,".

17 (b) Such section is further amended by inserting the
18 following after "institutions of higher education": "(par-
19 ticularly developing institutions as defined in title III and
20 community colleges)".

21 INCREASE IN PERCENTAGE OF FUNDS TO BE USED FOR
22 SPECIAL PURPOSE AND SUPPLEMENTAL GRANTS

23 SEC. 202. (a) Section 202 of such Act is amended—

24 (1) by striking out "75 per centum" and inserting
25 in lieu thereof "50 per centum"; and

1 (2) by adding "and" after the semicolon at the end
2 of paragraph (b); by striking out paragraphs (c) and
3 (d); and by inserting in lieu thereof the following:
4 "(c) meets the requirements of section 811.".
5 (b) Section 203 of such Act is amended by striking out
6 "75 per centum" and inserting in lieu thereof "50 per
7 centum".
8 (c) Section 204 (a) of such Act is amended—
9 (1) by striking out "Twenty-five per centum" in
10 paragraph (1) and inserting in lieu thereof "Fifty per
11 centum"; and
12 (2) by striking out "sixty per centum" in para-
13 graph (2) and inserting in lieu thereof "eighty per
14 centum".
15 REPEAL OF RESEARCH PROVISION
16 SEC. 203. Title II of the Higher Education Act of 1965
17 is amended by striking out section 224.
18 EXTENSION OF TRAINING PROVISION AND TRANSFER TO
19 EDUCATION PROFESSIONS DEVELOPMENT ACT
20 SEC. 204. (a) Such title II is further amended by—
21 (1) striking out the heading "PART B—LIBRARY
22 TRAINING AND RESEARCH" and inserting in lieu thereof
23 "PART G—LIBRARY TRAINING";
24 (2) striking out section 225;
25 (3) transferring sections 221 through 223, with the

1 headings therefor as so amended, to title V of such Act
2 and inserting such sections with such headings immedi-
3 ately after part F of such title; and
4 (4) redesignating sections 221 through 223, as so
5 transferred, as sections 561 through 563, respectively.
6 (b) Section 561, as so redesignated, is amended by
7 striking out "and" before "$38,000,000" and inserting "and
8 such sums as may be necessary for each of the next five fiscal
9 years" immediately after "June 30, 1971,".

10 REPEAL OF LIBRARY OF CONGRESS PROVISION

11 SEC. 205. Title II of such Act is further amended by
12 striking out part C thereof.

13 CHANGE OF HEADINGS

14 SEC. 206. The heading of title II of such Act is amended
15 to read "ACADEMIC LIBRARY ASSISTANCE" and
16 the heading "PART A—COLLEGE LIBRARY RESOURCES"
17 is repealed.

18 EFFECTIVE DATE

19 SEC. 207. The amendments made by this title shall be
20 effective with respect to fiscal years beginning after June
21 30, 1971.

1 TITLE III—AMENDMENTS TO TITLE III OF
2 HIGHER EDUCATION ACT (STRENGTHEN-
3 ING DEVELOPING INSTITUTIONS)

4 EXTENSION OF PROGRAM

5 SEC. 301. Section 301 (b) of the Higher Education
6 Act of 1965 is amended by striking out "and" before "the
7 sum of $91,000,000" and inserting the following immedi-
8 ately after "June 30, 1971,": "and such sums as may be
9 necessary for each of the next five fiscal years,".

10 MISCELLANEOUS AMENDMENTS

11 SEC. 302. (a) Title III of such Act is further amended
12 (A) by inserting "and" at the end of paragraph (1) of
13 section 304 (b); (B) by striking out paragraphs (3) and
14 (4) of such section; and (C) by amending paragraph (2)
15 thereof to read as follows:

16 "(2) meets the requirements of section 811.".

17 (b) Such title is further amended (A) by inserting
18 "if it is an institution which provides an educational pro-
19 gram for which it awards a bachelor's degree" immediately
20 before the semicolon in sections 302 (d) and (B) by
21 striking out "(other than developing institutions)" in sec-
22 tion 306.

EFFECTIVE DATE

SEC. 303. The amendments made by this title shall be effective with respect to fiscal years beginning after June 30, 1971.

TITLE IV—AMENDMENTS TO TITLE IV OF HIGHER EDUCATION ACT (STUDENT ASSISTANCE)

PART A—NEW PROGRAMS FOR PROVISION OF FINANCIAL ASSISTANCE TO STUDENTS

SEC. 401. Title IV of the Higher Education Act of 1965 is amended in the following respects—

(a) part C (dealing with work-study programs) is repealed;

(b) part B (dealing with student loan insurance) is redesignated as part C;

(c) parts E (containing general provisions) and F (containing amendments to the National Defense Education Act) are redesignated as parts F and G, respectively;

(d) section 463 (dealing with payments for administrative expenses) is repealed and sections 461, 462, 464, and 469 are redesignated as sections 471, 472, 473, and 474, respectively;

(e) section 473, as so redesignated (dealing with maintenance of effort), is amended (A) by striking out "part A or part C" and inserting in lieu thereof "part

1 B", and (B) by striking out "under such parts" and
2 inserting in lieu thereof "under such part"; and
3 (f) part A (dealing with educational opportunity
4 grants) is amended to read as follows:
5 "PART A—GENERAL PROVISIONS FOR STUDENT ASSIST-
6 ANCE FINDINGS AND STATEMENT OF PURPOSE
7 "SEC. 400. The Congress hereby finds that it is in the
8 national interest to assist in making available the benefits of
9 postsecondary education to all qualified students who for lack
10 of financial means of their own or of their families would be
11 unable to obtain those benefits without such assistance. It
12 is therefore the purpose of this title to provide assistance
13 to students, in the form of grants, loans, and compensation,
14 to the end that no person capable of benefiting from such
15 education will be denied it because of financial inability to
16 meet basic postsecondary education costs.
17 "GRANTS, WORK-STUDY PAYMENTS, AND SUBSIDIZED
18 LOANS
19 "SEC. 401. (a) It is the purpose of this part to pro-
20 vide for the establishment of general criteria to be used by
21 eligible institutions in providing the following categories of
22 assistance:
23 "(1) educational opportunity grants;
24 "(2) work-study payments; and
25 "(3) subsidized loans under part C of this title.

1 "(b) The objective of such criteria shall be to assure
2 that the forms of assistance specified in subsection (a) will
3 be made available to all qualified students in financial need
4 attending eligible institutions and shall be designed to pro-
5 vide a reliable basis for enabling students and potential
6 students of such institutions to ascertain their eligibility for
7 financial assistance.

8 "BASIC ELIGIBILITY FOR, AND AMOUNT OF, GRANTS, WORK-
9 STUDY PAYMENTS, AND RESOURCE EQUALIZING LOANS

10 "SEC. 402. (a) (1) The Secretary shall, after consulta-
11 tion with the Advisory Council on Financial Aid to Stu-
12 dents established under section 474, promulgate a schedule
13 for each academic year establishing (A) the maximum ex-
14 pected family contribution below which students will be
15 eligible for educational opportunity grants or work-study
16 payments (hereinafter in this part referred to as the 'grant
17 eligibility limit'), and (B) the maximum expected family
18 contribution below which students will be eligible for sub-
19 sidized loans under part C (hereinafter in this part referred
20 to as the 'loan eligibility limit').

21 "(2) A student with an expected family contribution,
22 as determined under subsection (d), for an academic year
23 which is less than the grant eligibility limit for such year
24 shall be eligible for a grant (or work-study payments) in ac-
25 cordance with part B and for a loan upon which an interest

1 subsidy is payable in accordance with section 428 (a) (2)
2 (hereinafter referred to as a 'subsidized loan'), and a student
3 with an expected family contribution which is less than the
4 loan eligibility limit for an academic year but equal to or
5 more than the grant eligibility limit shall be eligible for a
6 subsidized loan.

7 "(b) (1) A student meeting the requirements of sec-
8 tion 405 and of part B shall be eligible for a grant (or the
9 Federal share of work-study payments) for an academic
10 year in an amount equal to (A) the grant eligibility limit,
11 as determined by the Secretary for that year, less (B) his
12 expected family contribution for such year, as determined
13 by the eligible institution proposing to make such a grant
14 (or such work-study payments).

15 "(2) A student meeting such requirements shall be
16 eligible for a subsidized loan for such year in an amount
17 equal to (A) the loan eligibility limit as determined by the
18 Secretary for such year, less (B) the sum of (i) the stu-
19 dent's expected family contribution for such year, and (ii)
20 the amount of any grant or other payment under part B
21 which he receives for such year.

22 "(c) A student shall be eligible for an insured student
23 loan under part C in addition to any grant, work-study pay-
24 ment, or subsidized loan described in this part.

1 "(d) (1) For the purposes of this part, a student's
2 expected family contribution means an amount which a
3 family is reasonably able to contribute toward the cost of
4 a student's postsecondary education for an academic year,
5 as determined pursuant to criteria prescribed by the Sec-
6 retary after consultation with the Advisory Council on Finan-
7 cial Aid to Students. Such criteria shall provide for the
8 determination of family contributions in a manner which
9 takes into account varying family incomes, numbers of de-
10 pendents, number of dependents receiving postsecondary
11 education during the academic year for which the determina-
12 tion is made, family assets, and other pertinent factors. Such
13 criteria shall also provide for determining the eligibility
14 for assistance under this part of students who are self-sup-
15 porting and in doing so shall, insofar as appropriate, take
16 into account the factors described in the preceding sentence.
17 "(2) The determination of an individual student's fam-
18 ily income and other factors described in paragraph (1)
19 shall be made, pursuant to regulations prescribed by the
20 Secretary, by the eligible institution to which he has made
21 an application for assistance under this title and in which
22 he is enrolled or to which he has been admitted.
23 "(e) Notwithstanding any other provision of this sec-
24 tion, the Secretary may by regulation establish criteria for
25 the provision of financial assistance by eligible institutions

1 in amounts greater than would otherwise be the case under
2 subsection (b), where institutions determine that special
3 circumstances pertaining to a student of exceptional financial
4 need would render inequitable the limits imposed by such
5 subsection.

6 "ALLOCATION OF FUNDS TO ELIGIBLE INSTITUTIONS

7 "SEC. 403. (a) The Commissioner shall, from time to
8 time, set dates by which eligible institutions must file appli-
9 cations for allocations to such institutions of funds appropri-
10 ated for carrying out section 402. In the case of any such
11 institution, such allocation shall reflect an estimate of the
12 aggregate amount which would be payable to such institu-
13 tion for the academic year for which such allocation is to be
14 made with respect to educational opportunity grants, work-
15 study payments, and subsidies on loans to be made by such
16 institution and for which students enrolled or accepted for
17 enrollment in such institution are estimated to be eligible for
18 such year.

19 "(b) If, as determined by the Commissioner on the
20 basis of estimates, the total amount of such allocations for
21 any academic year to be made pursuant to this section would
22 exceed the amount available for such allocations for such
23 year, the Commissioner shall reduce such allocations in a
24 manner most likely to achieve an equitable geographical
25 distribution of such allocations and to preserve to the fullest

1 possible extent payments to students with the lowest ex-
2 pected family contributions.
3 "ELIGIBILITY OF STUDENTS FOR COST OF EDUCATION
4 LOANS AND ALLOCATION OF LOAN VOLUME TO INSTI-
5 TUTIONS
6 "SEC. 404. (a) Any student who—
7 "(1) meets the requirements of section 405;
8 "(2) has an expected family contribution of less
9 than the loan eligibility limit, as determined under sec-
10 tion 402; and
11 "(3) needs financial assistance, in addition to such
12 assistance as he may be eligible for under section 402,
13 in order to meet the reasonable and necessary expenses
14 (as determined pursuant to section 407) of attendance
15 for an academic year at an eligible institution;
16 is eligible for a subsidized loan from such institution in an
17 amount for such year (A) not exceeding the reasonable and
18 necessary expenses for such year (not covered by any assist-
19 ance for which he is eligible under section 402) which are to
20 be incurred by him in consequence of his attendance at the
21 eligible institution, as determined by such institution in ac-
22 cordance with regulations of the Commissioner, and (B) not
23 exceeding $1,500 in addition to such assistance as he may be
24 eligible for under section 402.
25 "(b) The Commissioner shall, from time to time, set

1 dates by which eligible institutions must file applications for
2 allocations to such institutions of an aggregate dollar amount
3 of loans to be made by such institutions to students eligible
4 for subsidized loans under this section. In the case of any
5 such institution, such allocation shall be made on the basis of
6 the Commissioner's estimate of the aggregate dollar amount of
7 subsidized loans for which students enrolled or accepted for
8 enrollment in such institution are eligible under this section,
9 reduced ratably to reflect the amounts available for paying
10 subsidies on such loans.

11 "RECIPIENTS OF STUDENT FINANCIAL ASSISTANCE

12 "SEC. 405. (a) An individual may receive assistance
13 in the form of grants, work-study payments, or subsidized
14 loans under this title only if he has been accepted for en-
15 rollment as a full-time undergraduate or vocational student
16 at an eligible institution or, in the case of a student already
17 attending such institution, is in good standing and in full-
18 time attendance there as an undergraduate or vocational
19 student.

20 "(b) Such a student shall receive such assistance only if
21 such institution determines that—

22 "(1) he shows capability of maintaining good
23 standing in his course of study;

24 "(2) he meets the criteria for eligibility under
25 which such assistance is to be made available; and

1 "(3) he would not, but for such assistance, be
2 financially able to pursue a course of study at such
3 institution.

4 "SUBSTITUTION OF NATIONAL DEFENSE EDUCATION ACT
5 LOANS

6 "SEC. 406. A loan under title II of the National Defense
7 Education Act of 1958 may be provided by an eligible in-
8 stitution in lieu of a subsidized loan to which a student is
9 eligible under this part.

10 "LIMITATION

11 "SEC. 407. The total of any grant, work-study pay-
12 ment, or subsidized loan which a student shall receive for an
13 academic year shall not exceed the reasonable and necessary
14 expenses for such year incurred or to be incurred by him in
15 consequence of his attendance at an eligible institution, as de-
16 termined by such institution in accordance with regulations of
17 the Secretary.

18 "ELIGIBLE INSTITUTION

19 "SEC. 408. As used in this part and part B, the term
20 "eligible institution" means—

21 "(a) an institution of higher education as defined in
22 section 435 (b);

23 "(b) a proprietary institution of higher education
24 as defined in section 471 (b); or

25 "(c) a vocational school as defined in section 435

1 (c) which is (A) a public school or institution in any
2 State (other than a school or institution of any agency of
3 the United States), or (B) a nonprofit school or institu-
4 tion in any State.

5 "ELIGIBILITY FOR ASSISTANCE OF STUDENTS ENROLLED IN
6 INSTITUTIONS ON DATE NEW PROGRAMS BECOME
7 EFFECTIVE

8 "SEC. 409. Notwithstanding any other provision of this
9 title, a student who, on the date of enactment of the Higher
10 Education Opportunity Act of 1971, is receiving, or (if such
11 date of enactment is not during any academic year with re-
12 spect to such student) who, during the academic year ending
13 prior to such date, received, assistance under part A or C
14 of title IV of this Act or title II of the National Defense
15 Education Act of 1958 (as in effect prior to such date of
16 enactment) shall be eligible for grant, work-study, or sub-
17 sidized loan assistance pursuant to this title on a basis at
18 least equivalent to the basis upon which he would have
19 received assistance under such parts and such title II had
20 such Higher Education Opportunity Act not been enacted,
21 as determined under regulations prescribed by the Commis-
22 sioner for carrying out the purpose of this section.

23 "SEC. 410. There are authorized to be appropriated such
24 sums as may be necessary for the fiscal year ending June 30,
25 1972, and for each of the next four fiscal years to enable

1 the Commissioner to make payments on account of the eli-
2 gibility of students for assistance (A) under section 402 and
3 (B) under section 404. Thereafter, there are authorized to
4 be appropriated such sums as may be necessary to enable
5 the Commissioner to make payments with respect to sub-
6 sidized loans made to students prior to July 1, 1976, on
7 account of their eligibility therefor under such sections. Sums
8 appropriated under this section shall remain available until
9 expended."

10 CONFORMING AMENDMENT

11 SEC. 402. Clause (2) of section 421(b) is amended
12 by inserting "(except with respect to loans made to students
13 eligible therefor under sections 402 and 404)" immediately
14 after "student loans".

15 SEC. 403. The following is inserted as part B of such
16 title IV:

17 "PART B—EDUCATIONAL OPPORTUNITY GRANTS AND
18 WORK-STUDY PAYMENTS

19 "EDUCATIONAL OPPORTUNITY GRANTS

20 "SEC. 411. (a) An eligible institution, in accordance
21 with its agreement under this part, may award educational
22 opportunity grants to undergraduate or vocational students
23 under which the institution will pay to any such student the
24 amount which such student is eligible to receive for the aca-
25 demic year for which such grant is made. The Commissioner

1 may by regulation prescribe that a portion of the assistance
2 which an eligible institution would otherwise make available
3 in the form of work-study payments under section 412 be
4 made available in the form of educational opportunity grants
5 under this section. Subject to such regulations, eligible in-
6 stitutions may, at their election, make available educational
7 opportunity grants under this section in whole or in part
8 in lieu of work-study payments under section 412.

9 "(b) Educational opportunity grants may be awarded
10 under this part only for the period required for the comple-
11 tion by the recipient of his undergraduate or vocational
12 course of study. Except as otherwise provided in this subsec-
13 tion, such period shall not exceed four academic years. With
14 respect to a student at an institution of higher education (1)
15 who is pursuing a course of study leading to a first degree
16 and designed by the institution offering it to extend over
17 five academic years, or (2) who is or will be unable to
18 complete a course of study within the maximum period of
19 years specified in the preceding sentence because of a re-
20 quirement that the student enroll in a noncredit remedial
21 course of study, such period may be extended for not more
22 than one additional academic year. For purposes of the
23 preceding sentence, a 'noncredit remedial course of study'
24 is a course of study for which no credit is given toward an
25 academic degree, and which is designed to increase the

1 ability of the student to engage in an undergraduate course
2 of study leading to such a degree.
3 "(c) Payments pursuant to an educational opportunity
4 grant awarded under this part may be made only so long
5 as the recipient (1) is maintaining satisfactory progress
6 in the course of study which he is pursuing, according to
7 the regularly prescribed standards and practices of the
8 institution from which he receives such grant, and (2) is
9 devoting essentially full time to that course of study, during
10 the academic year, in attendance at that institution. Failure
11 to be in attendance at the institution during vacation periods
12 or periods of military service, or during other periods which
13 the Commissioner determines in accordance with regulations
14 that there is good cause for his nonattendance (during which
15 periods he shall receive no payments), shall not be deemed
16 contrary to clause (2) of the preceding sentence.
17 "WORK-STUDY PROGRAMS
18 "SEC. 412. (a) An eligible institution, in accordance
19 with its agreement under this part, may pay for the part-
20 time employment of its undergraduate or vocational stu-
21 dents, through programs of work-study, in work for the in-
22 stitution itself (except in the case of a proprietary institution
23 of higher education) or work in the public interest for a
24 public or nonprofit private organization under an arrange-

1 ment between such institution and such organization, but
2 only if such work—
3 "(1) will not result in the displacement of employed
4 workers or impair existing contracts for services,
5 "(2) will be governed by such conditions of em-
6 ployment as will be appropriate and reasonable in light
7 of such factors as type of work performed, geographical
8 region, and proficiency of the employee, and
9 "(3) does not involve the construction, operation,
10 or maintenance of so much of any facility as is used or is
11 to be used for sectarian instruction or as a place for
12 religious worship.
13 "(b) (1) No student shall be employed under such pro-
14 grams of work-study for an average of more than fifteen hours
15 per week during a semester, or other term used by the institu-
16 tion in awarding credits, during which classes in which the
17 student is enrolled are in session.
18 "(2) For purposes of computing the average prescribed
19 by the preceding paragraph, there shall be excluded any
20 period during which the student is on vacation or any period
21 of additional or nonregular enrollment. Employment under a
22 work-study program during any such period of additional or
23 nonregular enrollment in which classes in which the student
24 is enrolled are in session shall be only to the extent and in

1 accordance with criteria established by or pursuant to regula-
2 tions of the Commissioner.
3 "WORK-STUDY BENEFITS IN LIEU OF GRANT ASSISTANCE
4 "SEC. 413. (a) The Commissioner may by regulation
5 prescribe that a portion of the assistance which an eligible in-
6 stitution would otherwise make available in the form of edu-
7 cational opportunity grants under section 411 be made avail-
8 able in the form of work-study payments pursuant to section
9 412. Subject to such regulations, eligible institutions may, at
10 their election, make available work-study payments under
11 section 412 in whole or in part in lieu of educational opportu-
12 nity grants.
13 "(b) Work-study payments shall not be made in lieu of
14 educational opportunity grants by an institution under this
15 section unless—
16 "(1) such work-study payments are made on a
17 basis which provides net earnings to the student from
18 the Federal share of such payments for the academic
19 year involved equal to the amount of the grant which
20 he would have received for such year had such election
21 not been made;
22 "(2) the criteria for making such elections are ap-
23 plied uniformly by such institution and are determined
24 by the Commissioner to be consistent with such stand-
25 ards as he may prescribe under subsection (a).

1 "(c) A student to whom work-study payments are
2 made available under this section in lieu of grant assistance
3 may elect instead to receive a subsidized loan under part C,
4 or a loan under title II of the National Defense Education
5 Act of 1958, in the amount of the Federal share of such
6 work-study payments. In the event of such election, the
7 amount allocated to such institution under section 403 shall
8 be adjusted in accordance with regulations of the Commis-
9 sioner.

10 "AGREEMENTS WITH INSTITUTIONS

11 "SEC. 414. (a) As a condition for receiving funds for
12 educational opportunity grants and work-study payments
13 under this part, an eligible institution shall enter into an
14 agreement with the Commissioner, which agreement shall—

15 "(1) provide that the funds received by the institu-
16 tion under this part shall be used by it in accordance
17 with the provisions of this part and part A;

18 "(2) provide that the institution shall conduct a pro-
19 gram of educational opportunity grants in accordance
20 with section 411;

21 "(3) provide for the operation by the institution of
22 a program of work-study in accordance with the provi-
23 sions of sections 412 and 413, and provide that the
24 Federal share of the compensation of students employed
25 in the work-study program in accordance with the agree-

1 ment will not, except as provided in subsection (b), ex-
2 ceed 80 per centum of such compensation;
3 "(4) include procedures satisfactory to the Commis-
4 sioner designed to assure that each student of the in-
5 stitution eligible for a subsidized loan (or loan under
6 title II of the National Defense Education Act of 1958)
7 in accordance with section 402 will be enabled to obtain
8 such loan in the amount for which he is eligible, in-
9 cluding provision for loans by the institution to students
10 who, because they or their families do not maintain
11 business relationships with eligible lenders or because
12 of their status as initial year undergraduates or for any
13 other reason, are unable to obtain such loans readily from
14 other eligible lenders;
15 "(5) include, in the case of a proprietary institu-
16 tion of higher education, such terms and conditions as
17 the Commissioner determines to be necessary to insure
18 that the availability of assistance under this part to stu-
19 dents at such institution has not increased, and will not
20 increase, the tuition, fees, or other charges to such stu-
21 dents; and
22 "(6) include such other provisions as the Commis-
23 sioner deems necessary or appropriate to carry out the
24 purposes of this part.

1 "(b) The Federal share of work-study payments may
2 exceed 80 per centum of the compensation of students em-
3 ployed in the work-study program if the Commissioner deter-
4 mines, pursuant to regulations establishing objective criteria
5 for such determinations, that a Federal share in excess of 80
6 per centum is required in furtherance of the purposes of this
7 part. In addition to other circumstances under which the
8 Commissioner may determine that a Federal share in excess
9 of 80 per centum is required in furtherance of the purposes
10 of this part, he may do so where (1) payment of the non-
11 Federal share would result in a student receiving funds in
12 excess of the limitation imposed by section 407, or (2)
13 students are employed in (A) the work-study program of
14 an eligible institution not less than 50 per centum of whose
15 students are from low-income families, (B) the counseling
16 or tutoring of the educationally disadvantaged, or (C) any
17 project of community service with respect to which a limita-
18 tion of the Federal share to 80 per centum would impose
19 unusual hardship on the eligible institution or the public or
20 nonprofit private organization for which such project is
21 performed.

22 "EXPENSES OF ADMINISTRATION

23 "SEC. 415. (a) An institution which has entered into
24 an agreement with the Commissioner under this part shall be
25 entitled, for each academic year for which it receives an

1 allocation under section 403, to a payment in lieu of reim-
2 bursement for its expenses during such academic year in
3 administering programs assisted under this part. The pay-
4 ment for an academic year (1) shall be payable from such
5 allocation in accordance with regulations of the Commissioner
6 and (2) shall be an amount equal to 3 per centum of the
7 aggregate amount of work-study payments and payments
8 under educational opportunity grants made by such institu-
9 tion during such year under this part, but not to exceed
10 $125,000.

11 "(b) An agreement under this part may also include
12 provisions authorizing the institution, to the extent and under
13 terms and conditions prescribed by the Commissioner by or
14 pursuant to regulation, to use, out of the sums allocated to
15 it for the purposes of this part, a portion for its administra-
16 tive expenses (which for this purpose may, among other
17 expenses, include expenses of counseling and guidance, place-
18 ment, and consulting services) in developing or carrying
19 out a program, described in such agreement, to demonstrate
20 or explore the feasibility or value of methods of cooperative
21 education involving alternative periods of full-time academic
22 study at the institution and periods of full-time public or
23 private employment (whether or not afforded by an orga-
24 nization described in section 411 (a)) approved or arranged
25 for by the institution under such program."

1 EFFECTIVE DATE

2 SEC. 404. The amendments made by sections 401, 402,
3 and 403 shall be effective with respect to fiscal years be-
4 ginning after June 30, 1971.

5 PART B—AMENDMENTS TO STUDENT LOAN INSURANCE
6 PROGRAM

7 INTEREST TERMS TO BORROWERS ELIGIBLE FOR SUBSIDIZED
8 LOANS; SECRETARY TO ESTABLISH MAXIMUM INTEREST
9 RATES; POSITION OF ELIGIBLE LENDER STRENGTHENED;
10 NEGOTIABILITY OF STUDENT OBLIGATIONS

11 SEC. 405. (a) (1) Subsection (a) of section 428 of
12 the Higher Education Act of 1965 is amended to read as
13 follows:

14 "SEC. 428. (a) (1) Each student who has received a
15 loan, after June 30, 1971, which—

16 "(A) is insured by the Commissioner under this
17 part,

18 "(B) is made under a State student loan program
19 meeting criteria prescribed by the Commissioner under
20 this part, or

21 "(C) is insured under a program of a State or of
22 a nonprofit private institution or organization that has
23 entered into an agreement with the Commissioner under
24 subsection (b) or (c) of this section,

25 and with respect to which loan an interest subsidy is payable

1 pursuant to part A shall be entitled to have paid on his
2 behalf and for his account to the holder of the loan (except
3 where such holder is the Secretary), at such times and ac-
4 cording to such terms and conditions as the Commissioner
5 may prescribe, a portion of the interest on his loan deter-
6 mined under paragraph (2).
7 "(2) The portion of the interest on a loan which a stu-
8 dent borrower is entitled to have paid on his behalf and for
9 his account to the holder of the loan pursuant to paragraph
10 (1) shall be an amount equal to—
11 "(A) the total amount of the interest on the un-
12 paid principal amount of the loan which accrues prior to
13 the beginning of the repayment period of the loan, or
14 which accrues during a period in which no part of such
15 principal need be paid (whether or not such principal is
16 in fact paid) by reason of a provision described in sec-
17 tion 428(b)(1)(L) or in section 427(a)(2)(C);
18 and
19 "(B) the difference between the per annum rate of
20 interest on the unpaid balance of such loan and three
21 per centum per annum of such unpaid balance during the
22 period (other than any portion of such period in which
23 the total amount of the interest on the unpaid prin-
24 cipal amount is payable by the Commissioner pursuant
25 to clause (A)) beginning with the date upon which the

1 repayment period commences and ending ten years after
2 such date, or at the conclusion of the repayment period,
3 whichever is earlier.
4 "(3) Each holder of a loan insured or insurable by the
5 Commissioner under section 427, or with respect to which
6 payments of interest are required to be made by the Com-
7 missioner, shall submit to the Commissioner, at such times
8 and in such manner as he may prescribe, statements contain-
9 ing such information as may be required by or pursuant to
10 regulation for the purpose of enabling the Commissioner to
11 determine the amount of the payment which he must make
12 with respect to that loan. The holder of a loan with respect
13 to which payments are required to be made under this sub-
14 section shall be deemed to have a contractual right, as
15 against the United States, to receive from the Commissioner
16 the portion of interest determined under paragraph (2).
17 "(4) No payment may be made under this section with
18 respect to the interest on a loan made from a student fund
19 established under title II of the National Defense Education
20 Act of 1958."
21 (2) Paragraph (1) of subsection (c) of such section
22 is amended to read as follows:
23 "(1) The Commissioner may enter into a guaranty
24 agreement with any State or any nonprofit private institution
25 or organization having a loan insurance program meeting the

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1 requirements of subsection (b), whereby the Commissioner
2 shall undertake to reimburse it, under such terms and condi-
3 tions as he may establish, in an amount equal to 80 per
4 centum of the amount expended by it in discharge of its
5 insurance obligation, incurred under such loan insurance
6 program, with respect to losses (resulting from default of the
7 student borrower) on the unpaid balance of the principal
8 (other than interest added to principal) of any insured loan."
9 (b) Section 437 is amended to read as follows:
10 "SEC. 437. If a student borrower who has received a
11 loan described in clause (A), (B), or (C) of section 428
12 (a) (1) (whether or not an interest subsidy is payable pur-
13 suant to part A of this title) dies or becomes permanently
14 and totally disabled (as determined in accordance with regu-
15 lations of the Commissioner), then the Commissioner shall
16 discharge the borrower's liability on the loan by repaying
17 the amount owed on the loan (except where such amount is
18 owed to the Secretary)."
19 (c) (1) Subsection (b) of section 427 is amended to
20 read:
21 "(b) For the purposes of clause (2) (D) of subsection
22 (a), and clause (1) (E) of section 428 (b), the Secretary,
23 after consultation with the Secretary of the Treasury and the
24 National Student Loan Association, shall prescribe maximum
25 rates of interest to facilitate the operation of this part which

1 shall be not less than a per annum rate equal to the average
2 annual interest rate on all interest-bearing obligations of the
3 United States forming a part of the public debt as computed
4 at the end of the fiscal year preceding the fiscal year for
5 which such rates are prescribed."

6 (2) Clause (2) (D) of section 427 (a) is amended by
7 striking out "and defined by the Secretary (within the limits
8 set forth in subsection (b)) on a national, regional, or other
9 appropriate basis" and inserting in lieu thereof "by the Sec-
10 retary pursuant to subsection (b)".

11 (3) Clause (1) (E) of section 428 (b) is amended to
12 read:

13 "(E) authorizes interest on the unpaid balance of
14 the loan at a yearly rate not in excess of the maximum
15 rate of interest prescribed for such loan pursuant to sec-
16 tion 427 (b) (exclusive of any premium for insurance
17 which may be passed on to the borrower);".

18 (4) Clause (1) of section 428 (d) is amended by strik-
19 ing out "not in excess of 7 per centum per annum" and in-
20 serting in lieu thereof "not in excess of the rate prescribed by
21 the Secretary pursuant to section 427 (b)".

22 (d) (1) Section 423 (a) is amended by inserting ",
23 other than with respect to loans by eligible institutions," after
24 "429".

1 (2) Subsection (d) of section 429 is amended to read
2 as follows:
3 "(d) Subject to any terms, conditions, or limitations
4 established by regulations of the Commissioner, the rights of
5 an eligible lender arising under insurance evidenced by a
6 certificate of insurance issued to it under this section, or the
7 rights of any assignee thereof, may be assigned."
8 INCREASE AND OTHER ADJUSTMENTS IN LOAN CEILINGS
9 SEC. 406. (a) Section 425 is amended to read as
10 follows:
11 "SEC. 425. (a) The total of the loans made to a student
12 in any academic year or its equivalent (as determined under
13 regulations of the Commissioner) which may be insured by
14 the Commissioner under this part may not exceed an amount
15 equal to $2,500 reduced by the total amount of loans to the
16 student in such academic year which (1) are made to the
17 student under a State student loan program meeting criteria
18 prescribed by the Commissioner under this part, or (2) are
19 insured under a program of a State or of a nonprofit private
20 institution or organization which has entered into an agree-
21 ment with the Commissioner under subsection (b) or (c) of
22 section 428. A student may receive loans insured by the Com-
23 missioner for not in excess of a period equal to seven academic
24 years reduced by the number of academic years in which the
25 student has received a loan described in the preceding sen-

1 tence. If a student has a line of credit, only actual payments
2 by the lender to the borrower during any year will be taken
3 into account in determining the total insurable amount for
4 such year.

5 "(b) Subject to the limitations of subsection (a)—

6 "(1) the maximum loan to any student insured by
7 the Commissioner in any year with respect to which an
8 interest subsidy is payable pursuant to part A shall be
9 determined by the Secretary in accordance with such
10 part; and

11 "(2) the maximum loan to any student insured by
12 the Commissioner in any academic year, other than a
13 loan described by clause (1), shall not exceed the rea-
14 sonable and necessary expenses incurred by the student,
15 in such academic year, in consequence of his attendance
16 at an eligible institution; and the amount of such ex-
17 penses shall be estimated by such eligible institution in
18 accordance with regulations of the Commissioner.

19 A statement of the maximum loan determined by the Secre-
20 tary under part A and the estimate of reasonable and neces-
21 sary expenses, with respect to a student for any academic
22 year, shall be furnished by the eligible institution to the
23 student upon his request. No loan or portion thereof shall be
24 insured by the Commissioner in excess of such maximum or
25 estimate.

1 "(c) The insurance liability on any loan insured by the
2 Commissioner under this part shall be 100 per centum of
3 the unpaid balance of the principal amount of the loan. Such
4 insurance liability shall not include liability for interest
5 whether or not that interest has been added to the principal
6 amount of the loan except as otherwise expressly provided
7 herein."

8 (b) Section 428 (b) (1) is amended (1) in clause (A)
9 by striking out "$1,500" and inserting "$2,500" in lieu
10 thereof, and by striking out all of that clause that follows
11 "in excess of such annual limit;", (2) in clause (B) by
12 striking out all of that clause that follows "students for"
13 and inserting in lieu thereof "seven academic years of study
14 or their equivalent (as determined under regulations of the
15 Commissioner) reduced by the number of academic years
16 in which the student has received a loan insured by the
17 Commissioner under this part;", and (3) in clause (H) by
18 striking out all of that clause that follows "any student"
19 and inserting in lieu thereof "because of lack of need if an
20 interest subsidy is payable pursuant to part A with regard
21 to any loan to such student;".

22 DEFERRAL OF INTEREST AND PRINCIPAL PAYMENTS

23 SEC. 407. (a) (1) Clauses (E), (F), and (G) of sec-
24 tion 427 (a) (2) are redesignated clauses (F), (G), and

(H), respectively, and there is inserted after clause (D) the following new clause:

"(E) authorizes the student borrower, if agreed to by the lender, to defer the payment of periodic installments of principal and interest during any period or periods (not in excess of an aggregate of five years) as the student may, during the repayment period, from time to time specify in advance by written notice to the lender, which deferred interest shall accrue and be added to principal on the date that payment of principal and interest is to resume, and shall thereby increase the insurance liability under this part in the amount of such accrued interest,".

(2) Clause (D) of section 427(a)(2) is amended by striking out so much of that clause as follows "payable in installments" and inserting in lieu thereof "over a period beginning on the date upon which repayment of the first installment of principal falls due and ending on the date upon which repayment of the last installment of principal falls due, and interest accruing but not payable prior to the date upon which repayment of the first installment of principal falls due shall be added to principal and shall thereby increase the insurance liability under this part in the amount of such accrued interest,".

(3) Clause (C) of section 427 (a) (2) is amended by striking out "need not be paid, but interest shall accrue and be paid" and inserting in lieu thereof "and interest need not be paid, but interest shall accrue and be added to principal, and shall thereby increase the insurance liability under this part in the amount of such accrued interest".

(b) (1) Paragraph (1) of section 428 (b) is amended (A) by striking out "and" at the end of clause (J) thereof, (B) by striking out the period at the end of clause (K) and inserting "; and" in lieu thereof, and (C) by adding at the end of such paragraph the following new clauses:

"(L) provides that periodic installments of principal and interest need not be paid, but interest shall accrue and be added to principal, and is thereby insured under such program, during any period (i) during which the borrower is pursuing a full-time course of study at an eligible institution, (ii) not in excess of three years during which the borrower is a member of the Armed Forces of the United States, (iii) not in excess of three years during which the borrower is in service as a volunteer under the Peace Corps Act, or (iv) not in excess of three years during which the borrower is in service as a full-time volunteer under title VIII of the Economic Opportunity Act of 1964."

1 (2) Subsection (e) of section 428 is amended to read
2 as follows:
3 "(e) The Commissioner shall encourage the inclusion,
4 in any State or nonprofit private student loan insurance
5 program meeting the requirements of subsection (b), of
6 provisions authorizing the student borrower, if agreed to by
7 the lender, to defer the payment of periodic installments
8 of principal and interest during any period or periods (not
9 in excess of an aggregate of five years) as the student may,
10 during the repayment period, from time to time specify
11 in advance by written notice to the lender, which deferred
12 interest shall accrue and be added to principal on the date
13 that payment of principal and interest is to resume, and shall
14 thereby increase the insurance liability of such programs,
15 and the Federal guaranty applicable to such program."
16 EXTENSION OF PERMISSIBLE REPAYMENT PERIOD
17 SEC. 408. (a) (1) Clause (B) of section 427 (a) (2)
18 is amended to read as follows:
19 "(B) provides for repayment (except as provided
20 in subsection (c)) of the principal amount of the loan
21 in installments over a period of not less than five years
22 (unless sooner repaid) nor more than twenty years
23 beginning nine months after the date on which the
24 student ceases to carry at an eligible institution at least
25 one-half the normal full-time academic workload as de-

1 termined by the institution, except that in the compu-
2 tation of such periods there shall be excluded periods in
3 which interest or principal is not paid pursuant to clause
4 (C) or clause (E), and except, also, that the note or
5 other written agreement evidencing it may contain such
6 provisions relating to repayment in the event of default
7 in the payment of interest or in the payment of the cost
8 of insurance premiums, or other default of the borrower,
9 as may be authorized by regulations of the Commissioner
10 in effect at the time the loan is made,".
11 (2) Clause (C) of such section is amended by striking
12 out all that follows "1964" and inserting a comma in lieu
13 thereof.
14 (b) (1) Clause (D) of section 428 (b) (1) is amended
15 to read as follows:
16 "(D) provides for repayment (except as provided
17 by subsection (e)) of the principal amounts of loans in
18 installments over a period of not less than five years
19 (unless sooner repaid) nor more than twenty years
20 beginning nine months after the date on which the stu-
21 dent ceases to carry at an eligible institution at least
22 one-half the normal full-time academic workload as de-
23 termined by the institution, except that in the computa-
24 tion of such periods there shall be excluded periods in
25 which interest or principal is not paid pursuant to clause

1 (L) of this paragraph or subsection (e), and except,
2 also, that the note or other written agreement evidencing
3 it may contain such provisions relating to repayment in
4 the event of default in the payment of interest or in
5 the payment of the cost of insurance premiums, or other
6 default of the borrower, as may be authorized by regu-
7 lations of the Commissioner in effect at the time the loan
8 is made;".

9 (2) Section 428(b)(1)(C) is amended by striking
10 out clause (ii) thereof, and redesignating clause (iii) as
11 clause (ii).

12 EXTENSION OF PROGRAM AND REPEAL OF PREVIOUS FED-
13 ERAL LOAN INSURANCE CEILING

14 SEC. 409. Section 424 is amended to read as follows:

15 "SEC. 424. Except as provided in the next sentence,
16 Federal loan insurance pursuant to this part may be granted
17 only for loans made (or for loan installments paid pursuant
18 to lines of credit) to students prior to July 1, 1976. There-
19 after, such insurance may be granted for the purpose of
20 enabling students who have obtained prior loans insured
21 under this part to continue or complete their educational
22 programs; but no insurance may be granted for any loan
23 made or installment paid after June 30, 1980."

1 REPEAL OF CANCELLATION OF NATIONAL DEFENSE
2 STUDENT LOANS

3 SEC. 410. Subparagraph (3) of section 205 (b) of the
4 National Defense Education Act of 1958 is repealed.

5 ELIGIBILITY FOR NATIONAL DEFENSE STUDENT LOANS

6 SEC. 411. Subsection (b) of section 205 of the National
7 Defense Education Act of 1958 is amended by inserting
8 after "course of study" the following: ", and to such priori-
9 ties in the lending of such funds as the Secretary may from
10 time to time establish pursuant to title IV of the Higher
11 Education Act of 1965".

12 AUTHORITY TO MAINTAIN STUDENT LOAN FUNDS

13 SEC. 412. (a) Section 206 of the National Defense
14 Education Act of 1958 is amended by striking out "1975"
15 wherever it appears and inserting in lieu thereof "1980".

16 EFFECTIVE DATE APPLICABLE TO SECTIONS 405 THROUGH
17 411

18 SEC. 413. Sections 405 through 411 of this Act shall be
19 effective with respect to loans made or disbursed to students
20 after June 30, 1971.

21 PART B—ESTABLISHMENT OF NATIONAL STUDENT LOAN
22 ASSOCIATION

23 SEC. 420. Part D of title IV of the Higher Education
24 Act of 1965 is amended to read as follows:

1 "PART D--NATIONAL STUDENT LOAN ASSOCIATION

2 "DECLARATION OF PURPOSE

3 "SEC. 441. It is the purpose of this part to establish
4 a private corporation financed by private capital to serve
5 as a secondary market for student loans insured under part
6 C and to provide liquidity for those who make such loans.

7 "CREATION OF AGENCY

8 "SEC. 442. (a) There is hereby created a body corpo-
9 rate to be known as the National Student Loan Association
10 (hereinafter in this part referred to as the 'Association'). The
11 Association shall have succession until dissolved by Act of
12 Congress. It shall maintain its principal office in the District
13 of Columbia and shall be deemed, for purposes of venue and
14 civil actions, to be a resident thereof. Offices may be estab-
15 lished by the Association in such other place or places as it
16 deems necessary or appropriate for the conduct of its business.

17 "(b) The Association, including its franchise, capital,
18 reserves, surplus, mortgages, or other security holdings, and
19 income shall be exempt from all taxation now or hereafter
20 imposed by any State, territory, possession, Commonwealth,
21 or dependency of the United States, or by the District of
22 Columbia, or by any county, municipality, or local taxing
23 authority, except that any real property of the Association
24 shall be subject to State, territorial, county, municipal, or

1 local taxation to the same extent according to its value as
2 other real property is taxed.

3 "BOARD OF DIRECTORS

4 "SEC. 443. (a) The Association shall have a Board
5 of Directors consisting of twenty-one persons.

6 "(b) An interim Board of Directors shall be appointed
7 by the President, one of whom he shall designate as interim
8 Chairman. The interim Board shall consist of twenty-one
9 members, seven of whom shall be representative of eligible
10 lenders under part C other than eligible institutions, seven of
11 eligible institutions (as defined in section 435(a)), and
12 seven of the general public. The interim Board shall arrange
13 for an initial offering of common stock and take whatever
14 other actions are necessary to proceed with the operations of
15 the Association.

16 "(c) When, in the judgment of the President, sufficient
17 common stock of the Association has been purchased by
18 eligible institutions and banks or other financial institutions,
19 the holders of such stock which are eligible institutions shall
20 elect seven members of the Board of Directors and the
21 holders of such stock which are banks or other financial insti-
22 tutions shall elect seven members of the Board of Directors.
23 The President shall appoint the remaining seven members.
24 The members so elected and appointed shall elect a chair-
25 man. The elections referred to in this subsection shall be

1 carried out in such manner as the interim Board may
2 prescribe.
3 "(d) The interim Board shall thereafter turn over the
4 affairs of the Association to the regular Board so chosen or
5 appointed.
6 "(e) The Directors appointed by the President shall
7 serve at the pleasure of the President and until their suc-
8 cessors have been appointed and have qualified. The remain-
9 ing Directors shall each be elected for a term ending on the
10 date of the next annual meeting of the common stockbrokers
11 of the Association, and until their successors have been
12 elected. Any appointive seat on the Board which becomes
13 vacant shall be filled by appointment of the President. Any
14 elective seat on the Board which becomes vacant after the
15 annual election of the Directors shall be filled by the Board,
16 but only for the unexpired portion of the term.
17 "(f) The Board of Directors shall meet at the call of
18 its Chairman. The Board shall determine the general policies
19 which will govern the operations of the Association. The
20 Chairman of the Board shall, with the approval of the Board,
21 select, appoint, and compensate qualified persons to fill the
22 offices provided for in the bylaws, with such executive func-
23 tions, powers, and duties as may be prescribed by the bylaws
24 or by the Board of Directors, and such persons shall be the

1 executive officers of the Association and shall discharge all
2 such executive functions, powers, and duties.

3 "FUNCTIONS

4 "SEC. 444. (a) Subject to the provisions of this part
5 and the approval of the Secretary, the Association is author-
6 ized to make advances on the security of, or to purchase,
7 service, sell, or otherwise deal in, student loans which are
8 insured under part C.

9 "(b) Any advance made under subsection (a) of this
10 section shall not exceed 80 per centum of the face amount
11 of the insured loans upon the security of which such advance
12 is made. The proceeds from any advance shall be invested
13 in additional insured student loans.

14 "COMMON STOCK

15 "SEC. 445. (a) The Association shall have common
16 stock having a par value of $100 per share.

17 "(b) Each share of common stock shall be entitled to
18 one vote with rights of cumulative voting at all elections
19 of directors. Voting shall be by classes as described in
20 section 443 (c).

21 "(c) The common stock of the Association shall be
22 transferable, as to the Association, only on the books of the
23 Association. The Secretary shall prescribe the maximum
24 number of shares of common stock the Association may issue
25 and have outstanding at any one time. Shares of such stock

1 which are outstanding may be called for retirement at par
2 at the option of the Association at any time.
3 "(d) To the extent that net income is earned and real-
4 ized, dividends may be declared on common stock by the
5 Board of Directors. Such dividends shall be paid to the
6 holders of outstanding shares of common stock, except that
7 no such dividend shall be payable with respect to any share
8 which has been called for redemption past the effective date
9 of such call.
10 "OBLIGATIONS
11 "SEC. 446. (a) The Association is authorized with the
12 approval of the Secretary of the Treasury to issue and have
13 outstanding obligations having maturities and bearing such
rate or rates of interest as may be determined by the Associ-
15 ation with the approval of the Secretary of the Treasury.
16 Such obligations may be redeemable at the option of the
17 Association before maturity in such manner as may be stip-
18 ulated therein.
19 "(b) The Secretary is authorized to guarantee payment
20 when due of principal and interest on obligations issued by
21 the Association in an aggregate amount determined by the
22 Secretary in consultation with the Secretary of the Treasury.
23 "(c) To enable the Secretary to discharge his respon-
24 sibilities under guarantees issued by him, he is authorized
25 to issue to the Secretary of the Treasury notes or other

1 obligations in such forms and denominations, bearing such
2 maturities, and subject to such terms and conditions, as may
3 be prescribed by the Secretary with the approval of the
4 Secretary of the Treasury. Such notes or other obligations
5 shall bear interest at a rate determined by the Secretary of
6 the Treasury, taking into consideration the current average
7 market yield on outstanding marketable obligations of the
8 United States of comparable maturities during the month
9 preceding the issuance of the notes or other obligations.
10 The Secretary of the Treasury is authorized and directed to
11 purchase any notes and other obligations issued hereunder
12 and for that purpose he is authorized to use as a public
13 debt transaction the proceeds from the sale of any securities
14 issued under the Second Liberty Bond Act, as amended,
15 and the purposes for which securities may be issued under
16 that Act, as amended, are extended to include any purchase
17 of such notes and obligations. The Secretary of the Treasury
18 may at any time sell any of the notes or other obligations
19 acquired by him under this subsection. All redemptions, pur-
20 chases, and sales by the Secretary of the Treasury of such
21 notes or other obligations shall be treated as public debt
22 transactions of the United States. There are authorized to
23 be appropriated to the Secretary such sums as may be neces-
24 sary to pay the principal and interest on the notes or obliga-
25 tions issued by him to the Secretary of the Treasury.

1 "GENERAL AUTHORITY

2 "SEC. 447. The Association shall have authority—

3 "(a) to sue and be sued, complain and defend, in

4 its corporate name and through its own counsel;

5 "(b) to adopt, alter, and use a corporate seal, which

6 shall be judicially noticed;

7 "(c) to adopt, amend, and repeal by its board of

8 directors such bylaws, rules, and regulations as may be

9 necessary for the conduct of its business;

10 "(d) to conduct its business, carry on its operations,

11 and have offices and exercise the authority granted by

12 this part in any State without regard to any qualification

13 or similar statute in any State;

14 "(e) to lease, purchase, or otherwise acquire, own,

15 hold, improve, use, or otherwise deal in and with any

16 property, real, personal, or mixed, or any interest therein,

17 wherever situated;

18 "(f) to accept gifts or donations of services, or of

19 property, real, personal, or mixed, tangible or intangible,

20 in aid of any of the purposes of the Association;

21 "(g) to sell, convey, mortgage, pledge, lease, ex-

22 change, and otherwise dispose of its property and assets;

23 "(h) to appoint such officers, attorneys, employees,

24 and agents as may be required, to determine their quali-

25 fications, to define their duties, to fix their salaries, to

1 require bonds for them and fix the penalty thereof; and

2 "(i) to enter into contracts, to execute instruments,

3 to incur liabilities, and to do all things necessary or in-

4 cidental to the proper management of its affairs and the

5 proper conduct of its business.

6 "AUDIT

7 "SEC. 448. The accounts of the Association shall be

8 audited at least annually. Such audits shall be conducted in

9 accordance with generally accepted auditing standards by

10 independent certified public accountants or by independent

11 licensed public accountants, licensed on or before December

12 31, 1970, who are certified or licensed by a regulatory

13 authority of a State or other political subdivision of the

14 United States, except that independent public accountants

15 licensed to practice by such regulatory authority after De-

16 cember 31, 1970, and persons who, although not so certi-

17 fied or licensed, meet, in the opinion of the Secretary, stand-

18 ards of education and experience representative of the high-

19 est standards prescribed by the licensing authorities of the

20 several States which provide for the continuing licensing of

21 public accountants and which are prescribed by the Secre-

22 tary in appropriate regulations may perform such audits

23 until December 31, 1975. A report of each such audit shall

24 be furnished to the Secretary and to the Secretary of the

25 Treasury.

1 "OBLIGATIONS AS LAWFUL INVESTMENTS,

2 ACCEPTANCE AS SECURITY

3 "SEC. 449. All obligations issued by the Association
4 shall be lawful investments, and may be accepted as security
5 for all fiduciary, trust, and public funds, the investment or
6 deposit of which shall be under authority or control of the
7 United States or of any officer or officers thereof. All stock
8 and obligations issued by the Association pursuant to this
9 part shall be deemed to be exempt securities within the
10 meaning of laws administered by the Securities and Ex-
11 change Commission, to the same extent as securities which
12 are direct obligations of or obligations guaranteed as to
13 principal or interest by the United States. The Association
14 shall, for the purposes of section 14 (b) (2) of the Federal
15 Reserve Act, be deemed to be an agency of the United
16 States.

17 "PREPARATION OF OBLIGATIONS

18 "SEC. 450. In order to furnish obligations for delivery
19 by the Association, the Secretary of the Treasury is au-
20 thorized to prepare such obligations in such form as the
21 Board of Directors may approve, such obligations when pre-
22 pared to be held in the Treasury subject to delivery upon
23 order by the Association. The engraved plates, dies, bed
24 pieces, and other material executed in connection therewith
25 shall remain in the custody of the Secretary of the Treasury.

1 The Association shall reimburse the Secretary of the Treasury
2 for any expenditures made in the preparation, custody, and
3 delivery of such obligations.

4 "ANNUAL REPORT

5 "SEC. 451. The Association shall, as soon as practicable
6 after the end of each fiscal year, transmit to the President
7 and the Congress a report of its operations and activities
8 during each year, including a report of the audit conducted
9 under section 448.

10 "SEPARABILITY

11 "SEC. 452. If any provision of this part or the applica-
12 tion thereof to any person or circumstance is held invalid, the
13 validity of the remainder of the part, and the application of
14 such provisions to other persons or circumstances, shall not
15 be affected.

16 "INTERIM FINANCING ARRANGEMENT FOR STUDENT
17 LOANS

18 "SEC. 453. (a) Any eligible institution (as defined in
19 section 408) which, subsequent to enactment of this part,
20 makes a loan on which a subsidy is payable under section
21 428 (a), may offer that loan for sale to the Secretary, and,
22 until such time as the Association, in the Secretary's judg-
23 ment, is able to purchase student loans insured under part C,
24 the Secretary is authorized and directed to purchase any such
25 loan at a price equal to 100 per centum of the unpaid prin-

1 cipal thereof and interest thereon at the time of purchase.
2 "(b) Upon application to him by an eligible institution
3 indicating that such institution is, in the Secretary's judg-
4 ment, in need of funds with which to make loans on which
5 subsidies are payable under section 428 (a), the Secretary
6 shall make an advance of funds to such institution against the
7 future purchase by him of such loans.
8 "(c) The Secretary may enter into an agreement with
9 any eligible institution from which he has purchased one or
10 more loans pursuant to subsection (a) under which agree-
11 ment such institution (A) will undertake to perform adminis-
12 trative functions with respect to any loan purchased from it
13 by the Secretary and (B) be reimbursed the cost thereof.
14 "AUTHORIZATION OF APPROPRIATIONS
15 "SEC. 454. There are authorized to be appropriated such
16 sums as may be necessary to carry out the preceding section.
17 "TERMINATION OF INTERIM FINANCING ARRANGEMENT
18 "SEC. 455. At such time as the Association is able to
19 purchase student loans insured under part C, such Associa-
20 tion shall purchase from the Secretary student loans which he
21 has acquired under section 453 (a). Such loans shall be
22 purchased by such Association upon such terms and condi-
23 tions as the Board of Directors shall determine. Such Associ-
24 ation shall not deal in any other student loans until it has

1 first purchased from the Secretary all loans which he has so
2 acquired.

3 "PURCHASE OF OBLIGATIONS BY TREASURY

4 "SEC. 456. The Secretary of the Treasury is authorized
5 to purchase, in his discretion and upon such terms and condi-
6 tions as he determines, any obligations issued by the Associ-
7 ation under section 446(a), and for such purpose he is
8 authorized to use as a public debt transaction the proceeds
9 from the sale of any securities issued under the Second
10 Liberty Bond Act, and the purposes for which securities
11 may be issued under such Act are extended to include such
12 purchases. The aggregate principal amount of the Secretary
13 of the Treasury's outstanding holdings of such obligations
14 may not exceed at any time an amount greater than $250,-
15 000,000. The Secretary of the Treasury may sell, upon such
16 terms and conditions as he determines, any of the obliga-
17 tions acquired by him under this section. All redemptions,
18 purchases, and sales by the Secretary of the Treasury of
19 such obligations under this section shall be treated as public
20 debt transactions of the United States."

21 AMENDMENTS RELATING TO FINANCIAL INSTITUTIONS

22 SEC. 421. (a) The sixth sentence of the seventh para-
23 graph of section 5136 of the Revised Statutes, as amended
24 (12 U.S.C. 24), is amended by inserting "or obligations

1 of the National Student Loan Association," immediately
2 after "or obligations, participation, or other instruments of
3 or issued by the Federal National Mortgage Association or
4 the Government National Mortgage Association,".
5 (b) Section 5200 of the Revised Statutes, as amended
6 (12 U.S.C. 84), is amended by adding at the end thereof
7 the following new paragraph:
8 "(14) Obligations of the National Student Loan
9 Association shall not be subject to any limitation based
10 upon such capital and surplus."
11 (c) The first paragraph of section 5(c) of the Home
12 Owners' Loan Act of 1933, as amended (12 U.S.C. 1464
13 (c)), is amended by inserting "or in obligations of the
14 National Student Loan Association;" in the second proviso
15 immediately after "any political subdivision thereof."
16 (d) Clause (E) of paragraph (8) of section 8 of the
17 Federal Credit Union Act (12 U.S.C. 1757(8)(E)) is
18 amended by inserting "or the National Student Loan Asso-
19 ciation" immediately following "Government National Mort-
20 gage Association".
21 INAPPLICABILITY OF TRUTH IN LENDING ACT
22 SEC. 422. Section 104 of the Truth in Lending Act
23 (15 U.S.C. 1603) is amended by adding the following new
24 paragraph at the end thereof:

1 "(5) Loans under title II of the National Defense
2 Education Act of 1958 or loans to which title IV of the
3 Higher Education Act of 1965 is applicable".

4 EFFECTIVE DATE

5 SEC. 423. The amendments made by sections 420, 421,
6 and 422 shall be effective with respect to fiscal years begin-
7 ning after June 30, 1971.

8 PART C—CONSOLIDATION OF SPECIAL SERVICES
9 PROGRAMS

10 SEC. 430. Title IV of the Higher Education Act is
11 further amended by inserting after part D the following new
12 part:

13 "PART E—IDENTIFYING QUALIFIED LOW-INCOME STU-
14 DENTS; PREPARING THEM FOR POSTSECONDARY EDU-
15 CATION; SPECIAL SERVICES FOR SUCH STUDENTS IN
16 INSTITUTIONS OF HIGHER EDUCATION

17 "SEC. 461. (a) To assist in achieving the objectives of
18 this part the Commissioner is authorized, without regard to
19 section 3709 of the Revised Statutes (41 U.S.C. 5), to make
20 grants to, or contracts with, institutions of higher educa-
21 tion, including institutions with vocational and career educa-
22 tion programs, combinations of such institutions, public and
23 private agencies and organizations (including professional
24 and scholarly associations), and in exceptional cases sec-
25 ondary schools and secondary vocational schools, for plan-

1 ning, developing, or carrying out within the States one or
2 more of the services described in subsection (c), except
3 that no grant may be made to an agency, organization, in-
4 stitution, or school other than a public or nonprofit private
5 one.

6 "(b) Such services shall be designed to enable youths
7 from low-income backgrounds who have academic potential
8 (but may lack adequate secondary school preparation or be
9 physically handicapped) to enter, continue, or resume a pro-
10 gram of postsecondary education.

11 "(c) Such services are—

12 "(1) publicizing existing forms of student financial
13 aid;

14 "(2) identifying youths described in subsection (b)
15 and encouraging them to complete secondary school and
16 to undertake postsecondary education;

17 "(3) encouraging youths described in subsection
18 (b) who have dropped out of secondary school or col-
19 lege to reenter educational programs, including pro-
20 grams of postsecondary education;

21 "(4) generating skills and motivation necessary
22 for success in education beyond high school;

23 "(5) providing counseling, tutorial, or other edu-
24 cational services, including special summer programs,
25 to remedy academic deficiencies;

1 "(6) providing career guidance, placement, or other
2 student personnel services (including health services);
3 "(7) identifying, encouraging, and counseling stu-
4 dents with a view to their undertaking a program of
5 graduate or professional education; and
6 "(8) providing other special or supplemental serv-
7 ices necessary to achieve the purposes set forth in sub-
8 section (b).
9 "(d) Enrollees who are participating on an essentially
10 full-time basis in one or more services being provided under
11 subsection (c) may be paid stipends, but not in excess of
12 $30 per month except in exceptional cases as determined by
13 the Commissioner.
14 "(e) There are authorized to be appropriated to carry
15 out this part such sums as may be necessary for the fiscal
16 year ending June 30, 1972, and each of the next four fiscal
17 years."
18 EFFECTIVE DATE
19 SEC. 431. The amendments made by section 430 shall
20 be effective with respect to fiscal years beginning after June
21 30, 1971.

1 TITLE V—AMENDMENTS TO TITLE V OF HIGHER
2 EDUCATION ACT (EDUCATION PROFESSIONS
3 DEVELOPMENT ACT)
4 PART A—AMENDMENTS TO PART A OF TITLE V
5 EXTENSION OF NATIONAL ADVISORY COUNCIL ON EDUCA-
6 TION PROFESSIONS DEVELOPMENT AND PROGRAM FOR
7 ATTRACTING QUALIFIED PERSONNEL TO THE FIELD OF
8 EDUCATION
9 SEC. 501. (a) Section 502 (f) of title V of the Higher
10 Education Act of 1965 (the Education Professions Develop-
11 ment Act) is amended by striking out "three" and inserting
12 in lieu thereof "eight".
13 (b) Section 504 (b) of such title is amended by striking
14 out "and" before "the sum of $5,000,000" and inserting the
15 following after "July 1, 1971": ", and such sums as may be
16 necessary for each of the next five fiscal years".
17 PART B—AMENDMENTS TO SUBPART 1 OF PART B
18 (TEACHER CORPS)
19 EXTENSION OF PROGRAM
20 SEC. 510. Section 511 (b) of the Higher Education
21 Act of 1965 is amended (1) by striking out "and" before
22 "$10,000,000", and inserting the following after "July 1,
23 1971": ", and such sums as may be necessary for each of
24 the next five fiscal years".

1 PART C—AMENDMENTS TO SUBPART 2 OF PART B

2 EXTENSION OF PROGRAM

3 SEC. 520. Section 518 (b) of the Higher Education Act
4 of 1965 is amended by striking out "and" before "$65,000,-
5 000" and by inserting ", and such sums as may be necessary
6 for each of the next five fiscal years" immediately after
7 "July 1, 1971".

8 RETRAINING OF TEACHERS AND EMPLOYMENT OF TUTORS
9 AND INSTRUCTIONAL ASSISTANTS

10 SEC. 521. Section 518 (a) of such Act is amended by
11 striking out "and" before "(2)" and by adding the follow-
12 ing before the period: ", (3) to employ high school and
13 college students as tutors or instructional assistants for edu-
14 cationally disadvantaged children, (4) to compensate such
15 tutors and instructional assistants at such rates as the Com-
16 missioner may determine to be consistent with prevailing
17 practices under comparable federally supported work-study
18 programs, and (5) to provide necessary training to teachers
19 to enable them to teach other grades or other subjects in
20 which such agencies have a teacher shortage".

21 REDUCING MINIMUM ALLOTMENT

22 SEC. 522. Section 519 (a) of such Act is amended by
23 striking out "$100,000" and inserting in lieu thereof
24 "$50,000".

1 CONFORMING AMENDMENTS AND INCREASE IN AMOUNT
2 AVAILABLE FOR ADMINISTRATION

3 SEC. 523 (a) Section 520 (a) (2) is amended (A) by
4 striking out "and (C)" and inserting in lieu thereof "(C)
5 programs of such agencies to employ high school and col-
6 lege students as tutors or instructional assistants for edu-
7 cationally disadvantaged children, (D) programs of such
8 agencies to compensate such tutors and instructional assist-
9 ants at such rates as the Commissioner may determine to
10 be consistent with prevailing practices under comparable
11 federally supported work-study programs, (E) programs of
12 such agencies to provide necessary training to teachers to en-
13 able them to teach other grades or other subjects in which
14 such agencies have a teacher shortage, and (F)", (B) by
15 striking out "3" and inserting in lieu thereof "5", and (C)
16 by inserting before the semicolon: "or, $20,000, whichever
17 is greater".

18 (b) Section 520 (a) (3) is amended by inserting "or
19 for the retraining of teachers" immediately before the semi-
20 colon at the end thereof.

21 ELIMINATING CEILING ON AMOUNT FOR AIDES

22 SEC. 524. Section 520 (a) of such Act is further amended
23 by striking out paragraph (5) and designating paragraphs
24 (6), (7), (8), and (9) as paragraphs (5), (6), (7), and
25 (8), respectively, and by inserting in paragraph (5), as so

1 redesignated, "is teaching, or" immediately after "because
2 he".

3 PART D—AMENDMENTS TO PART D—IMPROVING TRAIN-
4 ING OPPORTUNITIES FOR NON-HIGHER EDUCATION
5 PERSONNEL

6 EXTENSION OF PROGRAM

7 SEC. 530. Section 532 of the Higher Education Act of
8 1965 is amended by striking out "and" before "the sum of
9 $90,000,000" and inserting the following after "July 1,
10 1971": ", and such sums as may be necessary for each
11 of the next five fiscal years".

12 SUPPORT OF TUTORS AND INSTRUCTIONAL ASSISTANTS

13 SEC. 531. Section 531 (b) of such Act is amended by
14 changing the period at the end thereof to a semicolon and
15 by adding the following new paragraph:

16 "(11) programs or projects to employ tutors or
17 instructional assistants in preschool, elementary, and
18 secondary school classes, especially for educationally dis-
19 advantaged children."

20 SEC. 532. Section 531 (c) of such Act is amended by
21 striking out "or" at the end of paragraph (1), by striking out
22 the period at the end of paragraph (2) and inserting "; or"
23 in lieu thereof, and by adding the following new paragraph:

24 "(3) compensating tutors and instructional as-
25 sistants at such rates as the Commissioner may determine

1 to be consistent with the prevailing practices under
2 comparable federally supported work-study programs."

3 DEVELOPING AND STRENGTHENING PROGRAMS FOR THE
4 EDUCATION OF TEACHERS AND RELATED EDUCATIONAL
5 PERSONNEL

6 SEC. 533. Section 531 (b) of such Act is further amended
7 by changing the period at the end thereof to a semicolon, by
8 adding "and" at the end of paragraph 11, and by adding
9 the following new paragraph:

10 "(12) programs or projects (including cooperative
11 arrangements or consortia between institutions of higher
12 education, junior and community colleges, or between
13 such institutions and State or local educational agencies
14 and nonprofit education associations) for the develop-
15 ment, expansion, or improvement of undergraduate pro-
16 grams for preparing educational personnel, including
17 design, development, and evaluation of exemplary under-
18 graduate training programs, introduction of high quality
19 and more effective curricula and curricular materials, and
20 the provision of increased opportunities for practicum
21 teaching experience for prospective teachers in elemen-
22 tary and secondary schools."

23 SEC. 534. Section 531 (c) of such Act, as amended by
24 section 532 of this Act, is further amended by striking out
25 the "or" at the end of paragraph (2) and the period at the

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1 end of paragraph (3), by inserting a semicolon and "or" at
2 the end of paragraph (3), and by adding the following new
3 paragraph:
4 "(4) projects or programs to develop, expand, or
5 improve undergraduate and other programs for training
6 educational personnel."
7 APPLICATION OF PART D TO INDIAN SCHOOLS
8 SEC. 535. Section 532 of the Higher Education Act of
9 1965 is amended by inserting "(a)" after "SEC. 532." and
10 by inserting at the end thereof the following new subsection:
11 "(b) From the sums appropriated pursuant to subsection
12 (a), the Commissioner may also make payments to the Sec-
13 retary of the Interior to carry out the policy of this part with
14 respect to persons preparing to serve as teachers of individuals
15 on reservations serviced by elementary and secondary schools
16 for Indian children operated or supported by the Department
17 of Interior. The terms upon which payments for that pur-
18 pose may be made to the Secretary of the Interior shall be
19 determined pursuant to such criteria as the Commissioner
20 determines will best carry out the policy of this part."

1 PART E—CONSOLIDATION OF TITLE IV OF THE NATIONAL
2 DEFENSE EDUCATION ACT OF 1958 WITH PART E OF
3 TITLE V OF THE HIGHER EDUCATION ACT OF 1965
4 (EDUCATION PROFESSIONS DEVELOPMENT ACT)

5 EXTENSION OF PROGRAM

6 SEC. 540. Section 543 of the Higher Education Act of
7 1965 is amended by striking out "and" before "the sum of
8 $36,000,000" and inserting the following after "July 1,
9 1971": ", and such sums as may be necessary for each of
10 the next five fiscal years".

11 BROADENING CLASS OF INSTITUTIONS FOR WHICH
12 PERSONNEL MAY BE TRAINED

13 SEC. 541. (a) Section 541 (a) of such Act is amended
14 by striking out "institutions of higher education" as it ap-
15 pears immediately before the period and inserting in lieu
16 thereof "postsecondary institutions".

17 (b) Section 541 (b) of such Act is amended by striking
18 out "fellowships which are eligible for support under title IV
19 of the National Defense Education Act of 1958, or for".

20 (c) Section 541 (c) is amended by striking out "institu-
21 tions of higher education" and inserting in lieu thereof "post-
22 secondary institutions".

1 PROVISION FOR INSTITUTIONAL ALLOWANCE

2 SEC. 542. Section 542 is amended by striking out "SEC.
3 542." and inserting in lieu thereof "SEC. 542. (a)" and by
4 adding at the end thereof the following new subsection:
5 "(b) Any arrangement with an institution of higher
6 education under this part that authorizes the payment of
7 stipends pursuant to subsection (a) of this section shall
8 also provide that the Commissioner shall pay to such insti-
9 tution such amount as he may determine to be consistent
10 with prevailing practices under comparable federally sup-
11 ported programs, except that such amount shall not exceed
12 $3,500 per academic year for each person receiving a stipend
13 pursuant to the arrangement."

14 SAVINGS PROVISIONS

15 SEC. 543. Effective July 1, 1971, title IV of the Na-
16 tional Defense Education Act of 1958 is repealed, except
17 that in the case of any individual who was awarded a fel-
18 lowship pursuant to such title for which payments for the
19 first academic year of such fellowship were made or to be
20 made from appropriations for any fiscal year ending before
21 July 1, 1971, payments with respect to such fellowships
22 shall continue to be made for periods after June 30, 1971,
23 from appropriations under part E of title V of the Higher
24 Education Act of 1965, but under the same terms and

1 conditions and for the same period of time as though such
2 title IV had not been repealed.

3 PART F—AMENDMENT TO PART F—TRAINING AND DE-
4 VELOPMENT OF VOCATIONAL EDUCATION PERSONNEL

5 EXTENSION OF PROGRAM

6 SEC. 550. Section 555 of the Higher Education Act of
7 1965 is amended by striking out "and" before "the sum
8 of $35,000,000" and inserting the following after "June
9 30, 1970": ", and such sums as may be necessary for each
10 of the next six fiscal years".

11 EFFECTIVE DATE

12 SEC. 551. Except as otherwise expressly provided, the
13 amendments made by this title shall be effective with respect
14 to fiscal years beginning after June 30, 1971.

15 TITLE VI—REPEAL OF TITLES VI, VIII, IX, X,
16 AND XI OF THE HIGHER EDUCATION ACT

17 SEC. 601. Title VI of the Higher Education Act of
18 1965, pertaining to improvement of undergraduate instruc-
19 tion, title VIII of such Act, pertaining to networks for knowl-
20 edge, title IX of such Act, pertaining to education for the
21 public service, title X of such Act, pertaining to improve-
22 ment of graduate programs, and title XI of such Act,
23 pertaining to law school clinical experience programs, are
24 effective July 1, 1971, repealed.

1 TITLE VII—AMENDMENTS TO GENERAL
2 PROVISIONS

3 SEC. 701. (a) Title XII and sections 1201 through
4 1210 of the Higher Education Act of 1965, and all refer-
5 ences thereto, are redesignated as title VIII and sections
6 801 through 810 of such Act, respectively.

7 (b) Title VIII of such Act, as redesignated by this
8 Act, is amended by inserting at the end thereof the following
9 new section:

10 "UNIFORM APPLICATION REQUIREMENTS

11 "SEC. 811. Any application for assistance under titles
12 II, III, or V submitted to the Commissioner by an institution
13 of higher education or other eligible applicant shall not be
14 approved unless it contains assurances satisfactory to the
15 Commissioner that—

16 "(1) Federal funds made available under such title
17 for any fiscal year will be so used as to supplement, and
18 to the extent practical, increase the fiscal effort that
19 would, in the absence of such Federal funds, be made by
20 the applicant for purposes which meet the requirements
21 of such title, and in no case supplant such effort;

22 "(2) such fiscal control and fund accounting pro-
23 cedures have been adopted as may be necessary to assure
24 proper disbursement of and accounting for Federal funds
25 paid under such title;

1 "(3) procedures have been adopted (A) for the
2 periodic evaluation of the effectiveness of the programs to
3 be supported under such title, and (B) for appropriate
4 dissemination of the results of such evaluation; and
5 "(4) the applicant (A) will make such reports, in
6 such form and containing such information, as the Com-
7 missioner may reasonably require to carry out his func-
8 tions under such title and to determine the extent to
9 which funds provided under that title have been effective
10 in carrying out its purposes (including reports of evalua-
11 tions), and (B) will keep such records and afford such
12 access thereto as the Commissioner may find necessary to
13 assure the correctness and verification of such reports."
14 EFFECTIVE DATE
15 SEC. 702. The amendments made by section 701 shall
16 be effective July 1, 1971.
17 TITLE VIII—AMENDMENTS TO HIGHER
18 EDUCATION FACILITIES ACT
19 EXTENSION OF PROGRAM
20 SEC. 801. (a) The first sentence of section 101 (b) of
21 the Higher Education Facilities Act of 1963 is amended by
22 striking out "and" before "$936,000,000" and by inserting
23 ", and such sums as may be necessary for each of the next
24 two fiscal years" immediately before the period.

1 (b) Section 105 (b) of such Act is amended by strik-
2 ing out "four" and inserting in lieu thereof "six".
3 (c) The second sentence of section 201 of such Act is
4 amended by striking out "and" before "the sum of $120,-
5 000,000" and by inserting ", and such sums as may be
6 necessary for each of the next two fiscal years" immediately
7 before the period.
8 (d) The second sentence of section 303 (c) of such
9 Act is amended by striking out "and" before "the sum of
10 $400,000,000" and by inserting ", and such sums as may
11 be necessary for each of the next two fiscal years" im-
12 mediately before the period.
13 (e) Section 306 (c) of such Act is amended by insert-
14 ing "and on July 1 of each of the next two years" im-
15 mediately after "July 1, 1970".
16 (f) Section 408 (a) of such Act is amended by striking
17 out "July 1, 1971" and inserting in lieu thereof "July 1,
18 1973".
19 NEW PROGRAM OF INSURED LOANS FOR CONSTRUCTION
20 OF NONPROFIT PRIVATE ACADEMIC FACILITIES
21 SEC. 802. Title III of the Higher Education Facilities
22 Act of 1963 is amended by inserting immediately after sec-
23 tion 306 the following:

1 "ACADEMIC FACILITIES LOAN INSURANCE

2 "SEC. 307. (a) In order to assist nonprofit private insti-
3 tutions of higher education and nonprofit private higher
4 education building agencies to procure loans for the con-
5 struction of academic facilities, the Commissioner may in-
6 sure the payment of interest and principal on such loans
7 if such institutions and agencies meet, with respect to such
8 loans, criteria prescribed by or under section 306 for the
9 making of annual interest grants under such section.

10 "(b) No loan insurance under subsection (a) may
11 apply to so much of the principal amount of any loan as
12 exceeds 90 per centum of the development cost of the
13 academic facility with respect to which such loan was made.

14 "RIGHT OF RECOVERY AND INCONTESTABLE NATURE OF
15 INSURANCE

16 "SEC. 308. (a) The United States shall be entitled to
17 recover from any institution or agency to which loan insur-
18 ance has been issued under section 307 the amount of any
19 payment made pursuant to that insurance, unless the Com-
20 missioner for good cause waives its right of recovery. Upon
21 making any such payment, the United States shall be sub-
22 rogated to all of the rights of the recipient of the payment
23 with respect to which the payment was made.

1 "(b) Any insurance issued by the Commissioner pur-
2 suant to section 307 shall be incontestable in the hands of the
3 institution or agency on whose behalf such insurance is issued,
4 and as to any agency, organization, or individual who makes
5 or contracts to make a loan to such institution or agency in
6 reliance thereon, except for fraud or misrepresentation on the
7 part of such institution or agency or on the part of the agency,
8 organization, or individual who makes or contracts to make
9 such loan.

10 "CONDITIONS

11 "SEC. 309. Insurance may be issued by the Commis-
12 sioner under section 307 only if he determines that the terms,
13 conditions, maturity, security (if any), and schedule and
14 amounts of repayments with respect to the loan are suf-
15 ficient to protect the financial interests of the United States
16 and are otherwise reasonable and in accord with regulations,
17 including a determination that the rate of interest does not
18 exceed such per centum per annum on the principal obliga-
19 tion outstanding as the Commissioner determines to be rea-
20 sonable, taking into account the range of interest rates pre-
21 vailing in the private market for similar loans and the risks
22 assumed by the United States. The Commissioner may
23 charge a premium for such insurance in an amount reasonably
24 determined by him to be necessary to cover administrative
25 expenses and probable losses under sections 307 and 308.

1 Such insurance shall be subject to such further terms and
2 conditions as the Commissioner determines to be necessary."

3 MAKING REVOLVING LOAN FUND AVAILABLE
4 FOR LOAN INSURANCE

5 SEC. 803. (a) Section 305 of such Act is amended—
6 (1) by striking out the heading therefor and in-
7 serting "Revolving Loan and Insurance Fund" in lieu
8 thereof;
9 (2) by inserting "and loan insurance" immediately
10 after "academic facilities loans" in the first sentence
11 thereof; and
12 (3) by inserting "or loan insurance" immediately
13 following "any loans" in the second sentence thereof.
14 (b) Section 303 (c) of such Act is amended—
15 (1) by inserting "and may insure loans" immedi-
16 ately after "academic facilities" in the first sentence
17 thereof;
18 (2) by inserting "and for issuing such insurance"
19 immediately after "such loans" in the third sentence
20 thereof; and
21 (3) by inserting "and for insurance" immediately
22 after "for loans" in the last sentence thereof.

23 EFFECTIVE DATE

24 SEC. 804. The amendments made by sections 801 and
25 802 shall be effective July 1, 1971, and the amendments

made by section 803 shall be effective as if enacted on the date of enactment of section 305 of such Higher Education Facilities Act.

TITLE IX—EXTENSION OF PROGRAM UNDER TITLE VI OF NATIONAL DEFENSE EDUCATION ACT

SEC. 901. Title VI of the National Defense Education Act of 1958 is amended—

(a) in section 601 by striking out "1971" both places it appears and by inserting in lieu thereof "1973"; and

(b) in section 603 by striking out "and" before "$38,500,000" and by inserting "and such sums as may be necessary for each of the next two fiscal years" immediately after "June 30, 1971,".

EFFECTIVE DATE

SEC. 902. The amendments made by section 901 shall be effective July 1, 1971.

TITLE X—NONDISCRIMINATION ON THE GROUND OF SEX IN FEDERALLY ASSISTED EDUCATION PROGRAMS

DISCRIMINATION PROHIBITED

SEC. 1001. (a) No person in the United States shall, on the ground of sex, be discriminated against by a recipient of Federal financial assistance for any education program or

1 activity. The preceding sentence shall not, however, preclude
2 differential treatment based upon sex where sex is a bona fide
3 ground for such differential treatment.
4 (b) No recipient of Federal financial assistance for an
5 education program or activity shall, because of an individual's
6 sex,
7 (1) discharge that individual, fail or refuse to hire
8 (except in instances where sex is a bona fide occupational
9 qualification) that individual, or otherwise discriminate
10 against him or her with respect to compensation, terms,
11 conditions, or privileges of employment; or
12 (2) limit, segregate, or classify employees in any
13 way which would deprive or tend to deprive that indi-
14 vidual of employment opportunities or otherwise ad-
15 versely affect his or her status as an employee.
16 ENFORCEMENT
17 SEC. 1002. (a) Each Federal department and agency
18 which is empowered to extend Federal financial assistance
19 to any education program or activity, by way of grant, loan,
20 or contract other than a contract of insurance or guaranty,
21 is authorized and directed to effectuate the provisions of sec-
22 tion 1001 with respect to such program or activity by issuing
23 rules, regulations, or orders of general applicability which
24 shall be consistent with achievement of the objectives of the
25 statute authorizing the financial assistance in connection with

1 which the action is taken. No such rule, regulation, or order
2 shall become effective unless and until approved by the
3 President.

4 (b) Compliance with any requirement adopted pursu-
5 ant to subsection (a) may be effected (1) by the termina-
6 tion of or refusal to grant or to continue assistance to any
7 recipient as to whom there has been an express finding on
8 the record, after opportunity for hearing, of a failure to
9 comply with such requirement, but such termination or re-
10 fusal shall be limited to the particular political entity, or part
11 thereof, or other recipient as to whom such a finding has been
12 made and such noncompliance has been so found, or (2)
13 by any other means authorized by law: *Provided, however,*
14 That no such action shall be taken until the department or
15 agency concerned has advised the appropriate person or
16 persons of the failure to comply with the requirement and
17 has determined that compliance cannot be secured by vol-
18 untary means.

19 (c) In the case of any action terminating, or refusing
20 to grant or continue, assistance because of failure to comply
21 with a requirement imposed pursuant to subsection (a), the
22 head of the Federal department or agency shall file with the
23 committees of the House and Senate having legislative juris-
24 diction over the program or actively involved a full written
25 report of the circumstances and the grounds for such action.

1 No such action shall become effective until thirty days have
2 elapsed after the filing of such report.

3 JUDICIAL REVIEW

4 SEC. 1003. Any department or agency action taken
5 pursuant to section 1002 shall be subject to such judicial
6 review as may otherwise be provided by law for similar
7 action taken by such department or agency on other grounds.
8 In the case of action, not otherwise subject to judicial
9 review, terminating or refusing to grant or to continue finan-
10 cial assistance upon a finding of failure to comply with any
11 requirement imposed pursuant to section 1002, any person
12 aggrieved (including any State or political subdivision there-
13 of and any agency of either) may obtain judicial review of
14 such action in accordance with chapter 7 of title 5, United
15 States Code, and such action shall not be deemed committed
16 to unreviewable agency discretion within the meaning of the
17 chapter.

18 PRESERVATION OF EXISTING AUTHORITY

19 SEC. 1004. Nothing in this title shall add to or detract
20 from any existing authority with respect to any education
21 program or activity under which Federal financial assistance
22 is extended by way of a contract of insurance or guaranty.

23 DEFINITION

24 SEC. 1005. For the purposes of this title, the term "edu-
25 cation" includes preschool, elementary, secondary, and post-
26 secondary education.

Section-by-Section Analysis

HIGHER EDUCATION OPPORTUNITY ACT OF 1971

TITLE I--AMENDMENTS TO TITLE I OF THE HIGHER EDUCATION ACT
(COMMUNITY SERVICE AND CONTINUING EDUCATION)

Section 101. Extension of Program

Section 101 of the bill amends section 101 of the HEA by extending the authorization for appropriations for two years, through Fiscal Year 1973, at such sums as may be necessary.

Section 102 makes the amendments made by section 101 effective July 1, 1971.

TITLE II--AMENDMENTS TO TITLE II OF THE HIGHER EDUCATION ACT
(COLLEGE LIBRARY ASSISTANCE)

Section 201. Extension of Program and Reduction of Percentage to be Used for Basic Grants

Section 201 amends Title II by--

(1) extending the authorization for appropriations for Part A for two years (through June 30, 1973) at such sums as may be necessary ;

(2) inserting "particularly developing institutions as defined in title III and community colleges" after "institutions of higher education" in section 201. This language deals with eligible recipients of grants under Part A and emphasizes the eligibility of these institutions to receive grants under Title II.

Section 202. Increase in Percentage of Funds to be Used for Special Purpose and Supplemental Grants

Section 202 amends Title II by--

(1) reducing the percentage of funds available for basic grants from 75 percent to 50 percent of funds appropriated under section 201. The 25 percent differential is made available for special purpose grants under section 204;

(2) repealing sections 201(c) and 201(d) pertaining to assurances required in grant applications, and adding a new 201(c) which requires that applications meet the requirements of section 811. (Section 811 is added by the bill and standardizes assurances required for grants under titles II, III, and V); and

(3) increasing the percentage of funds available for grants under 201(a)(2) from 60 percent of funds available under 204(a)(1) to 80 percent of such funds. (The effect of this amendment, together with (1) above, is to increase the amount of funds available from a maximum of 15 percent of the funds appropriated under section 201 to 40 percent of these funds).

Section 203. Repeal of Research Provision

Section 203 of the bill repeals section 224 of the HEA relating to research. This section duplicates authority contained in the Cooperative Research Act which can be used to fund similar activities.

Section 204. Extension of Training Provision and Transfer to Education Professions Development Act

Section 204 in subsection (a) amends Title II by--

(1) redesignating Part B (Library and Training Research) as "Part G--Library Training";

(2) repealing section 225 of the HEA;

(3) and by transferring the remaining sections of the redesignated Part G to Title V of the HEA (the Education Professions Development Act).

Subsection (b) of section 204 extends the authorization for activities under the new Part G for five years, through FY 1976, at such sums as may be necessary.

Section 205. Repeal of Library of Congress Provision

Section 205 amends Title II of the HEA by repealing Part C which currently authorizes transfer of funds to the Library of Congress. These activities will be funded from Library of Congress appropriations.

Section 206. Change of Headings

Section 206 amends Title II of the HEA by repealing the current heading of Part A (College Library Resources) and by amending the heading of the entire title to read "Academic Library Assistance."

Section 207. Effective Date

Section 207 provides that the amendments made in Title II of the bill shall be effective with respect to fiscal years beginning after June 30, 1971.

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TITLE III--AMENDMENTS TO TITLE III OF THE HIGHER EDUCATION ACT
(STRENGTHENING DEVELOPING INSTITUTIONS)

Section 301. Extension of Program

Section 301 of the bill amends Title III of the HEA by extending the authorization for funds for five years through FY 1976, at such sums as may be necessary.

Section 302. Miscellaneous Amendments

Subsection (a) of section 301 amends section 304(b) by striking out 304(b)(3) and (4) and by amending 304(b)(2) to read "meets the requirements of section 811." These sections pertain to assurances required in grant applications. Section 811 standardizes these assurances for titles II, III, and V.

Subsection (b) of section 301 amends section 302(d) to provide that only institutions which provide a bachelor's degree must meet the requirements of sections 302(a) and 302(b) for five years before such institutions may meet the definition of "developing institutions"; and by striking out "(other than developing institutions)" from section 306 to allow professors emeritus from developing institutions to receive grants under this section.

Section 303. Effective Date

Section 303 provides that the amendments made by Title III of the bill shall be effective with respect to fiscal years beginning after June 30, 1971.

TITLE IV--AMENDMENTS TO TITLE IV OF HIGHER EDUCATION ACT
(STUDENT ASSISTANCE)

PART A--NEW PROGRAMS FOR PROVISION OF FINANCIAL
ASSISTANCE TO STUDENTS

Section 401 of the bill amends Title IV of the HEA in the following manner:

(1) by repealing Part C (Work-Study Programs);

(2) by redesignating Part B as Part C;

(3) by redesignating Parts E and F as F and G respectively;

(4) by repealing section 463 and redesignating sections 461, 462, 464, and 469 as sections 471, 472, 473, and 474 respectively;

(5) by making conforming amendments in the redesignated section 473 and

(6) by adding a new Part A, GENERAL PROVISIONS FOR STUDENT ASSISTANCE.

Section 400 of the new Part A (findings and statement of purpose) states that Congress has found it in the National interest to assist in making available the benefits of postsecondary education to all qualified students who, for lack of financial means of their own or of their families, would be unable to obtain those benefits without such assistance. The section further states that it is the purpose of title IV to provide assistance to students, in the form of grants, loans, and compensation, so that no person capable of benefitting from postsecondary education will be denied it because of financial inability to meet basic postsecondary educational costs.

Section 401 (grants, work-study payments, and subsidized loans) states that it is the purpose of Part A to establish general criteria to be used by eligible institutions in providing assistance in the forms of EOG's, work-study payments, and subsidized loans under Part C. The objective of these criteria is to insure that these forms of assistance will be made available to qualified students in need attending eligible institutions. Such criteria are to be designed to provide a basis for students and potential students to ascertain their eligibility for financial assistance.

Section 402 (basic eligibility for, and amounts of, grants, work-study payments, and resource equalizing loans) in subsection (a) provides that the Secretary shall determine each year the (A) maximum expected family contribution below which students will be eligible for EOG's and work-study payments ("grant eligibility limit") and (B) the maximum expected family contribution below which students will be eligible for subsidized loans under Part C ("loan eligibility limit"). These determinations are to be made after consultation with the Advisory Council on Financial Aid to Students established by section 474.

A student with an expected family contribution which is less than the grant eligibility limit would be eligible for a grant (or work-study payments) in accordance with Part B and for a loan on which an interest subsidy is payable in accordance with section 428(a)(2). A student with an expected family contribution between the loan and grant eligibility limits would be eligible for a subsidized loan only.

Subsection (b) of section 402 provides that a student who meets the requirements of section 405 and of Part B would be eligible for a grant (or the Federal share of work-study payments) equal to the grant eligibility limit less his expected family contribution (as determined by the institution providing the assistance).

Loan amounts would be equal to the loan eligibility limit less the sum of (a) the student's expected family contribution plus (b) the amount of any grant of other payment under Part B which the student receives for the year.

Subsection (c) of section 402 provides that a student shall be eligible for an insured loan under Part C in addition to any assistance described in Part A.

Subsection (d) of section 402 provides that the determination of a student's family income is to be made, pursuant to regulations, by the institution to which he has made an application for assistance and in which he is enrolled or to which he has been admitted.

A student's expected family contribution is defined as an amount which a family is reasonably able to contribute toward the cost of a student's postsecondary education, as determined under criteria of the Secretary. Such criteria are to prescribe schedules for the determination of family contributions which take into account varying family incomes, number of dependents, number of dependents in school, family assets, and other pertinent factors. Such criteria are also to provide for determining eligibility for assistance of students who are self-supporting.

Subsection (e) of section 402 authorizes the Secretary to establish by regulation criteria which would allow institutions to provide financial assistance to a student under Part A in an amount greater than that determined under subsection (b) where the institution finds that special circumstances pertaining to a student of exceptional financial need would render the application of the regular criteria inequitable.

Section 403 (allocation of funds to eligible institutions) would authorize the Commissioner to establish application procedures for allocation of funds appropriated for section 402. The allocation of funds to each eligible institution would reflect an estimate of the total amount of EOG's, work-study payments, and subsidies on loans for which the applying institution would be eligible.

The Commissioner would be authorized to reduce allocations to institutions if institutional estimates exceeded funds available for allocation; however, any such reduction would be made in a manner most likely to achieve an equitable geographical distribution of allocations and to preserve, to the fullest possible extent, payments to students with the lowest expected family contribution.

Section 404 (eligibility of students for cost of education loans and allocation of loan volume to institutions) would authorize the payment of subsidized loan to any student who:

(a) meets the eligibility requirement of section 405;

(b) has an expected family contribution of less than the loan eligibility limit; and

(c) needs financial assistance, in addition to any aid available to him under section 402, in order to meet the reasonable and necessary expenses at the institution which he is attending.

Such subsidized loans would be for an amount not to exceed the reasonable and necessary expenses of the institution, less any amount received under section 402, but in no case could such a loan be made for an amount greater than $1,500.

Subsection (b) of section 404 establishes the manner in which the aggregate dollar amount of loans is to be set for eligible institutions. The allocation to an institution would be based on the institutions's estimate of the dollar amount of loans for which students enrolled or accepted would be eligible, reduced ratably to reflect the amount of funds available for paying subsidies on loans.

Section 405 (recipients of financial assistance) would provide that a student may receive a grant, work-study payments, or a subsidized loan under title IV only if he had been accepted for enrollment as a full-time undergraduate or vocational student at an eligible institution or, in the case of a student already attending such an institution, is in good standing and in full-time attendance there as an undergraduate or vocational student.

In addition, the institution must determine that the student--

(a) shows capability of maintaining good standing in his course of study;

(b) meets the criteria for eligibility under which such assistance is to be made; and

(c) would not, but for such assistance, be financially able to pursue a course of study at such institution.

Section 406 (substitution of NDEA loans) would authorize making a loan under title II of the NDEA instead of a subsidized loan under Part A.

Section 407 (limitation) would limit the total amount of all funds received by a student under title IV in an academic year to the reasonable and necessary expenses incurred at the eligible institution.

Section 408 (eligible institutions) would define "eligible institutions" as follows for the purposes of Parts A and B:

(a) an institution of higher education as defined in section 435(b);

(b) a proprietary institution of higher education as defined in section 471(b); or

(c) a vocational school as defined in section 435(c) which is (1) a public school or institution in any State (other than a school or institution of any agency of the United States), or (2) a nonprofit school or institution in any State.

Section 409 (eligibility for assistance of students enrolled in institutions on date new programs became effective) would provide that students who are enrolled on the date of enactment of the Higher Education Facilities Act and are receiving assistance under Parts A or C (of Title IV HEA) or Title II NDEA (as in effect prior to the date of enactment) will be eligible for EOG's, work-study payments, or subsidized loans on a basis at least equivalent to that upon which they would have received assistance under such authorities.

If the enactment date falls on a date which is not part of an academic year with respect to a student (e.g. summer vacation) and the student received such assistance during the academic year ending prior to such date, similar protection would apply.

Section 410 (appropriations authorized) would authorize such sums as necessary for Fiscal Year 1972 and the next four fiscal years for payments under sections 402 and 404. Thereafter, such sums as necessary are authorized to enable the Commissioner to make payments with respect to subsidized loans made prior to July 1, 1976. Sums would remain available until expended.

Section 402. Conforming Amendment

Section 402 of the bill makes a conforming amendment to section 421(b)(2) of the HEA.

Section 403. New Part B

Section 403 of the bill would insert as Part B of title IV the following:

PART B--EDUCATIONAL OPPORTUNITY GRANTS AND WORK-STUDY PAYMENTS

Section 411 (educational opportunity grants) would authorize eligible institutions to award Educational Opportunity Grants to undergraduate or vocational students and would authorize eligible institutions to substitute an EOG in whole or in part in lieu of work-study payments.

Subsection (b) of section 411 would limit the award of Educational Opportunity Grants to a maximum of four academic years, except where:

(1) the course of study is leading to a first degree and is designed to extend for five years, or

(2) the student would be unable to complete the course of study in four years because of a requirement that he enroll in a noncredit remedial course of study.

In either case, an Educational Opportunity Grant may be awarded for one additional year.

"Noncredit remedial course of study" would be defined as a course of study for which no credit is given toward an academic degree, and which is designed to increase the ability of the student to engage in an undergraduate course of study leading to such a degree.

Subsection (c) of section 411 would limit payments of EOG's under Part B to periods during which the recipient:

(1) is maintaining satisfactory progress in his course of study, according to the regularly prescribed standards and practices of the institution from which he receives such grant; and

(2) is devoting essentially full-time to the course of study. Failure to be in attendance during vacation periods or periods of military service shall not be deemed contrary to this provision.

Section 412 (work-study programs) would authorize eligible institutions to pay for the part-time employment of their students through programs of work-study, in work for the institution itself (except for proprietary schools) or work in the public interest in a public or nonprofit private organization if such work:

(1) will not result in displacement of employed workers or impair existing contracts for services;

(2) will be governed by such conditions of employment as will be appropriate and reasonable in light of such factors as type of work performed, geographical region, and proficiency of the employee; and

(3) does not involve the construction, operation, or maintenance of so much of any facility as is used or to be used for sectarian instruction or as a place for religious worship.

Subsection (b) of section 412 would limit work-study employment to a maximum of an average of 15 hours per week during a semester during which classes in which the student is enrolled are in session. Periods during which the student is on vacation or any period of additional nonregular enrollment are to be excluded in computing the average. Employment under a work-study program during such periods shall be allowed only to the extent authorized by regulations issued by the Commissioner.

Section 413 (work-study benefits in lieu of grant assistance) would provide that the Commissioner may prescribe that a portion of the assistance that an eligible institution would otherwise make available in the form of EOG's may be made available as work-study payments. Subject to regulations, institutions may, at their election, make work-study payments available in whole or in part in lieu of EOG's.

Subsection (b) of section 413 would provide that such substitution may not be made unless--

(1) work-study payments are made on a basis which provides the student with net earnings from the Federal share of such payments equal to the amount of the Educational Opportunity Grants he would have received if such an election had not been made; and

(2) the criteria for making such elections are applied uniformly and are determined by the Commissioner to be consistent with such standards as he may prescribe by regulation.

Subsection (c) of section 413 would authorize a student who has been offered work-study instead of an EOG to elect to receive a subsidized loan under Part C, or a National Defense Student Loan, in the amount of the Federal share of the proffered work-study payments. If the student accepts such a loan, the amount allocated to the institution under section 403 would be adjusted in accordance with regulations of the Commissioner.

Section 414 (agreements with institutions) would prescribe the elements of an agreement which an eligible institution would have to make with the Commissioner in order to receive funds for EOG's or work-study payments. Such agreement would:

(1) provide that the funds received under Part B would be used in accordance with the provisions of Parts A and B;

(2) provide that institutions would conduct a program of Educational Opportunity Grants in accordance with section 411;

(3) provide that the institution will operate a program of work-study in accordance with sections 412 and 413, and that the Federal share of such payments will not exceed 80 percent (except as provided in (b) below).

(4) include procedures satisfactory to the Commissioner to assure that each student eligible for a subsidized loan (or NDSL) in accordance with section 402 will be able to obtain such a loan in the amount for which he is eligible, including provision for loans by the institution to students unable to obtain such loans readily from other eligible lenders;

(5) include, in the case of proprietary schools, assurances that the availability of assistance has not increased, and will not increase, the tuition, fees, and other charges to such students; and

(6) include such other provisions as the Commissioner deems necessary or appropriate.

Subsection (b) of section 414 would authorize a Federal share of work-study payments greater than 80 percent when the Commissioner determines by regulation that such a larger share is required in furtherance of Part B. The following are to be deemed in such furtherance:

(1) the work-study program of an eligible institution in which not less than 50 percent of the students are from low-income families;

(2) programs involving the counseling or tutoring of the educationally disadvantaged; or

(3) any project of community service with respect to which a limitation of 80 percent would impose unusual hardship on the eligible institution or the organization for which such project is performed; or

(4) payment of the non-Federal share would result in a student receiving funds in excess of the limitation imposed by section 407.

Section 415 (expenses of administration) in subsection (a) would authorize an institution which is receiving funds under section 403 to use three percent, or $125,000, whichever is lower, of the aggregate amount of EOG's and work-study payments for payment in lieu of reimbursement for administrative expenses.

Subsection (b) of section 415 would authorize the use of a portion of the sums received for administrative costs of demonstrating, or exploring the feasibility of, a program of cooperative education involving alternate periods of full-time study and full-time work.

Section 404. Effective Date

Section 404 of the bill would provide that amendments made by sections 401, 402, and 403 of the bill would become effective with respect to fiscal years which begin after June 30, 1971.

PART B--AMENDMENT TO STUDENT LOAN INSURANCE PROGRAM

Section 405. Interest Terms to Borrowers Eligible for Subsidized Loans; Secretary to Establish Maximum Interest Rates; Position of Eligible Institution As Eligible Lender Strengthened; Negotiability of Student Obligations

Section 405(a)(1) replaces section 428(a) of the HEA (pertaining to Federal payment of interest costs) with a new subsection (a).

In brief, this new subsection provides that any student who receives a loan after June 30, 1971 which is (1) insured by the Commissioner; (2) made under a State loan program meeting criteria prescribed by the Commissioner; or (3) is insured under a State or nonprofit private agency program, shall be entitled to have paid on his behalf, if he is eligble under Part A, an interest subsidy.

The subsidy shall be equal to:

(1) the total amount of interest which accrues prior to the beginning of the loan repayment period or which accrues when no principal payment need be made (military service, Peace Corps, etc); and

(2) the difference between the per annum interest rate on the unpaid balance of the loan and three percent of such unpaid balance for a period of ten years, beginning with the date the loan repayment commences.

Loan holders would be required to file information with the Commissioner to enable him to determine the amount of subsidy payable. Loan holders would be deemed to have a contractural right to receive interest payments authorized under this section.

No payment could be made under section 428 towards a loan made under Title II NDEA.

Subsection (b) of section 405 makes a conforming amendment to section 437.

Subsection (c)(1) of section 405 would amend section 427(b) to allow the Secretary to set the maximum rate of interest on guaranteed student loans at a rate not less than the average annual rate on all interest-bearing obligations of the United States forming a part of the public debt, as computed at the end of the fiscal year preceding the year for which such rates are prescribed. The Secretary is to consult with the Secretary of the Treasury and the National Student Loan Association.

Subsection (c)(2) makes a conforming amendment to 427(a)(2)(D).

Subsection (c)(3) makes a conforming amendment to 428(b)(1)(E).

Subsection (c)(4) makes a conforming amendment to 428(d)(1).

Subsection (d)(1) would amend section 423(a) to provide that the Commissioner shall not issue certificates of insurance under section 429, except with respect to loans by eligible institutions, when he determines that reasonable access to a State or private nonprofit loan insurance programs exist. This provision would strengthen the position of eligible institutions as eligible lenders by allowing these institutions to have loans insured by the Commissioner even if they are in an area otherwise covered by a State or nonprofit private loan insurance program.

Subsection (d)(2) would amend section 429(d) to allow assignment of rights arising under insurance evidenced by a certificate of insurance, subject to regulations of the Commissioner.

Section 406. Increase and Other Adjustments in Loan Ceilings

Section 406(a) of the bill would replace section 425 (pertaining to limitations on individual Federally insured loans and on Federal loan insurance) with a new section 425.

Subsection (a) of the new section 425 would limit the total amount of loans made to any student and eligible for insurance by the Commissioner to $2,500 per academic year less (1) any loan made to the student under a State loan program during such academic year or (2) any insured loan made by a State or nonprofit private agency or organization which has entered into an agreement with the Commissioner under 428(b) or (c). A student would be eligible to receive loans insured by the Commissioner for seven academic years less the number of academic years in which he has received loans described in the previous sentence.

Subsection (b) of the new section 425 would provide that, subject to the limitations in (a), the maximum amount of a loan on which an interest subsidy is payable under Part A shall be determined by the Secretary; and that the maximum amount of a loan to any student insured by the Commissioner is limited to the reasonable and necessary expenses incurred by the student (reasonable and necessary to be determined by institution). A student would be entitled to a statement from the eligible institution which shows the maximum loan and the estimate of reasonable and necessary expenses.

Subsection (c) of the new section 425 would provide that the insurance liability on any loan insured by the Commissioner is to be 100 percent of the unpaid balance of the principal, excluding any interest, except as specified elsewhere.

Subsection (b) of section 406 makes conforming amendments to sections 428(b)(1)(A), (B), and (H) to reflect changes made by the new section 425.

Section 407. Deferral of Interest and Principal Payments

Section 407(a)(1) would redesignate 427(a)(2)(E), (F) and (G) as (F), (G) and (H) and add a new clause (E) which would authorize a student borrower, with the agreement of the lender, to defer interest and principal payments for a period not to exceed five years. Deferred interest would accrue and be added to the principal on the date that repayment was to begin. Any insurance liability would be increased by the amount of the deferred accrued interest.

Subsections 407(a)(2) and (3) would make conforming amendments to 427(a)(2)(D) and (C) respectively.

Subsection 407(b)(1) would add a new clause (I) to 428(b)(1) which would provide that periodic repayment of interest and principal on loans need not be made, but interest would accrue, while the borrower:

(1) was pursuing a full-time course of study at an eligible institution;

(2) was in the Armed Forces of the United States (for a period not to exceed three years);

(3) was a Peace Corps volunteer (for a period not to exceed three years); or

(4) was a VISTA volunteer (for a period not to exceed three years).

Subsection (2) of section 407(b) would amend section 428(e) of the HEA by replacing it with a new (e) which would authorize the Commissioner to encourage the inclusion, in State or nonprofit private loan insurance programs, of provisions which would allow the borrower, if agreed to by the lender, to defer periodic repayment of interest and principal for a period not to exceed five years. Deferred interest would accrue and be added to the principal on the date that payments were to resume. Insurance liability and Federal guarantees would be increased accordingly.

Section 408. Extension of Permissible Repayment Period

Section 408(a)(1) would amend section 427(a)(2)(B) of the HEA to change the repayment period of loans. A student would be allowed to take twenty years to repay his loan, rather than the ten currently authorized. Payments would begin nine months after the borrower ceased to carry at least a half-time work load at an eligible institution. Periods of deferment authorized by law would not be counted in determining the twenty year period.

Subsections 408(b)(1) and (2) make conforming amendments to 428(b)(1)(D) and 428(b)(1)(C) respectively.

Section 409. Extension of Program and Repeal of Previous Federal Loan Insurance Ceiling

Section 409 would replace the current section 424 of the HEA with a new section which would limit Federal insurance of loans to loans made to students prior to July 1, 1976. After this date, such insurance could be granted only on loans made to students who had obtained prior loans. No insurance would be authorized for any loan made or installment paid after June 30, 1980.

Section 410. Repeal of Cancellation of National Defense Student Loans

Section 410 would amend section 205(b)(3) of the NDEA by repealing such section (providing for cancellation for teaching services and service in the Armed Forces).

Section 411. Eligibility for National Defense Student Loans

Section 411 would amend section 205(b) of the NDEA by providing that loans made from the NDSL fund shall be subject to such priorities as the Secretary may establish pursuant to title IV of the HEA.

Section 412. Authority to Maintain Student Loan Funds

Section 412 would amend section 206 of the NDEA to maintain the NDSL fund for an additional five years, through fiscal year 1980.

Section 413. Effective Date Applicable to Sections 405 Through 411

Section 413 would provide that sections 405-411 would be effective with respect to loans made or disbursed to students after June 30, 1971.

PART B--ESTABLISHMENT OF NATIONAL STUDENT LOAN ASSOCIATION

Section 420. New Part D

Section 420 of the bill would amend Part D of title IV of the HEA (Cooperative education program) replacing it with a new Part D--National Student Loan Association.

Section 441 (Declaration of purpose) of the new Part D would provide that it is the purpose of Part D to establish a private corporation financed by private capital to serve as a secondary market for student loans insured under Part C and to provide liquidity for those who make such loans.

Section 442 (creation of agency) would create a corporation known as the National Student Loan Association to remain in existence until dissolved by Act of Congress. The corporation would be deemed a resident of the District of Columbia for purposes of venue and civil actions.

Subsection (b) of section 442 would provide that the Association is to be exempt from State and local taxes, except that any real property may be taxed as other real property is taxed.

Section 443 (board of directors) in subsection (a) would provide for a 21-member Board of Directors.

Subsection (b) of section 443 would authorize the President to appoint an interim board of 21 members. Seven members would be representative of eligible lenders (other than eligible institutions) under Part C, seven of eligible institutions, and the remaining seven of the general public. The interim Board would arrange for the initial offering of common stock.

Subsection (c) of section 443 would authorize election of a permanent Board whenever, in the judgment of the President, sufficient common stock of the Association had been purchased. Holders of common stock which were eligible institutions would elect seven members, holders which were banks or other financial institutions would elect seven, and the President would

appoint the remaining seven. Members elected and appointed would elect a chairman. Thereafter the interim Board would turn over the affairs of the Association to the regular Board.

Subsection (e) of section 443 would provide for terms of office for Board members. Presidential appointees would serve at the pleasure of the President. Other members would be elected for a term ending on the date of the next annual meeting of the common stockholders. Appointive seat vacancies would be filled by the President; elective seat vacancies would be filled by the Board for the remainder of the term.

Subsection (f) of section 443 would provide that the Board shall meet at the call of the Chairman. The Board would determine general policies, while the Chairman, with the approval of the Board, would select, appoint, and compensate staff members authorized in bylaws. Such persons would discharge all executive functions, powers, and duties of the Association.

Section 444 (functions) would authorize the Association to make advances on the security of, or to purchase, service, sell, or otherwise deal in student loans made under Part C. Advances could not exceed 80 percent of the face amount of the loan; proceeds from any such advance would be invested in additional insured student loans.

Section 445 (common stock) would authorize common stock, with a par value of $100 per share. Each share of stock would have one vote, with rights of cumulative voting at all elections of directors.

Common stock would be transferrable only on the books of the Association. The Secretary would be authorized to prescribe the maximum number of shares to be issued and outstanding at any one time. Shares could be called for retirement at par at the option of the Association at any time.

The Directors would be authorized to declare dividends to the extent of net income earned and realized. Dividends would be paid to the holders of outstanding shares of common stock.

Section 446 (obligations) would authorize the Association, with the approval of the Secretary of the Treasury, to issue obligations having maturities and bearing such rates of interest as may be determined by the Secretary of the Treasury. Obligations would be redeemable before maturity at the option of the Association.

Subsection (b) of section 446 would authorize the Secretary of HEW to guarantee payment when due of principal and interest on such obligations.

Subsection (c) of section 446 would authorize the Secretary of HEW to issue notes or obligations to the Secretary of the Treasury in order to discharge his responsibilities under such guarantees. The Secretary of the Treasury would be authorized and directed to purchase such notes and could further sell any notes or obligations thus purchased. Such sums as necessary would be authorized to be appropriated to the Secretary of HEW to pay the principal and interest payments on such notes.

Section 447 (general authority) would give the Association authority--

(a) to sue and be sued, complain and defend, in its corporate name and through its own counsel;

(b) to adopt, alter, and use a corporate seal, which shall be judicially noticed;

(c) to adopt, amend, and repeal by its board of directors such bylaws, rules, and regulations as may be necessary for the conduct of its business;

(d) to conduct its business, carry on its operations, and have offices and exercise the authority granted by this part in any State without regard to any qualification or similar statute in any State;

(e) to lease, purchase, or otherwise acquire, own, hold, improve, use, or otherwise deal in and with any property, real, personal, or mixed, or any interest therein, wherever situated;

(f) to accept gifts or donations of services, or of property, real, personal, or mixed, tangible or intangible, in aid of any of the purposes of the Association;

(g) to sell, convey, mortgage, pledge, lease, exchange, and otherwise dispose of its property and assets;

(h) to appoint such officers, attorneys, employees, and agents as may be required, to determine their qualifications, to define their duties, to fix their salaries, to require bonds for them and fix the penalty thereof; and

(i) to enter into contracts, to execute instruments, to incur liabilities, and to do all things necessary or incidental to the proper management of its affairs and the proper conduct of its business.

Section 448 (audit) would require an audit of the Association's activities at least annually. Such audits would be conducted in accordance with generally accepted auditing standards by independent certified public accountants or by independent licensed public accountants, licensed on or before December 31, 1970, who were licensed or certified by a regulatory authority of a State or other political subdivision of the United States. Other persons who, in the opinion of the Secretary of HEW, met the standards of education and experience representative of the highest standards prescribed by the licensing authorities of the States which license CPA's could perform such audits until December 31, 1975. The Secretaries of HEW and the Treasury would receive copies of such audits.

Section 449 (obligations as lawful investments, acceptance as security) would classify all obligations issued by the Association as lawful investments. All stock and obligations issued by the Association would be deemed to be exempt securities within the meaning of the laws administered by the S.E.C. to the same extent as securities which are direct obligations of or obligations guaranteed as to principal or interest by the United States. The Association would be deemed to be an agency of the United States for the purposes of section 14(b)(2) of the Federal Reserve Act.

appoint the remaining seven. Members elected and appointed would elect a chairman. Thereafter the interim Board would turn over the affairs of the Association to the regular Board.

Subsection (e) of section 443 would provide for terms of office for Board members. Presidential appointees would serve at the pleasure of the President. Other members would be elected for a term ending on the date of the next annual meeting of the common stockholders. Appointive seat vacancies would be filled by the President; elective seat vacancies would be filled by the Board for the remainder of the term.

Subsection (f) of section 443 would provide that the Board shall meet at the call of the Chairman. The Board would determine general policies, while the Chairman, with the approval of the Board, would select, appoint, and compensate staff members authorized in bylaws. Such persons would discharge all executive functions, powers, and duties of the Association.

Section 444 (functions) would authorize the Association to make advances on the security of, or to purchase, service, sell, or otherwise deal in student loans made under Part C. Advances could not exceed 80 percent of the face amount of the loan; proceeds from any such advance would be invested in additional insured student loans.

Section 445 (common stock) would authorize common stock, with a par value of $100 per share. Each share of stock would have one vote, with rights of cumulative voting at all elections of directors.

Common stock would be transferrable only on the books of the Association. The Secretary would be authorized to prescribe the maximum number of shares to be issued and outstanding at any one time. Shares could be called for retirement at par at the option of the Association at any time.

The Directors would be authorized to declare dividends to the extent of net income earned and realized. Dividends would be paid to the holders of outstanding shares of common stock.

Section 446 (obligations) would authorize the Association, with the approval of the Secretary of the Treasury, to issue obligations having maturities and bearing such rates of interest as may be determined by the Secretary of the Treasury. Obligations would be redeemable before maturity at the option of the Association.

Subsection (b) of section 446 would authorize the Secretary of HEW to guarantee payment when due of principal and interest on such obligations.

Subsection (c) of section 446 would authorize the Secretary of HEW to issue notes or obligations to the Secretary of the Treasury in order to discharge his responsibilities under such guarantees. The Secretary of the Treasury would be authorized and directed to purchase such notes and could further sell any notes or obligations thus purchased. Such sums as necessary would be authorized to be appropriated to the Secretary of HEW to pay the principal and interest payments on such notes.

Section 450 (preparation of obligations) would authorize the Secretary of the Treasury to prepare obligations for the Association. The Association would reimburse Treasury for such expenses.

Section 451 (annual report) would require the Association to transmit an annual report to the President and Congress as soon as practicable after the end of each fiscal year.

Section 452 (separability) provides for the separability of the remainder of Part D if any section is held invalid.

Section 453 (interim financing arrangements for student loans) would authorize the Secretary of HEW to purchase subsidized loans from eligible institutions at 100 percent of unpaid principal and accrued interest until such time as the Association is able to purchase these loans. The Secretary would also be directed to advance funds to eligible institutions against future purchases of such loans where, in his judgment, such funds are needed for the making of loans.

Finally, the Secretary could enter into agreements with such institutions from which he has purchased such loans under which agreement the institution would continue to perform administrative functions with respect to the loans purchased by the Secretary and be reimbursed for the cost of such services.

Section 454 (authorization of appropriations) would authorize such sums as are necessary to carry out section 453.

Section 455 (termination of interim financing arrangement) would provide that, at such time as the Association is able to purchase student loans insured under Part C, the Association shall purchase from the Secretary those loans which he acquired under section 453(a). These loans would be purchased by the Association on such terms as the Board of Directors determined; and the Association could not deal in any other student loans until all of these loans had been purchased.

Section 456 (purchase of obligations by the Treasury) would authorize the Secretary of the Treasury to purchase obligations issued by the Association under section 446(a). For such purpose he would be authorized to use as a public debt transaction the proceeds from the sale of securities issued under the Second Liberty Band Act. The aggregate total amount of such purchases would be limited to $250,000,000. The Secretary of the Treasury would be authorized to sell any such obligations purchased; such sales would be treated as public debt transactions of the United States.

Section 421. Amendments Relating to Financial Institutions

Section 421 makes conforming amendments to 12 U.S.C. 24, 12 U.S.C. 84, 12 U.S.C. 1464(c) and 12 U.S.C. 1757(8)(E) to provide for obligations of the Association.

Section 422. Inapplicability of Truth In Lending Act

Section 422 would amend section 104 of the Truth in Lending Act (15 U.S.C. 1603) to make such act inapplicable to loans made under title II NDEA and title IV HEA. Insured loans are made on Federally prescribed teams; consequently, the paperwork burden involved for lenders in complying with the Truth In Lending Act is not justified, since it does not serve to further protect the student borrower.

Section 423. Effective Date

Section 423 would make the effective date of sections 420, 421, and 422 of the bill effective with respect to fiscal years beginning after June 30, 1971.

PART C--CONSOLIDATION OF SPECIAL SERVICES PROGRAMS

Section 430. New Part E

Section 430 of the bill amends Title IV of the HEA by adding a new Part E entitled "Identifying Qualified Low-Income Students; Preparing Them for Postsecondary Education; Special Services for Such Students in Institutions of Higher Education".

Section 461 of the new Part E provides for a consolidation of Upward Bound, Talent Search, and Special Services for Disadvantaged Students. These programs are currently authorized under section 408 of the Higher Education Act.

Subsection (a) of section 461 authorizes the Commissioner to make grants to, or contracts with, institutions of higher education, including institutions with vocational and career education programs, combinations of such institutions, public and private agencies and organizations (including professional and scholarly associations), and in exceptional cases secondary schools and secondary vocational schools. Such funds are to be used for planning, developing, or carrying out within States one or more of the activities described in (c) below. No grant may be made to a profit-making organization.

Subsection (b) of section 461 states that services shall be designed to enable youths from low-income backgrounds who have academic potential (but may lack adequate secondary school preparation or be physically handicapped) to enter, continue or resume a program of postsecondary education.

Subsection (c) of section 461 describes the services referred to, including such activities as:

(1) publicizing existing forms of student financial aid;

(2) identifying youths described in subsection (b) and encouraging them to complete secondary school and to undertake postsecondary education;

(3) encouraging youths who have dropped out of secondary school or college to reenter educational programs, including programs of postsecondary education;

(4) generating skills and motivation necessary for success in education beyond high school;

(5) providing counseling, tutorial, or other educational services, including special summer programs, to remedy academic deficiencies;

(6) providing career guidance, placement, or other student personnel services (including health services);

(7) identifying, encouraging, and counseling students with a view to their undertaking a program of graduate or professional education; and

(8) providing other special or supplemental services necessary to achieve the purposes set forth in subsection (b).

Subsection (d) of section 461 provides that enrollees who are participating on an essentially full-time basis in one or more of the services described in (c) above may be paid stipends, but not in excess of $30 per month, except in exceptional cases as determined by the Commissioner.

Subsection (e) of section 461 authorizes such sums as may be necessary for fiscal year 1972 and each of the four succeeding years to carry out the purposes of Part E.

Section 431. Effective Date

Section 431 of the bill provides that amendments made by section 430 of the bill shall be effective with respect to fiscal years beginning after June 30, 1971.

TITLE V--AMENDMENTS TO TITLE V OF HIGHER EDUCATION ACT
(EDUCATION PROFESSIONS DEVELOPMENT ACT)

PART A--AMENDMENTS TO PART A OF TITLE V

Section 501. Extension of National Advisory Council on Education Professions Development and Program for Attracting Qualified Personnel to the Field of Education

Subsection (a) of section 501 extends the authorization for the National Advisory Council on Education Professions Development for five more years, through fiscal year 1976, at the level of $200,000 per year.

Subsection (b) of section 501 extends the authorization for programs under Part A (Attracting Qualified Persons to the Field of Education) for five additional years, through fiscal year 1976, at such sums as may be necessary.

PART B--AMENDMENTS TO SUBPART I OF PART B (TEACHER CORPS)

Section 510. Extension of Program

Section 510 amends section 511(b) of the Higher Education Act to extend the authorization for the Teacher Corps for five years, through fiscal year 1976, at such sums as may be necessary.

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PART C--AMENDMENTS TO SUBPART 2 OF PART B (ATTRACTING AND QUALIFYING TEACHERS TO MEET CRITICAL TEACHER SHORTAGES)

Section 520. Extension of Programs

Section 520 amends section 518(b) of the Higher Education Act to extend the program for attracting and qualifying teachers to meet critical teacher shortages for five years, through fiscal year 1976 at such sums as may be necessary.

Section 521. Retraining of Teachers and Employment of Tutors and Instructional Assistants

Section 521 amends section 518(a) of the Higher Education Act by adding two new programs under the authority for attracting and qualifying teachers to meet critical teacher shortages: (1) programs to employ high school and college students as tutors or instructional assistants for educationally disadvantaged children. (The Commissioner of Education is authorized to determine compensation rates for such persons, consistent with comparable federally-supported work-study programs); and (2) to provide necessary training to teachers to enable them to teach other grades or other subjects in which shortages exist.

Section 522. Reducing Minimum Allotment

Section 522 would amend section 519(a) of the HEA to reduce the minimum State allotment under subpart 2 from $100,000 to $50,000.

Section 523. Conforming Amendments and Increase in Amount Available for Administration

Section 523 amends section 520(a)(2) and 520(a)(3) to make conforming amendments (adding the items described in 521 above as eligible items of expenditure in the State plan). It also raises the maximum amount which a State may spend for administration of the State plan from 3 percent of the State's allocation to 5 percent or $20,000, whichever is greater.

Section 524. Eliminating Ceiling on Amount for Aides

Section 524 amends section 520(a) of the HEA by eliminating paragraph (5) which limits the amount of funds available for hiring and training teacher aides to one-third of funds appropriated for Part B(2) of the Education Professions Development Act. This section also amends paragraph (6) to provide that no person will be denied admission to training programs under subpart 2 because he is teaching or serving as a teacher aide in a private school.

PART D--AMENDMENTS TO PART D--IMPROVING TRAINING OPPORTUNITIES FOR NON-HIGHER EDUCATION PERSONNEL

Section 530. Extension of Program

Section 530 amends section 532 of the Higher Education Act by extending authorization for Part D for five years, through fiscal year 1976, at such sums as may be necessary.

Section 531 and 532. Support of Tutors and Instructional Assistants

Section 531 amends section 531(b) of the Higher Education Act by adding a new paragraph (11) to the list of eligible programs. Paragraph (11) authorizes programs or projects designed to employ tutors or instructional assistants in preschool, elementary, and secondary school classes, especially for educationally disadvantaged children.

Section 532 amends section 531(c) of the Higher Education Act to allow use of funds to pay tutors and instructional assistants at such rates as the Commissioner may determine to be comparable to compensation rates in Federally-supported work-study programs.

Sections 533 and 534. Developing and Strengthening Programs for the Education of Teachers and Related Educational Personnel

Section 533 amends section 531(b) by adding a new paragraph (12) to the list of eligible programs. Paragraph (12) describes programs designed to aid undergraduate programs designed to prepare educational personnel. Such programs would include exemplary undergraduate training programs, the introduction of high quality curricula, and provision of increased opportunities for practice teaching experience for prospective elementary and secondary school teachers.

Section 534 amends section 531(c) of the Higher Education Act to allow the use of funds to pay for programs to develop, expand, or improve undergraduate and other programs for training educational personnel.

Section 535. Application of Part D to Indian Schools

Section 535 amends section 532 of the Higher Education Act to add a new subsection (b) to provide that Part D funds may be used to support the preparation of teachers of children on Indian Reservations serviced by the Bureau of Indian Affairs schools and schools supported by the BIA. Payments are to be made to the Secretary of the Interior to carry out such programs.

PART E--CONSOLIDATION OF TITLE IV OF THE NATIONAL DEFENSE EDUCATION ACT OF 1958 WITH PART E OF TITLE V OF THE HIGHER EDUCATION ACT OF 1965 (EDUCATION PROFESSIONS DEVELOPMENT ACT)

Section 540. Extension of Program

Section 540 amends section 543 of the Higher Education Act by extending the authorization for Part E for five years, through Fiscal Year 1976, at such sums as may be necessary.

Section 541. Broadening Class of Institutions for Which Personnel May be Trained

Section 541 amends section 541(a) by changing the eligible class of grantees and contractors under Part E from "institutions of higher education" to "postsecondary institutions".

Subsection (b) of section 541 amends section 541 (b) of the Higher Education Act by repealing the prohibition against using Part E funds for fellowships which are eligible for support under title IV of the National Defense Education Act of 1958.

Section 542. Provision for Institutional Allowance

Section 542 amends section 542 of the Higher Education Act by adding a new subsection (b) which provides that the Commissioner of Education may pay eligible institutions which award stipends under section 542(a) an institutional allowance consistent with prevailing practices under comparable federally-supported programs, but in no case more than $3,500 per academic year for each person receiving such a stipend.

Section 543. Savings Provision

Section 543 provides that effective July 1, 1971, title IV of the National Defense Education Act is repealed. In the case of a fellowship awarded under title IV, NDEA, for which initial payment was made or was to be made from appropriations for any fiscal year ending before July 1, 1971, payments are to be made for periods after June 30, 1971, from appropriations for Part E, title V of the HEA, but under the terms and conditions of title IV, NDEA.

PART F--AMENDMENT TO PART F--TRAINING AND DEVELOPMENT OF VOCATIONAL EDUCATION PERSONNEL

Section 550. Extension of Program

Section 550 amends section 555 of the Higher Education Act by extending authorizations for Part F through fiscal year 1976 at such sums as may be necessary.

Section 551. Effective Date

Section 551 provides that, except where otherwise expressly provided, amendments made by title V of the bill are to be effective with respect to fiscal years beginning after June 30, 1971.

TITLE VI--REPEAL OF TITLES VI, VIII, IX, X, AND XI
OF THE HIGHER EDUCATION ACT

Section 601 repeals Title VI (Improving Undergraduate Instruction), Title VIII (Networks for Knowledge), Title IX (Education for the Public Service), Title X (Improvement of graduate programs) and Title XI (Law School Clinical Programs) effective July 1, 1971.

TITLE VII--AMENDMENTS TO GENERAL PROVISIONS

Section 701. Redesignation of Title XII
(General Provisions)

Section 701 of the bill redesignates title XII of the Higher Education Act as title VIII and renumbers sections accordingly.

Subsection (b) of section 701 amends title VIII, as redesignated, by inserting a new section 811 providing for uniform application requirements applicable to applications under titles II, III, and V submitted to the Commissioner by an institution of higher education or other eligible applicant. Such an application would be required to contain assurances satisfactory to the Commissioner with respect to maintenance of effort, fiscal control and fund account procedures, evaluation and dissemination procedures, and reporting requirements.

Section 702. Effective Date

Section 702 makes the amendments made by section 701 effective July 1, 1971.

TITLE VIII--AMENDMENTS TO HIGHER EDUCATION FACILITIES ACT

Section 801. Extension of Program

Section 801 amends the following sections:

(a) Section 101(b) of the Higher Education Facilities Act is amended to extend the authorization for grants for construction of academic facilities under title I through fiscal year 1973 at such sums as may be necessary;

(b) Section 105(b) of the Higher Education Facilities Act is amended to extend the authorization for expenditures under section 105(b) (State plan administration and comprehensive planning) through 1973 at such sums as may be necessary;

(c) Section 201 of the Higher Education Facilities Act is amended to extend the authorizations for grants under title II (Construction of Graduate Academic Facilities) through fiscal year 1973 at such sums as are necessary;

(d) Section 303(c) of the Higher Education Facilities Act is amended to extend authorization for payments into the loan fund under title III (Loans for Construction of Academic Facilities) through fiscal year 1973 at such sums as are necessary;

(e) Section 306(c) of the Higher Education Facilities Act is amended to extend the ceiling for contracts for interest grants at $18,500,000 through fiscal year 1973.

(f) Section 408(a) of the Higher Education Facilities Act is amended to extend the authority of the Commissioner to provide assistance under section 408 (Higher Education Facilities Construction Assistance in Major Disaster Areas) through fiscal year 1973.

Section 802. New Program of Insured Loans for Construction of Nonprofit Private Academic Facilities

Section 802 amends title III of the Higher Education Facilities Act by inserting after section 306 the following new sections 307-309.

Section 307 (academic facilities loan insurance) of the revised Title III authorizes the Commissioner to insure (up to 90 percent of the principal) the payment of interest and principal on loans made by nonprofit private institutions of higher education and nonprofit private higher education building agencies for the purpose of constructing academic facilities. Such institutions or agencies would have to meet the criteria prescribed by, and under section 306 of the HEFA.

Section 308 (right of recovery and incontestable nature of insurance) in subsection (a) provides that the United States shall be entitled to recover from any institution of higher education or agency to which loan insurance has been issued under section 307 the amount of any payment made pursuant to such insurance, unless the Commissioner waives this right.

Subsection (b) of section 308 states that any insurance issued under section 307 shall be incontestable in the hands of the institution or agency on whose behalf such insurance is issued, and as to any agency, organization, or person who makes or contracts to make a loan to such institution or agency in reliance thereon, except in the case of fraud or misrepresentation.

Section 309 (conditions) provides that the Commissioner may issue insurance under section 307 only if he determines that all aspects of the loan are sufficient to protect the financial interests of the United States and are in accordance with regulations. Such determination shall include a finding that the interest rate on any such loan is reasonable. The Commissioner would be authorized to charge reasonable premiums for such insurance to cover administrative expenses and probable losses under sections 307 and 308. The insurance would be subject to such further terms and conditions as the Commissioner determines to be necessary.

Section 803. Making Revolving Loan Fund Available for Loan Insurance

Section 803 of the bill makes amendments to section 305 of the HEFA which would allow the use of funds in the HEFA revolving fund to insure loans as well as to make direct loans.

Section 804. Effective Date

Section 804 makes amendments made by sections 801 and 802 effective July 1, 1971. Amendments made by section 803 are to be effective as if enacted on the date of enactment of section 305 of the HEFA.

TITLE IX--EXTENSION OF PROGRAM UNDER TITLE VI OF THE NATIONAL DEFENSE EDUCATION ACT

Section 901. Extension of Program

Section 901 amends section 601 by extending the authorization for activities under title VI for two fiscal years, through fiscal year 1973. Section 603 is amended to extend the authorization for appropriations for two fiscal years, through fiscal year 1973, at such sums as may be necessary.

Section 902. Effective Date

Section 902 makes the amendments made by section 901 effective July 1, 1971.

TITLE X --NONDISCRIMINATION ON THE GROUND OF SEX IN FEDERALLY ASSISTED EDUCATION PROGRAMS

Section 1001. Discrimination Prohibited

Section 1001 of the bill in subsection (a) provides that no person in the United States shall, on the ground of sex, be discriminated against by a recipient of Federal financial assistance for any educational program or activity. This language does not, however, preclude differential treatment based upon sex where sex is a bona fide ground for such differential treatment.

Subsection (b) of section 1001 provides that no recipient of Federal financial assistance for an education program or activity shall, because of an individual's sex,

(1) fail or refuse to hire (except in instances where sex is a bona fide occupational qualification) or discharge that individual, or otherwise discriminate against him or her with respect to compensation, terms, conditions, or privileges of employment; or

(2) limit, segregate, or classify employees in any way which would deprive or tend to deprive that individual of employment opportunities or otherwise adversely affect his or her status as an employee.

Section 1002. Enforcement

Section 1002 in subsection (a) authorizes and directs each Federal department and agency which is empowered to extend Federal financial assistance in any form (other than a contract of insurance or guaranty) to any education program or activity to issue rules, regulations, or orders to effectuate section 1001. No rule, regulation or order is to take effect until approved by the President.

Subsection (b) of section 1002 provides that compliance with any requirement adopted pursuant to subsection (a) may be effected by (1) termination of or refusal to grant to or to continue assistance to any recipient who fails to comply with such requirement (after a hearing and an express finding on the record), such termination or refusal to be limited to the particular political entity or part thereof, or other recipient as to whom such finding has been made, or (2) by any other means authorized by law. No action is to be taken until the appropriate person or persons has been notified of the violation and it has been determined that voluntary compliance cannot be secured.

Subsection (c) of section 1002 provides that, in the case of any action to terminate, the head of the Federal department or agency shall file with the committees of the House and Senate having legislative jurisdiction over the program or activity involved a full written report of the circumstances and the grounds for such action. No action is to become effective until thirty days from the filing of such report.

Section 1003. Judicial Review

Section 1003 provides that any department or agency action taken pursuant to section 1002 shall be subject to such judicial review as may otherwise be provided by law for similar action taken by such department or agency on other grounds. In the case of action, not otherwise subject to judicial review, terminating or refusing to grant or to continue financial assistance upon a finding of failure to comply with any requirement imposed pursuant to section 1002, any person aggrieved (including any State or political subdivision thereof and any agency of either) may obtain judicial review of such action in accordance with chapter 7 of title 5, U.S.C., and such action shall not be deemed committed to unreviewable agency discretion within the meaning of the chapter.

Section 1004. Preservation of Existing Authority

Section 1004 provides that nothing in title X shall add to or detract from any existing authority with respect to any education program or activity

under which Federal financial assistance is extended by way of a contract of insurance or guaranty.

Section 1005. Definition

Section 1005 defines "education" for the purposes of title X as including preschool, elementary, secondary and postsecondary education.

FACT SHEET

HIGHER EDUCATION OPPORTUNITY ACT OF 1971
(Excluding Student Financial Aid Programs)

Department of Health,
Education, and Welfare
February, 1971

FACT SHEET

HIGHER EDUCATION OPPORTUNITY ACT OF 1971

(Excluding Student Financial Assistance Provisions)

The following is a brief synopsis of the major provisions of the Higher Education Opportunity Act of 1971, excluding the provisions of Title IV relating to student financial assistance.

Title I

Title I of the HEOA extends existing community service and continuing education programs under Title I of the Higher Education Act for two years, through June 30, 1973.

Title II

Title II extends and amends the library programs contained in Title II of the HEA. At present there are three types of grants made under Title II--basic, supplemental, and special purpose grants. The bill would change the percentage of funds appropriated for Part A which would be available for each of these types of grants. Basic and supplemental grants would be reduced from 75 to 50 percent of the sums appropriated for Part A. The remaining 50 percent would be available for making special purpose grants. Grants under Part A are extended for two years, through June 30, 1973.

The research and demonstration provisions of Part B are repealed since they duplicate authority which already exists under the Cooperative Research Act. The librarian training authority in Part B is moved to a new Part G in Title V of the HEA (the Education Professions Development Act).

Part C, authorizing transfer of funds to the Library of Congress for the Library's use in acquiring valuable materials and in preparing cataloging

information, is repealed. These activities will be funded from Library of Congress appropriations.

Title III

Title III extends programs for Strengthening Developing Institutions under Title III of the HEA for five years, through June 30, 1976. Technical amendments clarify the requirements for participation of institutions which offer less than the bachelor's degree and provide that Professors Emeritus may come from the developing institutions themselves, as well as from stronger and more recognized colleges and universities.

Title IV

Title IV contains amendments to student financial aid programs.

Title V

Title V amends and extends programs dealing with the training of educators authorized by the Education Professions Development Act (Title V HEA). The provisions of Title V are:

Part A extends the authorization for the National Advisory Council on Education Professions Development for five years, through June 30, 1976, and also extends for five years the authorization for the program for attracting qualified persons to the field of education.

Part B extends the authorization for the Teacher Corps for five years, through June 30, 1976.

Part C amends the program for attracting and qualifying teachers to alleviate teacher shortages by encouraging high school and college students to serve as tutors or instructional assistants for educationally disadvantaged children. The amendments provide for compensation of these persons.

Authority is also added to provide necessary training to teachers to enable them to teach other grades or other subjects in which teacher shortages exist

The basic program itself is extended for five years, through June 30, 1976. This part also increased the amount available for administration of the State Plan from three percent to five percent or $20,000, whichever is greater, and eliminates the provision requiring that no more than one-third of the funds under this section shall be used for teacher aides.

Finally, the minimum State allotment under B(2) is reduced from $100,000 to $50,000.

Part D extends the authorization for the program of improving training opportunities for personnel serving in programs of education other than higher education for five years, through June 30, 1976, and amends it to provide for projects to encourage persons to serve as tutors in preschool, elementary, and secondary school classes, especially for disadvantaged children. In addition, Part D provides for compensation for these persons.

This part would also provide for programs for the development, expansion, or improvement of undergraduate programs for preparing educational personnel and for practice teaching experiences for prospective teachers in elementary and secondary schools.

Finally, Part D amends the training program by permitting the Commissioner to make payments to the Secretary of the Interior to carry out the program with respect to persons who are preparing to serve as teachers in schools operated on Indian reservations by the Department of Interior.

Part E consolidates the Title IV NDEA fellowship programs with Part E of the Education Professions Development Act and extends Part E for five years, through June 30, 1976. Provisions are included to insure that no student will receive less under the consolidated authority than he is currently receiving.

Part F extends the training program for vocational education personnel through June 30, 1976.

Title VI

Title VI repeals the following titles of the HEA: Title VI (Improvement of Undergraduate Instruction); Title VIII (Networks for Knowledge); Title IX (Education for the Public Service); Title X (Improvement of Graduate Programs); and Title XI (Law School Clinical Programs). The proposed National Foundation for Higher Education would have authority to fund similar activities in several of these areas.

Title VII

Title VII amends Title XII (general provisions) of the HEA by redesignating it as Title VIII and by adding a new section which would standardize assurances which applicants for aid under Titles II, III, and V must make to the Commissioner. These standardized assurances include maintenance of effort, fiscal control and fund accounting procedures, evaluation and dissemination procedures, and reporting requirements.

Title VIII

Title VIII extends the Higher Education Facilities Act through June 30, 1973. In addition, it adds a new program for Federal insurance of loans for the construction of academic facilities at private nonprofit institutions of higher education. Loans may be made either to the institutions or to nonprofit private higher education building agencies.

Title IX

Title IX extends Title VI of the National Defense Education Act (language development) for two years, through June 30, 1973.

Title X

Title X adds a new title which would prohibit discrimination on the basis of sex in any federally assisted education program, except where sex is a bona fide ground for differential treatment. The title provides that compliance may be effected by termination of grants to any recipient who fails to comply with this requirement. Provisions for adequate hearings, findings and judicial review are also included.

Foreword

> No qualified student who wants to go to college should be barred by lack of money

This is the opening sentence in President Nixon's 1970 message on higher education. It expresses both the purpose and the theme of the Administration's proposal to improve and expand existing student aid programs.

The President's proposed changes in student financial aid programs would, for the first time in history, guarantee that every qualified student from a low-income family would have sufficient resources to attend college. Under the proposal, grants, work-study payments and subsidized loans will supplement what the families of low income students can afford to contribute to the post-secondary education of their sons and daughters.

The President's proposals will also increase the amount of unsubsidized loan funds available to students at all income levels. This improved access to federally-guaranteed loans will assist millions of undergraduate and graduate students to finance their educations.

Present Programs: Description and Problems

The Office of Education presently administers four major programs for aiding students: Educational Opportunity Grants, the College Work-Study program, National Defense Student Loans and Guaranteed Loans.

The first three programs are mainly funded by the Federal Government and administered by colleges and universities. The amount of funds available to the institution for these programs depends on the total funds appropriated by Congress, State distribution formulas and the approval of regional review panels. Once the college has its various allocations, the student aid office determines what mix of grants, work-study payments and loans is appropriate for each individual eligible student.

Commercial lending institutions, primarily banks, operate the Guaranteed Loan programs. Loans are made to students at a maximum interest rate of 7 percent. The Federal Government guarantees the loans against default, pays the student's interest while he is in college and makes a special payment to banks during tight money conditions.

There are several problems with this system of student aid:

- Availability of funds — Students do not receive all the aid for which they are eligible under the present system. Allocation formulas, matching requirements and insufficient funds limit the aid which institutions can award to individual students. Colleges enrolling large numbers of disadvantaged students are in an especially difficult position because of the matching requirements.

- Limited loan funds -- Existing loan programs provide an inadequate volume of lendable funds because (a) the National Defense Student Loan program requires capital outlays from the Federal budget which has been under severe fiscal pressures and restraints for the last several years; and (b) students must compete with other borrowers (who often offer more profitable investment opportunities) for the lendable funds of banks under the Guaranteed Loan program. (Low-income students with poor bank connections sometimes find themselves at a particular disadvantage.)

- Open-ended expenditures -- The Federal Government is obligated to meet its commitment to pay the interest on Guaranteed Loans while students are in college. As interest rates rise, and as more and more middle and upper income families find it in their interest to take advantage of these subsidies, a larger and larger share of Federal funds for student aid is being diverted away from the most needy students. The system as a whole has a built-in tendency to become less progressive as these subsidies absorb a disproportionate part of any budget increase for student aid.

- Uncertainty -- A student who wants to go to college cannot tell where he can get aid or how much he can count on in advance of his admission and the particular student aid office determination. Nor can a bank assure the student in advance that it will have funds to lend to him.

- Inequitable distribution -- Federal funds do not necessarily go to those students who need them most. Moreover, different colleges assess need in different ways. Substantial subsidies go to middle and upper income students, especially under the Guaranteed Loan program.

Proposed Programs: Purposes

The Administration's improvements in the existing student aid programs have four major purposes:

--To assure the availability of funds to every qualified student.

--To assure that Federal funds go first, and in the largest amounts, to the students who need them most.

--To provide potential students with as accurate information as possible concerning the aid they can expect.

--To assure that all students of equal need are treated alike.

--To provide additional financial aid to students attending high cost institutions.

Proposed Program: Concept and Structure

The Administration is recommending a coordinated student aid system with two parts: (a) a combination of grants, work-study payments and subsidized loans for full-time undergraduate students with low to middle incomes attending public and non-profit postsecondary educational institutions as well as proprietary institutions of higher education; and (b) creation of a National Student Loan Association to raise money privately and make it available for all postsecondary students at all income levels.

A. Grants, work-study payments, subsidized loans

The basic concept is that all students whose families can be expected to make the same contribution should have the same help available for their education from Federal sources. The combination of family contributions plus Federal grants, work-study payments and subsidized loans would be enough to enable any student to meet minimum education expenses. The key determinant is family income (and, thus, family contribution). Students from lower income families would receive more Federal aid than students from higher income families. (Lower income students would also receive a larger proportion of their aid in the form of grants and work-study payments rather than in the form of subsidized loans.) But the total resources available (i.e., family contribution plus Federal aid) to students at different income levels would be made equivalent.

The system would work as follows. Each year the Secretary of HEW, after conferring with the Advisory Council on Financial Aid to Students, would publish a schedule indicating the amount of Federal funds available to students at different income levels. Each student's eligibility for aid would be calculated by determining the expected family contribution toward his educational costs. This determination would take into account such factors as the size of the family, the number of children in college, extraordinary family expenses and capital assets. The deficiency between expected family contribution and the amount of resources the student should have available to him would be met by a combination of grants, work-study payments and subsidized loans.

For example, under the Administration's fiscal 1972 budget proposals, students from families with adjusted family income of $10,000 or less, and with two children, one of whom is in college, would be eligible for Federal funds. The maximum total amount of subsidized aid (grant and work-study plus subsidized loan) available to any one student would be $1,400. The maximum grant available to any one student would be $1,000. In addition to these base amounts, students who (1) meet the eligibility criteria for subsidized aid, and (2) attend schools with annual average cost in excess of $1,400 would be eligible to

apply for an additional subsidized "cost of education" loan of up to $1,500. This program would be controlled by schools in a manner similar to the present NDEA loan programs and terms to students would be approximately the same as those governing present NDEA loans. The amounts of aid to be available at different income levels for the two-child family described previously as well as one with five children, two of whom are in school, under the funding levels contemplated by the Administration's proposals are illustrated in Attachment I.

Several others features of the proposal deserve mention:

- All aid from State and private student aid programs would be in addition to Federal aid, and would permit students eligible for it a wide choice of the type of institution they attend.

- A "grandfather" clause would assure that students receiving aid under the present program would receive no less under the new system than they were entitled to under the old one.

- Institutions of higher education would preserve the option, within national limits set by the Commissioner of Education, of determining the mix of grants and work-study payments appropriate to the individual student.

- The National Defense Student Loan Revolving Fund (currently about $140 million) would continue in its present form, except that no new Federal appropriations would be made to the fund. Loans would continue to be made in a manner similar to current NDSL's; however, cancellations for teaching, military service, Peace Corps service, etc. would be eliminated for new loans.

  Loans from this fund would go first to students eligible under the "grandfather clause" in the bill; remaining funds would be used to provide subsidized loans under the Higher Education Opportunity Act.

- Students attending proprietary institutions of higher education would be made eligible for all benefits.

Finally, these proposals would not alter the valuable features of existing programs.

- Educational Opportunity Grants would continue as the basic grant program but without matching requirements.

- The College Work-Study program would continue. Colleges would continue to match work-study funds provided by the Federal Government (one dollar for four) but this requirement would be waived for institutions or work programs which it would hamper.

- National Defense Student Loan benefits would continue under the same terms and conditions as at present for both of the subsidized loan programs discussed above. However, lendable capital would come from the private money markets rather than the Federal Budget.

B. National Student Loan Association

The purpose of the proposed National Student Loan Association (NSLA) is to increase the amount of resources available for loans (both subsidized and unsubsidized) to all students at all income levels.

NSLA would be a private corporation, chartered and established by the Federal Government. It would raise funds by issuing its own obligations for sale in private capital markets. These obligations would be guaranteed against default by the Government, allowing the NSLA to pay a lower rate of interest.

With the proceeds from its sales, NSLA would buy, sell, or warehouse (buy under the condition that the seller will repurchase, i.e., NSLA "stores" the loans) student loan paper from colleges, banks or other eligible lenders. Typically, a college without funds of its own to invest in student loans would make a loan to a student and then turn immediately to NSLA to sell the student's note. NSLA would pay enough for the note to restore the college's cash position.

NSLA would significantly increase the flow of funds into student loan markets. Both banks and colleges would be encouraged to do more student lending. It is estimated that NSLA may buy up to $2 billion worth of loans in its first year of operation.

The Guaranteed Loan Program would continue to be open to all college students, however high their family incomes. However, some changes would be made in the program. First, the 7 percent interest ceiling would be eliminated. Second, the interest subsidy paid by the Federal Government on student loans to above average income students while they are in college and the special allowance paid to banks would be eliminated. Thus, it would now be an unsubsidized loan program except for students meeting a test of need.

Several other features applicable to both subsidized and unsubsidized loans are of significance:

- Banks and other financial institutions would make both kinds of loans.

- Loan ceilings would be raised and would apply to the aggregate of both subsidized and unsubsidized loans. A student could borrow up to $2,500 a year for up to seven years.

- The length of the maximum permissible loan repayment period would be increased to twenty years from the present ten.

- Student borrowers would not have to pay interest while they were still in college. Federal payments would cover interest charges on subsidized loans. On unsubsidized loans, lender would be required to allow the student to defer payments of both interest and principle while the student was in college. The Government would guarantee deferred interest payments along with principle.

- The student could prepay his loan at any time without penalty.

- Lenders would also be permitted to agree, at the time the loan was made, to allow the student to defer payments and interest up to an aggregate of five additional years. In such cases, the student would be allowed to choose those times during the repayment period when regularly scheduled payments would be especially burdensome. The Federal Government would guarantee interest charges during such periods.

Proposed Program: Consequences

It is estimated that in Fiscal Year 1972, the first year of operation of the program,:

- 2 1/2 million students would receive benefits (including unsubsidized loans), an increase of one million over the number of students receiving assistance under present programs.

- approximately $575 million in grants and work-study payments would be available, an increase of $242 million above FY 1971.

- about $1.2 billion would be available to make loans under the subsidized loan programs, an increase of $830 million.

Problems Solved and Purposes Achieved

The Administration's student aid proposals overcome the problems and achieve the purposes noted earlier in this paper.

- Availability -- Every student who qualifies for direct Federal assistance under the schedule established by the Secretary of HEW will receive his Federal funds. NSLA will provide an adequate supply of lendable funds for students who do not qualify for subsidies.

- Need -- Grants, work-study payments and subsidized loans will be concentrated on those in most need: students from low-income families.

- Certainty -- The aid schedule published annually by the Secretary of HEW would inform every eligible student of the amount of aid he could expect.

- Equity -- Students whose families could be expected to make similar contributions would receive equivalent amounts of aid.

Conclusion

The Administration's proposals would assure that one of the President's deep convictions is fulfilled:

> "Equal educational opportunity, which has long been a goal, must now become a reality for every young person in the United States, whatever his economic circumstances."

ATTACHMENT I

AID ELIGIBILITY--BASIC PROGRAM
(Cost of Education Loans and All Other State and Private Aid Would Be In Addition To These Benefits)

Typical Resources For A Student From A Two-Child Family, One Of Whom Is In College

Adjusted Family Income 2/	Family Contribution	Equal Opportunity Grant/ Work-Study	NDEA-Type Subsidized Loan	Family Contribution Plus Aid	Average Summer Savings	Total Student Resources	Cost of Education Loan 1/
$0-3500	$ 0	$1,000	$400	$1,400	$300	$1,700	$1,500
4500	220	780	400	1,400	300	1,700	1,500
5500	430	570	400	1,400	300	1,700	1,500
6500	640	360	400	1,400	300	1,700	1,500
7500	850	150	400	1,400	300	1,700	1,500
8500	1,050	0	350	1,400	300	1,700	1,500
9500	1,250	0	150	1,400	300	1,700	1,500
10,000 and above	1,400	0	0	1,400	300	1,700	0

Typical Resources For A Student From a Five-Child Family, Two of Whom Are In College

$0-5500	$ 0	$1,000	$400	$1,400	$300	$1,700	$1,500
6500	110	890	400	1,400	300	1,700	1,500
7500	195	805	400	1,400	300	1,700	1,500
8500	280	720	400	1,400	300	1,700	1,500
9500	360	640	400	1,400	300	1,700	1,500
10,500	440	560	400	1,400	300	1,700	1,500
11,500	510	490	400	1,400	300	1,700	1,500
12,500	580	420	400	1,400	300	1,700	1,500
13,500	650	350	400	1,400	300	1,700	1,500
14,500	700	300	400	1,400	300	1,700	1,500

Expected family contributions at higher income levels will depend importantly on the amount of capital assets available for meeting educational costs, and on other special family circumstances, as well as on family income. Hence, any aid to students from large families at higher income levels will depend on the overall financial situation of the family, and not simply on income.

1/ Cost of education loans would be available to eligible students who attend schools with average annual costs in excess of $1,400. The availability of these loans to students at various income levels is subject to appropriations for interest subsidy payments.

2/ Adjusted family income represents gross family income adjusted to reflect the number of children in the family, the number of children in school, extraordinary family expenses, and capital assets.

THE NATIONAL STUDENT LOAN ASSOCIATION

The National Student Loan Association would increase the loan capital available from private sources for students wishing to finance their education.

The Banking Problem

The Guaranteed Student Loan Program is in its fifth school year. Thus far, 3½ million loans totaling nearly $3 billion have been made to students attending 2,000 educational institutions:

Fiscal Year	Volume of Loans	Number of Loans
1966	$ 77 Million	48,495
1967	248	330,088
1968	436	515,408
1969	687	787,344
1970	840	921,896
1971 (1st 5 mos.)	656	656,042
TOTAL	$2.94 Billion	3,259,273

This rapid growth poses liquidity problems for lenders, despite the general easing in the supply of lendable funds in recent months.

For most borrowing students, repayments begin after graduation. For those who go to graduate school, the military, Peace Corps or VISTA, more years elapse before repayment starts. As the number of student loans increases, and more of their funds are tied up for long periods, lenders will reduce the amount of new lending to students or require a higher yield on loans.

The National Student Loan Association would relieve this shortage of funds by creating a secondary market for student loans, providing opportunities for the purchase by another party of the originating lender's interest in a loan. The Association would offer to buy federally-guaranteed student loans from the original lenders, thus permitting them to replenish their supply of lendable funds. Perhaps more important, the possibility of such sales will induce them to commit a greater share of their loan portfolios to student loans, to accept lower interest rates, or both.

NSLA and the Proposed Student Aid Reforms

To achieve the President's goal of eliminating financial barriers to minimum cost higher education, two changes have been proposed in the federal student aid programs which depend on the existence of a secondary market.

First, it is proposed to supply the capital needed for NDEA-type loans from the same private sources as for guaranteed loans. The needed expansion of NDEA-type programs would otherwise be difficult, given the inevitable competition for federal budget resources--not least the competition for funds between the NDEA program and the EOG and Work-Study programs, which also need to be expanded to meet the President's objective.

Second, it is proposed to remove interest subsidies on guaranteed loans to students who do not meet a resonable means test, thus releasing additional budget funds for NDEA subsidies, EOG's and Work-Study payments. Students who no longer qualify for subsidies will nonetheless wish to defer interest payments until after graduation. Such deferrals will reduce the cash-flow of lenders, and create an additional need for the liquidity a secondary market institution can provide.

How Would the Secondary Market Work?

Two basic secondary market mechanisms have been proposed for the National Student Loan Association to seek the goals of adequate liquidity, low interest charges and efficient loan servicing. The two basic mechanisms are: (1) purchasing; and (2) warehousing.

In a purchasing operation, the Association would offer to buy student loans from schools and banks at a yield consistent with that prevailing in the money markets and experienced servicing costs.

Under the warehousing operation, the Association would offer to advance funds to lending schools and banks up to 80 percent of the face value of the insured loans pledged. The borrower could reinvest these funds only in student loans, and of course, the lending institution would pay interest on its loan from the Association.

What Would Students Pay?

The interest rates payable by students would be related to the rates prevailing in the market.

Students taking out NDEA-type subsidized loans would pay no interest for the period in school and in national service, and 3% for 10 years thereafter. The difference between the students interest payments (0% or 3%) and the market-determined yield on student loans would be paid by the Federal Government.

Students eligible only for unsubsidized loans would have the option of deferring interest while in school, but would pay the full market-determined interest rate beginning after graduation. Interest payments deferred up to that time would be added to principal.

What Would Students Pay? cont.,

Principal repayments under both subsidized and unsubsidized loans would be deferred until after graduation.

Servicing

Student loans would be serviced by the original lender under the warehousing arrangement. Under the purchasing alternative, the lending school or bank would usually continue to service its student loans for a fee set by NSLA--probably in the range of 1½% of the consolidated indebtedness of the student.

Financing the Association

NSLA would raise its initial capital by selling common stock to eligible lenders--commercial banks, savings and loan associations, mutual savings banks, credit unions, and educational institutions. It also could sell preferred stock to parties wishing to support higher education. The Association then would issue its own debt obligations which would be federally guaranteed both as to principal and interest, thus attracting new sources of funds into the student loan program.

Provision for Interim Financing

Until the National Student Loan Association is ready for business, interim financing arrangements for NDEA-type student loans would be provided by authorizing the Secretary of HEW to purchase any federally-guaranteed student loan made by an institution of higher education. This purchase would be made at 100% of the value of the loan.

After such time as the Association is able to capitalize itself and purchase insured student loans, the Association would repurchase from the Secretary all student loans which he has acquired during the interim period. In this way, the Association purchase would "wash out" the initial financing done by HEW.

These special interim financing arrangements would enable colleges to participate immediately in the expanded NDEA-type loan program. The colleges, unlike banks and other lenders, do not generally have the cash resources to wait the six months that would probably be required for NSLA to open for business.

92D CONGRESS
1ST SESSION

S. 1161

IN THE SENATE OF THE UNITED STATES

MARCH 9 (legislative day, FEBRUARY 17), 1971

Mr. MONDALE introduced the following bill; which was read twice and referred to the Committee on Labor and Public Welfare

A BILL

To assist in removing the financial barriers to the acquisition of a postsecondary education by all these capable of benefiting from it.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That this Act may be cited as the "Student Assistance Act
4 of 1971".

5 TITLE I—STUDENT OPPORTUNITY GRANTS

6 EDUCATIONAL OPPORTUNITY GRANT AMENDMENTS

7 SEC. 101. (a) Title IV of the Higher Education Act of
8 1965 is amended—

9 (1) by redesignating part A as subpart 2;

10 (2) by redesignating sections 401 through 407

6849

1 (and references thereto) as sections 414 through 420,
2 respectively;
3 (3) by striking out "part" wherever it appears in
4 such sections and inserting in lieu thereof "subpart";
5 and
6 (4) by striking out section 409.
7 (b) Such title is further amended—
8 (1) by redesignating section 408 (and references
9 thereto) as section 421; and
10 (2) by inserting above the section heading the fol-
11 lowing:
12 "SUBPART 3—TALENT SEARCH AND UPWARD BOUND
13 PROGRAMS SPECIAL SERVICES TO DISADVANTAGED
14 STUDENTS IN INSTITUTIONS OF HIGHER EDUCATION"
15 (c) Such title is further amended by inserting the fol-
16 lowing after "TITLE IV—STUDENT ASSISTANCE":
17 "PART A—GRANTS TO STUDENTS
18 "SUBPART 1—STUDENT OPPORTUNITY GRANTS
19 STATEMENT OF PURPOSE AND AUTHORIZATION
20 "SEC. 401. (a) It is the purpose of this subpart—
21 "(1) to provide grants, to be known as student op-
22 portunity grants, assist in making available the bene-
23 fits of higher education to qualified students who for
24 lack of financial means of their own or their families

1 would be unable to obtain such benefits without such
2 aid; and
3 "(2) to reimburse institutions in part for the cost,
4 to them, of educating such students.
5 "It is the intent of the Congress that this program con-
6 stitute a major step toward the ultimate removal of all
7 financial barriers to the acquisition of a postsecondary edu-
8 cation to the end that at least sixteen years of formal school-
9 ing will be guaranteed to all persons capable of benefiting
10 from it.
11 "(b) The Commissioner is authorized, in accordance
12 with the provisions of this subpart, to award student oppor-
13 tunity grants (hereinafter in this subpart called 'grants') to
14 a student who (1) has been accepted for enrollment at an
15 eligible institution or, in the case of a student already attend-
16 ing such institution, is in good standing there as determined
17 by the institution, and (2) is carrying at least one-half of
18 the normal full-time course of study as determined by the
19 institution, at an eligible institution of the student's own
20 choosing.
21 "(c) The amount of the grant for which a student
22 carrying less than a normal full-time course of study at
23 an eligible institution shall be computed as follows: De-
24 ductions from the amount for which the student is eligible

1 for full-time study (under section 404) shall be made for
2 students who desire to attend school part time, if such an
3 individual qualifies for a grant under section 404. For any
4 period of time (as determined by the Commissioner under
5 regulations prescribed by him) in which such an individual
6 is a part-time student carrying not less than three-fourths
7 of a normal full-time course of study (as determined by
8 the Commissioner under regulations prescribed by him),
9 the deduction from the student opportunity grant of such
10 an individual shall be equal to one-fourth of the amount of
11 such grant. For any period of time (as determined by the
12 Commissioner under regulations prescribed by him) in which
13 such an individual is a part-time student carrying a course
14 of study in the eligible institution in which he is enrolled
15 in not less than one-half of a full-time course of study (as
16 determined by the Commissioner under regulations pre-
17 scribed by him), the deduction from the student opportu-
18 nity grant of such an individual shall be equal to one-half
19 of the amount of such grant.

20 "DEFINITION OF ELIGIBLE INSTITUTION

21 "SEC. 402. As used in this subpart:

22 "(a) The term 'eligible institution' means (1) an in-
23 stitution of higher education, or (2) a vocational school.

24 "(b) The term 'institution of higher education' means
25 an educational institution in any State which (1) admits

1 as regular students only persons having a certificate of
2 graduation from a school providing secondary education, or
3 the recognized equivalent of such certificate, (2) is legally
4 authorized within such State to provide a program of educa-
5 tion beyond secondary education, (3) provides an educa-
6 tional program for which it awards a baccalaureate degree
7 or provides not less than a two-year program which is
8 acceptable for full credit toward such a degree, or provides
9 an education program for which it awards a graduate or
10 professional degree, (4) is a public or other nonprofit insti-
11 tution, and (5) is accredited by a nationally recognized
12 accrediting agency or association approved by the Com-
13 missioner for this purpose, or, if not so accredited, (A) is an
14 institution with respect to which the Commissioner has de-
15 termined that there is satisfactory assurance, considering the
16 resources available to the institution, the period of time, if
17 any, during which it has operated, the effort it is making to
18 meet accreditation standards, and the purpose for which this
19 determination is being made, that the institution will meet
20 the accreditation standards of such an agency or association
21 within a reasonable time, or (B) is an institution whose
22 credits are accepted on transfer by not less than three institu-
23 tions which are so accredited, for credit on the same basis as
24 if transferred from an institution so accredited. Such
25 term includes any public or other nonprofit collegiate

1 or associate degree school of nursing and any school
2 which provides not less than a one-year program of
3 training to prepare students for gainful employment in a
4 recognized occupation and which meets the provisions of
5 clauses (1), (2), (4), and (5). If the Commissioner de-
6 termines that a particular category of such schools does not
7 meet the requirements of clause (5) because there is no
8 nationally recognized accrediting agency or association quali-
9 fied to accredit schools in such category, he shall, pending
10 the establishment of such an accrediting agency or associa-
11 tion, appoint an advisory committee, composed of persons
12 specially qualified to evaluate training provided by schools in
13 such category, which shall (i) prescribe the standards of
14 content, scope and quality which must be met in order to
15 qualify schools in such category to participate in the program
16 pursuant to this part, and (ii) determine whether particular
17 schools not meeting the requirements of clause (5) meet
18 those standards. For purposes of this subsection, the Com-
19 missioner shall publish a list of nationally recognized ac-
20 crediting agencies or associations which he determines to be
21 reliable authority as to the quality of training offered.
22 "(c) The term 'vocational school' means a business or
23 trade school, or technical institution or other technical or vo-
24 cational school, in any State, which (1) admits as regular
25 students only persons who have completed or left elementary

1 or secondary school and who have the ability to benefit from
2 the training offered by such institution; (2) is legally author-
3 ized to provide and provides within that State, a program
4 of postsecondary vocational or technical education designed
5 to fit individuals for useful employment in recognized occu-
6 pations; (3) has been in existence for two years or has been
7 specially accredited by the Commissioner as an institution
8 meeting the other requirements of this subsection; and (4)
9 is accredited (A) by a nationally recognized accrediting
10 agency or association listed by the Commissioner pursuant to
11 this clause, (B) if the Commissioner determines that there
12 is no nationally recognized accrediting agency or association
13 qualified to accredit schools of a particular category, by a
14 State agency listed by the Commissioner pursuant to this
15 clause and (C) if the Commissioner determines there is no
16 nationally recognized or State agency or association qualified
17 to accredit schools of a particular category, by an advisory
18 committee appointed by him and composed of persons
19 specially qualified to evaluate training provided by
20 advisory committee appointed by him and composed of per-
21 sons specially qualified to evaluate training provided by
22 schools of that category, which committee shall prescribe the
23 standards of content, scope, and quality which must be met
24 by those schools in order for loans to students attending them
25 to be insurable under this part and shall also determine

1 whether particular schools meet those standards. For the
2 purpose of this subsection, the Commissioner shall publish a
3 list of nationally recognized accrediting agencies or associa-
4 tions and State agencies which he determines to be reliable
5 authority as to the quality of education or training afforded.
6 "(d) The term 'collegiate school of nursing' means a
7 department, division, or other administrative unit in a col-
8 lege or university which provides primarily or exclusively
9 an accredited program of education in professional nursing
10 and allied subjects leading to the degree of bachelor of arts,
11 bachelor of science, bachelor of nursing, or to an equivalent
12 degree, or to a graduate degree in nursing.
13 "(e) The term 'associate degree school of nursing' means
14 a department, division, or other administrative unit in a jun-
15 ior college, community college, college, or university which
16 provides primarily or exclusively an accredited two-year
17 program of education in professional nursing and allied sub-
18 jects leading to an associated degree in nursing or to an
19 equivalent degree.
20 "(f) The term 'accredited' when applied to any pro-
21 gram of nurse education means a program accredited by a
22 recognized body or bodies approved for such purpose by the
23 Commissioner of Education.
24 "APPROPRIATIONS AUTHORIZED
25 "SEC. 403. To carry out the purposes of this subpart,

1 there are hereby authorized to be appropriated such sums as
2 are necessary for the fiscal year ending June 30, 1970, to be
3 used for planning and related activities, and such sums as
4 may be necessary for each of the three succeeding fiscal
5 years. Sums appropriated pursuant to this section for any
6 fiscal year shall be available for payment until the close of
7 the fiscal year succeeding the fiscal year for which they were
8 appropriated.

9 "AMOUNT OF GRANT

10 "SEC. 404. (a) Subject to the limitations contained in
11 subsections (b), (c), and (e), the amount paid under a
12 grant awarded to a full-time student under this subpart, for
13 each academic year during which such grant is in force, shall
14 be an amount equal to the excess of the actual cost of at-
15 tendance of the institution attended by the student, as last
16 determined by the Commissioner, over the sum of—

17 "(1) the student's family contribution,

18 "(2) the expected student savings, as last deter-
19 mined by the Commissioner.

20 "(b) The portion of the actual cost of attendance at the
21 institution attended by the student which shall be used for
22 computing the amount of the grant shall be—

23 "(1) 100 per centum of the actual cost of attend-

1 ance at the institution attended by the student, up to
2 $1,400,
3 "(2) 90 per centum of the actual cost of attendance
4 at the institution attended by the student, in excess of
5 $1,400 but less than $2,000,
6 "(3) 80 per centum of the actual cost of attendance
7 at the institution attended by the student, in excess of
8 $2,000 but less than $2,500,
9 "(4) 70 per centum of the actual cost of attendance
10 at the institution attended by the student, in excess of
11 $2,500 but less than $3,000,
12 "(5) 60 per centum of the actual cost of attendance
13 at the institution attended by the student, in excess of
14 $3,000 but less than the national average cost of at-
15 tendance at a four-year nonpublic university as de-
16 termined by the Commissioner, and
17 "(6) 40 per centum of the actual cost of attendance
18 at the institution attended by the student, in excess of
19 the national average cost of attendance at a four-year
20 non-public university as determined by the Commis-
21 sioner.
22 "(c) The amount paid under a grant awarded to a full-
23 time student under this subpart for an academic year shall
24 not exceed the lesser of—
25 "(1) the national average cost of attendance at a

1 four-year non-public university, as determined by the
2 Commissioner, or
3 "(2) (A) the actual cost for such year to such stu-
4 dent of tuition and fees, and
5 "(B) a minimum maintenance allowance appli-
6 cable to all students receiving grant payments under
7 this subpart as determined by the Commissioner for such
8 year.
9 "(d) If the amount payment under a grant for an aca-
10 demic year, as determined under this section, would be less
11 than $200 for a full-time student, no payment shall be made
12 to that student for such year.
13 "(e) If, as determined by the Commissioner on the
14 basis of estimates, the total amount of all payments for any
15 academic year to be made pursuant to grants awarded under
16 this subpart would exceed the amount available for such
17 grants, the Commissioner shall reduce the amounts of such
18 payments that would otherwise be payable in a manner
19 most likely to preserve payments to students from the
20 lowest-income families to the fullest possible extent.
21 "(f) As used in this subpart—
22 "(1) The term 'actual cost of attendance' means the
23 actual per-student charges for tuition, fees, room and board,
24 books, and an allowance for such other expenses which the
25 Commissioner deems to be reasonably related to his edu-

1 cational experience, for an academic year incurred by stu-
2 dents attending eligible institutions, as determined by the
3 Commissioner.
4 "(2) The term 'national average cost of attendance at
5 a four-year nonpublic university' means the average per-
6 student charges for tuition fees, room and board, and an
7 allowance for such other expenses which the Commissioner
8 deems to be reasonably related to the educational experience
9 for an academic year incurred by students attending such
10 institutions, as determined by the Commissioner. Each de-
11 termination of the Commissioner and the criteria on which
12 it is based shall be published in the Federal Register. The
13 national average cost shall be redetermined by the Com-
14 missioner at least once every two years and shall be re-
15 determined at shorter time intervals if the Commissioner
16 deems it necessary for the purposes of this subpart.
17 "(3) Except as otherwise provided pursuant to subsec-
18 tion (g), the term 'family contribution', with respect to a
19 student, means the amount which the family of that student
20 may be expected to contribute toward the cost of his post-
21 secondary education for the academic year in question, as
22 determined in accordance with regulations prescribed by the
23 Commissioner on the basis of criteria set forth therein, in-
24 cluding such criteria as effective family income (as defined
25 in this section), number of dependents in the student's fam-

1 ily, and the number of dependents attending or likely to at-
2 tend institutions of higher education. The Commissioner shall
3 review and, if necessary, revise such regulations annually.
4 The amount of the family contribution with respect to a
5 student shall be determined as of the time that a determina-
6 tion (or redetermination) of effective family income is made
7 for purposes of this subpart.

8 "(4) Except as otherwise provided pursuant to sub-
9 section (g), the term 'effective family income' with respect
10 to a student means the annual adjusted family income, as
11 determined in accordance with regulations prescribed by
12 the Commissioner, received by the parents or guardian of
13 that student (or the person or persons having an equivalent
14 relationship to such student) minus Federal income tax paid
15 or payable with respect to such income. In such regulations,
16 the Commissioner may, to the extent consistent with the
17 purposes of this subpart, and subject to such adjustments or
18 variations as he may deem necessary or appropriate, adopt
19 the criteria for determining taxable income for purposes
20 of the individual income tax imposed by the Internal Reve-
21 nue Code of 1954.

22 "(5) The term 'expected student savings' means the
23 amount which in the judgment of the Commissioner reflects
24 the amount of savings which a student may on the average
25 be expected to save from summer, vacation, or part-time em-

1 ployment for application toward the cost of his postsecondary
2 education for an academic year.
3 "(g) The Commissioner shall prescribe special rules for
4 determining family contribution and effective family income
5 in the case of students who are determined to be self-support-
6 ing. In prescribing such rules, the Commissioner shall pro-
7 vide an additional amount for the dependents of such stu-
8 dents equal not to exceed $300 per dependent, or a total
9 of $1,500, per academic year.
10 "DURATION OF GRANT
11 "SEC. 405. (a) The duration of a grant awarded under
12 this part shall be—
13 "(1) for completion by the recipient of his under-
14 graduate (or other, prebaccalaureate degree, training)
15 education, the period of time shall not exceed four
16 academic years (except where the Commissioner deter-
17 mines that the student is enrolled in a degree program
18 which normally requires more than four academic years
19 for a baccalaureate degree, in which event such period
20 shall not exceed five academic years), or of an equiva-
21 lent period of time of part-time enrollment, less any such
22 period with respect to which the recipient has pre-
23 viously received payments, for his prebaccalaureate edu-
24 cation, pursuant to a grant under this subpart or under
25 subpart 2;

1 "(2) for completion by the recipient for education
2 beyond the baccalaureate degree the period of time shall
3 not exceed four academic years for a student pursuing a
4 graduate or professional degree, or for an equivalent
5 period of time of part-time enrollment.
6 "(b) A student awarded a grant under this part shall
7 continue to be entitled to payments thereunder only if
8 such student—
9 "(1) is maintaining good standing in the course
10 of study which he is pursuing, according to the regu-
11 larly prescribed standards and practices of the institu-
12 tion which he is attending, and
13 "(2) devotes at least half-time to such course of
14 study, during the academic year, in attendance at an eli-
15 gible institution, except that failure to be at an institution
16 during vacation periods or periods of military service, or
17 during other perods during which the Commissioner
18 determines, in accordance with regulations, that there is
19 good cause for his nonattendance (during which periods
20 such students shall receive no payments), shall not be
21 deemed contrary to the purposes and requirements of
22 this clause.
23 "DELEGATION BY COMMISSIONER
24 "SEC. 406. (a) The Commissioner is authorized to
25 designate one or more public or private nonprofit agencies

1 to carry out the functions or make the determinations pre-
2 scribed in this subpart on his behalf, and to carry out such
3 other functions related to the determination of eligibility of
4 students for award of grants and the amounts of payments
5 to them as he may deem appropriate. The Commissioner
6 may enter into agreements with such agency or agencies
7 providing for the conduct of such functions. Each such agree-
8 ment shall provide for such fund-control and fund-accounting
9 procedures as may be necessary to assure proper disburse-
10 ment of and accounting for Federal funds paid to the agency
11 under subsection (b), and for the making of such reports,
12 in such form and containing such information, as may be
13 necessary to enable the Commissioner to perform his func-
14 tions under this subpart.

15 "(b) The Commissioner shall, if so provided in such
16 agreements, pay to each such agency such amounts as the
17 Commissioner determines to be necessary for the proper
18 and efficient execution by such agency of its functions under
19 this subpart. There are hereby authorized to be appropri-
20 ated such sums as may be necessary to make such payments.

21 "(c) In making any such designation, the Commissioner
22 shall reserve the right to review, upon his own initiative or
23 that of any interested party, any finding, determination, or
24 other action made or taken by such agency.

1 "ELIGIBLE APPLICANTS

2 "SEC. 407. (a) An individual shall be eligible to apply
3 for a full educational opportunity grant under this subpart
4 if he—

5 "(1) is a permanent resident of a State or, if not, is
6 a national of and domiciled in the United States; and

7 "(2) (A) has—

8 "(i) completed at least ten years of school (or
9 the equivalent level thereof), and

10 "(ii) is attending a secondary school, or

11 "(B) has a certificate of graduation from a second-
12 ary school or the recognized equivalent of such a cer-
13 tificate, or

14 "(C) is enrolled in at least a half-time course of
15 study at an eligible institution.

16 "(b) For the purposes of this section, the term 'sec-
17 ondary school' means such a school as defined in section
18 1201 (d), except that, in the case of a school which is not
19 in a State, such term means a school that provides secondary
20 education as determined by the Commissioner.

21 "APPLICATION AND DETERMINATION OF TENTATIVE
22 ELIGIBILITY FOR AWARD

23 "SEC. 408. (a) Application for a grant under this sub-
24 part shall be made at such time and in such manner, and

1 shall contain or be supported by such information, as may
2 be prescribed by the Commissioner or pursuant to regula-
3 tion. The Commissioner shall encourage the submission of
4 such applications, to the extent practicable, by secondary
5 school students, as early as the eleventh grade.
6 "(b) An applicant who is not currently enrolled at an
7 eligible institution shall be determined to be tentatively
8 eligible for a grant, if—
9 "(1) such individual meets the requirements of
10 paragraphs (1) and (2) (A) or (B) of section
11 407(a);
12 "(2) such individual is capable of benefiting from
13 study at an eligible institution; and
14 "(3) the amount of the payment for the first aca-
15 demic year of such grant, if computed as of the time
16 of such determination, would be $200 or more as de-
17 termined pursuant to section 404 and regulations pre-
18 scribed thereunder.
19 "(c) Upon such determination, the applicant shall be
20 notified of—
21 "(1) his tentative eligibility for a grant,
22 "(2) the tentative amount thereof computed in
23 accordance with section 404(a) (subject to the limita-
24 tions of section 404(b), but without reference to section
25 404(d)), and

1 "(3) the provisions of this subpart for redetermina-
2 tion of such eligibility and of such amount.

3 "AWARD OF GRANT—PAYMENTS—ANNUAL
4 DETERMINATION

5 "SEC. 409. (a) Within the amounts available for
6 grants under this subpart, with respect to any academic year
7 beginning after June 30, 1971, the Commissioner shall
8 award a grant under this subpart to an applicant therefor,
9 and shall, subject to section 410, determine the amount pay-
10 able with regard thereto for the initial academic year, if—
11 "(1) such applicant meets the requirements of
12 paragraphs (1) and (2) (B) of section 407 (a); and
13 "(2) such applicant has been accepted for en-
14 rollment as a student in a course of study in a par-
15 ticipating eligible institution or, in the case of a student
16 already attending such an institution, is in good standing
17 and in at least half-time attendance there as a student;
18 and
19 "(3) the applicant is then otherwise eligible for
20 such a grant.
21 "(b) The Commissioner shall notify both the applicant
22 and the participating institution in which he is enrolled or
23 has been accepted for enrollment of such award and deter-
24 mination. A separate determination shall, on the basis of the
25 latest available data, be made as to the student's eligibility

1 for, and the amount of, payments to such student under the
2 grant awarded under this section for each succeeding aca-
3 demic year of its duration (as determined under section 405).
4 "(c) The Commissioner shall, in accordance with agree-
5 ments pursuant to section 411, utilize the facilities and serv-
6 ices of participating institutions as fiscal agents for paying to
7 students attending them the amounts, if any, to which such
8 students have been determined, with respect to each academic
9 year, to be entitled.

10 "INCOME REDETERMINATIONS

11 "SEC. 410. Whenever, prior to the making of an initial
12 award pursuant to section 409, it appears that the facts upon
13 which the income determination made pursuant to section
14 408 (b) (3) is based are as of a year ending more than two
15 years prior to the date in which the student becomes, or will
16 become, enrolled in a participating institution for an aca-
17 demic year for which he will be entitled to grant payments,
18 such award may not be made except upon the basis of a
19 redetermination of income. Such income redetermination may
20 be based upon facts as of the most recent year ending prior to
21 the year for which such redetermination is made.

22 "PARTICIPATING INSTITUTIONS

23 "SEC. 411. (a) For the purposes of this subpart, the
24 term 'participating institution' means an eligible institution

1 which has entered into an agreement with the Commission.
2 Such agreement shall—
3 "(1) provide that the institution will cooperate
4 with the Commissioner in carrying out the purposes of
5 this subpart;
6 "(2) provide that the institution will periodically
7 conduct a review to determine whether students en-
8 rolled therein and holding a grant award under this sub-
9 part continue to be entitled to payments under such
10 grants, and the amounts of such payments; and that
11 such review may include, if the Commissioner requires,
12 a redetermination of a student's family contribution and
13 effective family income;
14 "(3) provide for utilization of such institution as
15 fiscal agent for payments to students under this subpart;
16 "(4) provide for such fiscal control and accounting
17 procedures as may be necessary to assure proper dis-
18 bursement of and accounting for Federal funds paid
19 hereunder;
20 "(5) provide that the institution, in cooperation
21 with other eligible institutions where appropriate, will
22 make vigorous efforts to identify disadvantaged youths
23 capable of benefiting from postsecondary education and
24 to encourage such youths to enroll in such institution,
25 through such activities as special recruiting programs in

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1 poverty neighborhood secondary schools, and special
2 remedial and other training programs for disadvantaged
3 students;
4 "(6) provide that the institution will meet the
5 requirements of section 464 of this Act (relating to
6 maintenance of effort); and
7 "(7) include such other provisions as may be
8 necessary to protect the financial interest of the United
9 States and promote the purposes of this subpart.
10 "COST-OF-EDUCATION ALLOWANCES TO INSTITUTIONS
11 "SEC. 412. Upon such conditions as he shall prescribe,
12 the Commissioner shall pay a cost-of-education allowance to
13 any participating institution in which was enrolled a student
14 who received payments during an academic year ending dur-
15 ing such fiscal year, under a grant duly awarded pursuant to
16 this subpart. The grant upon which the cost-of-education
17 allowance is based shall not include any sums granted to a
18 student for his dependents under section 404(f). With re-
19 spect to each such student, such allowance shall be an amount
20 equal to the sum of—
21 "(1) $100, and
22 "(2) (A) 25 per centum of the excess over $200
23 paid to such student during the academic year if such
24 student is in his first year of postsecondary study or its
25 equivalent of part-time enrollment, or

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1 "(B) 30 per centum of the excess over $200 paid
2 to such student during the academic year if such student
3 is in his second year of postsecondary study or its
4 equivalent of part-time enrollment, or
5 "(C) 35 per centum of the excess over $200 paid
6 to such student during the academic year if such stu-
7 dent is in his third year of postsecondary study or its
8 equivalent of part-time enrollment, or
9 "(D) 40 per centum of the excess over $200 paid
10 to such student during the academic year if such stu-
11 dent is in his fourth year of postsecondary study or its
12 equivalent in part-time enrollment, or, if such student
13 is beyond his fourth year of postsecondary study or its
14 equivalent in part-time enrollment but shall not have
15 completed the requirements for the baccalaureate degree
16 he shall be considered a fourth year student for purposes
17 of computing the amount due the participating insti-
18 tution, or
19 "(E) 50 per centum of the excess over $200 paid
20 to such student during the academic year if such stu-
21 dent has completed his baccalaureate degree and is en-
22 rolled in a course of study leading to a graduate or pro-
23 fessional degree.
24 pursuant to such grant. The Commissioner shall prescribe
25 regulations to insure that a student who received such pay-

1 ments during an academic year in more than one institution
2 is not counted more than once for the purposes of computing
3 the $100 component of the cost-of-education allowance to
4 which each such institution is entitled under this section.

5 "DEFINITION OF 'ACADEMIC YEAR'

6 "SEC. 413. As used in this subpart, the term 'academic
7 year' means an academic year or its equivalent as defined in
8 regulations of the Commissioner."

9 TERMINATION OF PRESENT STUDENT GRANT PROGRAM

10 SEC. 102. Section 414 of the Higher Education Act of
11 1965 (as redesignated by this Act) is amended by adding
12 the following new subsections:

13 "(c) Notwithstanding anything contained in this sub-
14 part, the authority vested in the Commissioner and in any
15 institution of higher education to make payments or awards
16 under this subpart shall terminate on June 30, 1972, unless
17 the Commissioner finds that as of such date the program au-
18 thorized under subpart 1 is not sufficiently operational to
19 provide grants to students eligible under that subpart at a
20 level reasonably comparable to grants made pursuant to this
21 subpart: *Provided, however,* That the authority vested in
22 the Commissioner or any institution of higher education by
23 this subpart shall terminate no later than June 30, 1973.

24 "(d) Upon the termination of the grant program au-
25 thorized by this subpart, the Commissioner shall by regula-

1 tion provide for the disposition of unused funds previously
2 allotted and paid to institutions of higher education pursuant
3 to this subpart. To the extent practicable and consistent with
4 applicable appropriation Acts, the Commissioner may au-
5 thorize the retention of such funds by the institutions which
6 are participating institutions for purposes of subpart 1 as ad-
7 vances to cover grants pursuant to such subpart."

8 PAYMENTS FOR ADMINISTRATIVE EXPENSES AUTHORIZED

9 SEC. 103. Section 463 (a) of the Higher Education Act
10 of 1965 is amended to read as follows:

11 "SEC. 463. (a) An institution which has entered into an
12 agreement with the Commissioner under subpart 1 or subpart
13 2 of part A or under part C of this title shall be entitled, for
14 each fiscal year for which it receives payments, in its ca-
15 pacity as fiscal agent under subpart 1 of part A, or an allot-
16 ment under subpart 2 of part A or under part C, to a pay-
17 ment in lieu of reimbursement for its expense during such
18 fiscal year in administering programs assisted under such
19 part. The payment for a fiscal year—

20 "(1) shall be payable in accordance with regula-
21 tions of the Commissioner, and

22 "(2) shall (except as provided in subsection (b))
23 be an amount equal to 3 per centum of the sum of—

24 "(A) all the payments to students made by the

1 institution during such fiscal year in its capacity as
2 fiscal agent under subpart 1 of part A;
3 "(B) the institution's expenditures during such
4 fiscal year from its allotment under subpart 2 of
5 part A; and
6 "(C) its expenditures during such fiscal year
7 under part C for compensation of students."
8 TRANSITIONAL ADMINISTRATIVE PROVISIONS
9 SEC. 104. The Commissioner shall prescribe by regula-
10 tion procedures for the award and payment of grants author-
11 ized under subpart 1 of part A of title IV of the Higher
12 Education Act of 1965 to students who have been awarded
13 grants under subpart 2 of such part and are eligible for grants
14 under subpart 1 of such part. The Commissioner may further
15 designate a date by which all applications for student assist-
16 ance under subpart 2 of such part shall be treated as applica-
17 tions for assistance under subpart 1 thereof.
18 TITLE II—GRADUATE FELLOWSHIPS
19 PROGRAM AUTHORIZED
20 SEC. 201. The Higher Education Act of 1965 is
21 amended by—
22 (1) redesignating title XII as title XIII,
23 (2) redesignating sections 1201 through 1210, and
24 references thereto, as sections 1301 through 1310, re-
25 spectively, and

1 (3) inserting immediately after title XI thereof the
2 following new title XII:

3 "TITLE XII—FEDERAL FELLOWSHIPS

4 "PROGRAM AUTHORIZED

5 "SEC. 1201. (a) It is the purpose of this title to pro-
6 vide grants, to be known as Federal fellowships, to assist
7 graduate students of exceptional ability, who also demon-
8 strate a financial need, to complete their final two years of
9 study toward the doctor of philosophy, or equivalent de-
10 gree, to the end that the flow of highly trained individuals
11 from universities may be speeded. The demonstration of fi-
12 nancial need shall be determined in accordance with regula-
13 tions prescribed by the Commissioner, taking into account
14 the provisions under section 404 of this Act.

15 "(b) The Commissioner is authorized to award under
16 the provisions of this title not to exceed 15,000 fellowships
17 for the fiscal year ending June 30, 1972, 25,000 fellowships
18 for the fiscal year ending June 30, 1973, and 35,000 fellow-
19 ships for the fiscal year ending June 30, 1974.

20 "Fellowships awarded under the provisions of this title
21 shall be for graduate study leading to a doctoral degree or
22 research incident to the presentation of a doctoral disserta-
23 tion. Such fellowships may be awarded for graduate study
24 and research at any institution of higher education, library,
25 archive, or any other research center provided by the Com-

1 missioner. Such fellowships shall be awarded for such periods
2 as the Commissioner may determine, but not to exceed two
3 years.

4 "(c) In addition to the number of fellowships author-
5 ized to be awarded by subsection (b) of this section, the
6 Commissioner is authorized to award fellowships equal to the
7 number previously awarded during any fiscal year under this
8 title but vacated prior to the end of the period for which
9 they were awarded; except that each fellowship awarded
10 under this subsection shall be for such period of graduate
11 work or research, not in excess of the remainder of the
12 period for which the fellowship which it replaces was
13 awarded, as the Commissioner may determine.

14 "AWARD OF FELLOWSHIPS

15 "SEC. 1202. Recipients of fellowships under this title
16 shall be—

17 "(1) persons who have been accepted by an insti-
18 tution of higher education for graduate study leading to a
19 doctoral degree or its equivalent, but not including such
20 study required for a master's degree or its equivalent, or

21 "(2) persons who have completed all course work
22 required for the granting of a doctoral degree (except
23 such course work credited on the dissertation) and com-
24 prehensive examinations where appropriate, and whose

1 doctoral dissertation proposal has been approved by
2 appropriate officials of an institution of higher education.
3 For the purpose of this section, the term 'institution of higher
4 education' means an educational institution in any State
5 which (1) admits as regular students only persons having a
6 certificate of graduation from a school providing secondary
7 education, or the recognized equivalent of such a certificate,
8 (2) is legally authorized within such State to provide a pro-
9 gram of education beyond secondary education, (3) pro-
10 vides an educational program for which it awards a doctor's
11 degree, (4) is a public or other nonprofit institution, and (5)
12 is accredited by a nationally recognized accrediting agency
13 or association, or, if not so accredited, is an institution whose
14 credits are accepted, on transfer, by not less than three in-
15 stitutions which are so accredited, for credit on the same
16 basis as if transferred from an institution so accredited.

17 "DISTRIBUTION OF FELLOWSHIPS

18 "SEC. 1203. In awarding fellowships under the provi-
19 sions of this title the Commissioner shall endeavor to pro-
20 vide an equitable distribution of such fellowships throughout
21 the Nation, except that to the extent he deems proper to
22 provide for those who are in greatest financial need of such
23 fellowships.

1 "STIPENDS AND INSTITUTION OF HIGHER EDUCATION
2 ALLOWANCES

3 "SEC. 1204. (a) The Commissioner shall pay to per-
4 sons awarded fellowships under this title such stipends as
5 he may determine to be consistent with prevailing practices
6 under comparable federally supported programs, except that
7 the stipend shall not be less than $2,800 nor more than $3,-
8 500 for each academic year of study. An additional amount
9 of $300 for each such academic year of study shall be paid
10 to such person on account of each of his dependents, not to
11 exceed the amount of $1,500 per academic year.

12 "(b) In addition to the amount paid to persons pur-
13 suant to subsection (a) there shall be paid to the institution
14 of higher education at which each such person is pursuing his
15 course of study an amount equal to 150 per centum of the
16 amount paid, less the amount paid on account of each of such
17 person's dependents, to such person, less any amount charged
18 such person for tuition.

19 "(c) The Commissioner shall reimburse any person
20 awarded a fellowship pursuant to this title for actual and
21 necessary traveling expenses of such person and his depend-
22 ents from his ordinary place of residence to the institution
23 of higher education, library, archive, or other research center
24 where he will pursue his studies under such fellowship, and
25 to return to such residence.

1 "LIMITATION

2 "SEC. 1205. No fellowship shall be awarded under this
3 title for study at a school or department of divinity. For the
4 purposes of this section, the term 'school or department of
5 divinity' means an institution or department or branch of
6 an institution, whose program is specifically for the educa-
7 tion of students to prepare them to become ministers of re-
8 ligion or to enter upon some other religious vocation or to
9 prepare them to teach theological subjects.

10 "FELLOWSHIP CONDITIONS

11 "SEC. 1206. (a) A person awarded a fellowship under
12 the provisions of this title shall continue to receive the pay-
13 ments provided in section 1204 (a) only during such periods
14 as the Commissioner finds that he is maintaining satisfactory
15 proficiency in, and devoting essentially full time to, study or
16 research in the field in which such fellowship was awarded,
17 in an institution of higher education, and is not engaging in
18 gainful employment other than part-time employment in
19 teaching, research, or similar activities, approved by the
20 Commissioner. Such a person shall not be required to per-
21 form duties, by the institution of higher education in which
22 he is receiving his education, which are not a part of the
23 specific academic requirements for the degree he is pursuing
24 as published in the rules and regulations of said institution of
25 higher education.

1 "(b) The Commissioner shall require reports containing
2 such information in such form and to be filed at such times
3 as he determines necessary from each person awarded a fel-
4 lowship under the provisions of this title. Such reports shall
5 be accompanied by a certificate from an appropriate official
6 at the institution of higher education, library, archive, or
7 other research center approved by the Commissioner, stating
8 that such person is making satisfactory progress in, and is
9 devoting essentially full time to, the program for which the
10 fellowship was awarded.

11 "ADMINISTRATION

12 "SEC. 1207. (a) The Commissioner is authorized to des-
13 ignate one or more public or private nonprofit agencies to
14 carry out the functions or make the determinations, on his
15 behalf, prescribed in this title, and to carry out such other
16 functions related to the determination of eligibility for award
17 of fellowships as he may deem appropriate. The Commis-
18 sioner may enter into agreements with such agency or
19 agencies providing for the conduct of such functions. Each
20 such agreement shall provide for such fund-control and fund-
21 accounting procedures as may be necessary to assure proper
22 disbursement of and accounting for Federal funds paid to
23 the agency under subsection (b), and for the making of
24 such reports, in such form and containing such information,
25 as may be necessary to enable the Commissioner to perform
26 his functions under this title.

1 "(b) The Commissioner shall, if so provided in such
2 agreements, pay to each such agency such amounts as the
3 Commissioner determines to be necessary for the proper and
4 efficient execution by such agency of its functions under this
5 title. There are hereby authorized to be appropriated such
6 sums as may be necessary to make such payments.
7 "(c) In making any such designation, the Commis-
8 sioner shall reserve the right to review, upon his own initia-
9 tive or that of any interested party, any finding, determina-
10 tion, or other action made or taken by such agency.

11 "APPROPRIATIONS AUTHORIZED

12 "SEC. 1208. There are authorized to be appropriated
13 such sums as may be necessary for the fiscal year ending
14 June 30, 1972, and for each of the two succeeding fiscal
15 years, for payments for the initial year of fellowships
16 awarded under this title. There are authorized to be appro-
17 priated for the fiscal year ending June 30, 1972, and for
18 each of the two succeeding fiscal years such sums as may be
19 necessary in order that fellowships already awarded might
20 be completed."

21 TITLE III—HIGHER EDUCATION LOAN BANK

22 CREATION OF BANK

23 SEC. 301. There is hereby created a nonprofit corpora-
24 tion to be known as the "Higher Education Loan Bank"
25 (hereinafter referred to as the "bank"). The bank, which

1 shall not be an agency or instrumentality of the United States
2 Government, shall maintain such offices as may be necessary
3 or appropriate in the conduct of its business. The right to
4 repeal, alter, or amend this title at any time is expressly
5 reserved.
6 BOARD OF DIRECTORS
7 SEC. 302. (a) The bank shall have a board of directors
8 consisting of fifteen individuals who are interested and expe-
9 rienced in higher education, banking and finance, or public
10 affairs. Members of the board shall be appointed by the
11 President, by and with the advice and consent of the Sen-
12 ate. At least five members shall be students, at the time of
13 their appointments, at postsecondary, or higher education
14 institutions. Students appointed to the board shall be selected
15 with a view to achieving the widest possible representation
16 of geographic regions, fields of study, and undergraduate
17 and graduate education. At least two of such students shall
18 be participants in programs provided for by the Higher Edu-
19 cation Act of 1965, or the Student Assistance Act of 1969.
20 The President shall select one of the members of the board
21 to serve as chairman.
22 (b) The terms of office of persons appointed to the
23 board of directors of the bank shall be five years, except
24 that (1) the terms of persons first taking office shall expire,
25 as designated by the appointing officer at the time of appoint-

1 ment, three at the end of one year, three at the end of two
2 years, three at the end of three years, three at the end of
3 four years, and three at the end of five years; and (2) any
4 person appointed to fill a vacancy occurring before the expira-
5 tion of the term for which his predecessor was appointed
6 shall be appointed for the remainder of such term.
7 (c) The board shall appoint a president of the bank
8 and such other officers as it deems necessary to carry out
9 the functions of the bank.

10 FUNCTIONS

11 SEC. 303. It shall be the function of the bank to—
12 (1) make loans each year, not to exceed the cost
13 to the student of his education (as established under sec-
14 tion 303 (1) (C) of this title) less any other federally
15 aided assistance the student receives for his education
16 during the period of the loan, for a period of up to five
17 years for undergraduate or other study at an eligible in-
18 stitution, or its equivalent in part-time study, and for a
19 period of up to five years for graduate study, or its
20 equivalent in part-time study, to any student who (A)
21 has been accepted for enrollment at an eligible institu-
22 tion or, in the case of a student already attending such
23 institution, is in good standing there as determined by
24 the institution, (B) is carrying at least one-half of the
25 normal full-time workload as determined by the institu-

1 tion, and (C) has provided the bank with a statement
2 of the institution which sets forth a schedule of the tui-
3 tion and fees applicable to that student and its estimate
4 of the cost of board, room, and books for such a stu-
5 dent, upon such terms and conditions as nearly similar
6 as the Board deems practicable to terms and conditions
7 applicable to loans insured under title IV of the Higher
8 Education Act of 1965;
9 (2) provide for a note or other written agreement
10 evidencing such a loan which—
11 (A) contains provisions as nearly similar to
12 loan agreements insured under title IV of the
13 Higher Education Act of 1965 as the Board deems
14 practicable;
15 (B) provides that periodic installments of prin-
16 cipal and interest need not be paid during any
17 period (i) during which the borrower is pursuing
18 a full-time course of study at an "eligible institu-
19 tion", (ii) not in excess of three years, during
20 which the borrower is a member of the Armed
21 Forces of the United States, (iii) not in excess of
22 three years during which the borrower is in service
23 as a volunteer under the Peace Corps Act, or (iv)
24 not in excess of three years during which the bor-
25 rower is in service as a full-time volunteer under

1 title VIII of the Economic Opportunity Act of
2 1964, or (v) not in excess of three years during
3 which the borrower is in service that the President
4 may deem comparable to the service under (ii),
5 (iii), and (iv) above; and
6 (C) contains such other terms and conditions
7 as the Board deems necessary;
8 (3) consolidate all outstanding loans for each stu-
9 dent borrower and establish a contractual repayment
10 schedule which shall not exceed a period of thirty years
11 from the date of such consolidation;
12 (4) enter into agreements with the Secretary of the
13 Treasury for the payment of the amount of loss on any
14 loan in the event of default, or the death or disability of
15 the borrower;
16 (5) enter into agreements with the Secretary of the
17 Treasury providing that the Internal Revenue Service
18 can act as agent of the bank in collecting principal and
19 interest on loans made by the bank;
20 (6) provide, under uniform standards, for the can-
21 cellation, in whole or in part, of the repayment due for
22 any year in which such repayment, in the opinion of
23 the bank, would constitute a hardship, but in no event
24 shall the aggregate cancellation for any year under this

1 provision exceed 10 per centum of the total principal
2 and interest owed by the student.

3 OBLIGATIONS OF BANK; FEDERAL GUARANTEE

4 SEC. 304. (a) The bank is authorized to issue and have
5 outstanding obligations having such maturities and bearing
6 such rate or rates of interest as may be determined by the
7 bank with the approval of the Secretary of the Treasury.
8 Such obligations may be redeemable at the option of the
9 bank before maturity in such manner as may be stipulated
10 therein. The aggregate amount of obligations of the
11 bank outstanding at any one time shall not exceed $5,000,-
12 000,000. The bank may purchase in the open market any
13 of its outstanding obligations.

14 (b) The Secretary of the Treasury shall, upon such
15 terms and conditions as he may prescribe, guarantee obliga-
16 tions issued by the bank under this section. The Secretary
17 may establish and collect fees for guarantees hereunder. Such
18 fees shall, insofar as is practicable having due regard for the
19 purposes of this Act, be fixed with a view to providing in-
20 come sufficient for a self-supporting guarantee program. The
21 full faith and credit of the United States is pledged to the
22 payment of guarantees made under this section with respect
23 to both principal and interest.

24 (c) To provide for the payment of any liabilities
25 incurred as a result of guarantees made under this section,

1 the Secretary of the Treasury is authorized to establish a
2 revolving fund which shall consist of (1) receipts from fees,
3 (2) recoveries under security or subrogation rights or other
4 rights, and any other receipts obtained in connection with
5 such guarantees, and (3) such additional sums, which are
6 hereby authorized to be appropriated, as may be required
7 from time to time to make payments required under such
8 guarantees. Any sums so appropriated shall remain avail-
9 able until expended.
10 (d) Notwithstanding any other provision of law, the
11 Secretary of the Treasury shall have power to pursue to final
12 collection by way of compromise or otherwise all claims ac-
13 quired by him in connection with any security, subrogation,
14 or other rights obtained by him in connection with guaran-
15 tees made under this section.
16 (e) Any guarantee made by the Secretary of the
17 Treasury under this section shall be conclusive evidence of
18 the eligibility of the obligations for such guarantee, and the
19 validity of any guarantee so made shall be incontestable in
20 the hands of a qualified holder of the guaranteed obligation
21 except for fraud or material misrepresentation on the part
22 of such holder.
23 GENERAL POWERS
24 SEC. 305. (a) The bank shall have power—
25 (1) to sue and be sued, complain and defend, in
26 its corporate name and through its own counsel;

1 (2) to adopt, alter, and use a corporate seal, which
2 shall be judicially noticed;
3 (3) to adopt, amend, and repeal by its board of
4 directors such bylaws, rules, and regulations as may be
5 necessary for the conduct of its business;
6 (4) to conduct its business, carry on its operations,
7 and have offices and exercise the powers granted by this
8 title in any State without regard to any qualification or
9 similar statute in any State;
10 (5) to lease, purchase, or otherwise acquire, own,
11 hold, improve, use, or otherwise deal in and with any
12 property, real, personal, or mixed, or any interest therein,
13 wherever situated;
14 (6) to accept gifts or donations of services, or of
15 property, real, personal, or mixed, tangible or intangible,
16 in aid of any of the purposes of the bank;
17 (7) to sell, convey, mortgage, pledge, lease, ex-
18 change, and otherwise dispose of its property and
19 assets;
20 (8) to appoint such officers, attorneys, employees,
21 and agents as may be required, to determine their quali-
22 fications, to define their duties, to fix their salaries, re-
23 quire bonds for them, and fix the penalty thereof; and
24 (9) to enter into contracts, to execute instruments,
25 to incur liabilities, and to do all things as are necessary

1 or incidental to the proper management of its affairs
2 and the proper conduct of its business.
3 (b) The bank is authorized to utilize the services of
4 financial institutions and postsecondary or higher education
5 institutions in the initiation of loans and the certification
6 of the eligibility of prospective borrowers and to pay reason-
7 able compensation to institutions so utilized for services
8 rendered.

9 AUDIT OF FINANCIAL TRANSACTIONS

10 SEC. 306. (a) The financial transactions of the bank shall
11 be audited by the General Accounting Office in accordance
12 with the principles and procedures applicable to commercial
13 corporate transactions and under such rules and regulations
14 as may be prescribed by the Comptroller General of the
15 United States. The audit shall be conducted at the place or
16 places where the accounts are normally kept. The repre-
17 sentatives of the General Accounting Office shall have access
18 to all books, accounts, financial records, reports, files, and
19 all other papers, things, or property belonging to or in
20 use by the bank and necessary to facilitate the audit and
21 they shall be afforded full facilities for verifying transactions
22 with the balances or securities held by depositories, fiscal
23 agents, and custodians.
24 (b) The expenses of any audit performed under this
25 section shall be borne out of appropriations to the General

1 Accounting Office, and appropriations in such sums as may
2 be necessary are authorized. The bank shall reimburse the
3 General Accounting Office for the full cost of such audit
4 as billed therefor by the Comptroller General, and the Gen-
5 eral Accounting Office shall deposit the sums so reimbursed
6 into the Treasury as miscellaneous receipts.

7 AUDIT REPORT TO CONGRESS

8 SEC. 307. A report of each such audit for a fiscal year
9 shall be made by the Comptroller General to the President
10 and to the Congress not later than six months following the
11 close of such fiscal year. The report shall set forth the scope of
12 the audit and shall include a statement of assets and liabilities,
13 capital and surplus or deficit; a statement of surplus or deficit
14 analysis; a statement of income and expense; a statement of
15 sources and application of funds; and such comments and
16 information as may be deemed necessary to keep Congress
17 and the President informed of the operations and financial
18 condition of the bank, together with such recommendations
19 with respect thereto as the Comptroller General may deem
20 advisable, including a report of any impairment of capital or
21 lack of sufficient capital noted in the audit. A copy of each
22 report shall be furnished to the Secretary of Health, Educa-
23 tion, and Welfare, the Secretary of the Treasury, and to the
24 bank.

1 TAX EXEMPTIONS

2 SEC. 308. The bank, its property, its franchise, capital,
3 reserves, surplus, security holdings, and other funds and its
4 income shall be exempt from all taxation now or hereafter
5 imposed by the United States or by any State or local taxing
6 authority; except that (1) any real property and any tan-
7 gible personal property of the bank shall be subject to Fed-
8 eral, State, and local taxation to the same extent according to
9 its value as other such property is taxed, and (2) any and
10 all obligations issued by the bank shall be subjected both as
11 to principal and interest to Federal, State, and local taxation
12 to the same extent as the obligations of private corporations
13 are taxed.

14 OBLIGATIONS AS LAWFUL INVESTMENTS, ACCEPTANCE
15 AS SECURITY

16 SEC. 309. All obligations issued by the bank shall be
17 lawful investments, and may be accepted as security for all
18 fiduciary, trust, and public funds, the investment or deposit
19 of which shall be under authority or control of the United
20 States or of any officer or officers thereof. All obligations
21 issued by the bank pursuant to this Act shall be deemed to be
22 exempt securities within the meaning of laws administered
23 by the Securities and Exchange Commission, to the same
24 extent as securities which are direct obligations of the United
25 States.

1 PREPARATION OF OBLIGATIONS

2 SEC. 310. In order to furnish obligations for delivery by
3 the bank, the Secretary of the Treasury is authorized to pre-
4 pare such obligations in such form as the Board of Directors
5 may approve, such obligations when prepared to be held in
6 the Treasury subject to delivery upon order by the bank. The
7 engraved plates, dies, bed pieces, and so forth, executed in
8 connection therewith shall remain in the custody of the Sec-
9 retary of the Treasury. The bank shall reimburse the Secre-
10 tary of the Treasury for any expenditures made in the prep-
11 aration, custody, and delivery of such obligations.

12 ANNUAL REPORT

13 SEC. 311. The bank shall, as soon as practicable after
14 the end of each fiscal year, transmit to the President and the
15 Congress an annual report of its operations and activities.

16 AMENDMENTS RELATING TO FINANCIAL INSTITUTIONS

17 SEC. 312. (a) The sixth sentence of the seventh para-
18 graph of section 5136 of the Revised Statutes, as amended
19 (12 U.S.C. 24), is amended by inserting "or obligations
20 of the Higher Education Loan Bank," immediately after "or
21 obligations, participations, or other instruments of or issued
22 by the Federal National Mortgage Association or the Gov-
23 ernment National Mortgage Association,".

24 (b) Section 5200 of the Revised Statutes, as amended
25 (12 U.S.C. 84), is amended by adding at the end thereof
26 the following new paragraph:

1 "(14) Obligations of the Higher Education Loan
2 Bank shall not be subject to any limitation based upon
3 such capital and surplus."

4 FEDERAL PAYMENTS FOR DEFERRED INTEREST CANCELLA-
5 TION AND IN THE EVENT OF DEFAULT

6 SEC. 313. (a) In accordance with the agreements en-
7 tered into by him, the Secretary of the Treasury is author-
8 ized to pay in any fiscal year to the Higher Education Loan
9 Bank such amounts as he determines to be necessary to re-
10 imburse the Higher Education Loan Bank for nonpayments
11 due to deferments of principal and interest, cancellations of
12 annual payments, defaults by the borrower, and the death
13 or disablement of the borrower occurring in such year.

14 (b) There are hereby authorized to be appropriated such
15 sums as may be necessary to carry out the purposes of this
16 section.

17 DEFINITION OF ELIGIBLE INSTITUTION

18 SEC. 314. As used in this title—

19 (a) The term "eligible institution" means (1) an insti-
20 tution of higher education, (2) a vocational school, or (3)
21 with respect to students who are nationals of the United
22 States, an institution outside the States which is comparable
23 to an institution of higher education or to a vocational school
24 and which has been approved by the Commissioner of Edu-
25 cation for purposes of section 435 of the Higher Education
26 Act of 1965.

1 (b) The term "vocational school" means a business or
2 trade school, or technical institution or other technical or
3 vocational school, in any State, which the Commissioner of
4 Education has designated pursuant to section 435(c) of
5 the Higher Education Act of 1965.

6 TITLE IV—PROGRAMS FOR COLLEGE OPPORTU-
7 NITIES FOR THE DISADVANTAGED

8 INCENTIVE GRANTS

9 SEC. 401. (a) Section 421 of the Higher Education Act
10 of 1965 (as redesignated by this Act), is amended by re-
11 designating subsection (d) thereof as subsection (e) and
12 inserting in lieu thereof the following new subsection:

13 "(d) Upon application made by an institution of higher
14 education containing any combination of programs set forth
15 in subsection (b) which the Commissioner determines pro-
16 vides a new and imaginative approach to achieving the ob-
17 jectives of this subpart and gives unusual promise in assisting
18 youths to initiate, resume, or complete postsecondary educa-
19 tion, he is authorized to make an incentive grant to any such
20 institution to pay all of the cost of the program described in
21 such application."

22 (b) (1) Section 421(e) of such Act, as redesignated
23 by subsection (a) of this section is amended by striking out
24 "There is authorized to be appropriated to carry out this
25 section" and inserting in lieu thereof:

1 "(1) Except as provided in paragraph (2) of this sub-
2 section there are authorized to be appropriated to carry out
3 this section".
4 (2) Such section 421 (e) is further amended by adding
5 at the end thereof the following new paragraph:
6 "(2) There are authorized to be appropriated such sums
7 as may be necessary to carry out subsection (d) of this
8 section for the fiscal year ending June 30, 1972, and for
9 each of the two succeeding fiscal years."

10 TRAINING GRANTS

11 SEC. 402. Subpart III of part A of title IV of the
12 Higher Education Act of 1965 (as redesignated by this
13 Act), is amended by adding at the end thereof the following
14 new section:

15 "GRANTS FOR TRAINING IN EDUCATIONAL ASSISTANCE
16 OPPORTUNITIES

17 "SEC. 402A. (a) The Commissioner is authorized (with-
18 out regard to section 3709 of the Revised Statutes (41
19 U.S.C. 5)) to make grants, to, or contracts with, State
20 educational agencies and local educational agencies for
21 special projects which will contribute to achieving the ob-
22 jectives of this subpart, and which provide training for
23 teachers and counselors in secondary schools with respect to
24 the availability of financial assistance for youths who desire
25 to initiate, resume, or complete postsecondary education.

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1 "(b) Whenever he determines that it will contribute to
2 carrying out the purposes of this section, the Commissioner
3 is authorized to permit programs under this section to include
4 such training for student leaders in secondary schools.
5 "(c) The Commissioner is authorized to provide such
6 stipends and allowances, if any, including travel and sub-
7 sistence expenses for persons undergoing such training, and,
8 if necessary, their dependents, as the Commissioner may by
9 regulation prescribe.
10 "(d) There is hereby authorized to be appropriated
11 such sums as may be necessary to carry out the purposes of
12 this section for the fiscal year ending June 30, 1972, and
13 for each of the two succeeding fiscal years."
14 HIGHER EDUCATION OPPORTUNITIES CENTERS
15 SEC. 403. (a) Section 1306 of the Higher Education
16 Act of 1965 (as redesignated by this Act) is amended by
17 redesignating subsection (b) thereof as subsection (c) and
18 by inserting immediately after subsection (a) the following
19 new subsection (b):
20 "(b) In order to assist in achieving the objectives of
21 this section, the Commissioner is authorized (without regard
22 to section 3709 of the Revised Statutes (41 U.S.C. 5))
23 to enter into lease agreements or other arrangements for
24 the establishment of not more than five hundred college
25 opportunities centers. Such centers shall be located in areas

1 easily accessible to students and parents and, wherever prac-
2 ticable, shall be located in areas having high concentrations
3 of low-income families. Such centers shall make available
4 information, including appropriate application forms, and
5 furnish guidance and counseling services, with respect to
6 all federally assisted programs designed to provide oppor-
7 tunities for education beyond high school, and with respect
8 to attending vocational schools, and institutions of higher
9 education."

10 (b) (1) Section 1306 (c) of such Act (as redesig-
11 nated by subsection (a) hereof) is amended by striking
12 out "There are authorized to be appropriated to carry out
13 the provisions of this section" and inserting in lieu thereof:

14 "(1) For the purpose of carrying out subsection (a) of
15 this section, there are authorized to be appropriated".

16 (2) Such section 1306 (c) is further amended by
17 adding the following new paragraph:

18 "(2) There are authorized to be appropriated sums
19 sufficient to carry out subsection (c) of this section for the
20 fiscal year ending June 30, 1972, and for each of the two
21 succeeding fiscal years."

22 COUNCIL ON COLLEGE OPPORTUNITIES

23 SEC. 404. (a) The Secretary of Health, Education,
24 and Welfare shall appoint a National Advisory Council on
25 College Opportunities composed of fourteen members. Seven

1 members shall be appointed from among individuals who are
2 representative of Federal, State, and local public agencies
3 concerned with providing educational opportunities beyond
4 high school. Seven members shall be appointed from the
5 general public. Of the members appointed from the general
6 public, at least three shall be students receiving financial
7 assistance, provided in whole or in part by the Federal
8 Government, at an institution of higher education.

9 (b) The Council shall assist the Commissioner by—

10 (1) reviewing all programs designed to provide
11 educational opportunities beyond high school for dis-
12 advantaged youth with the purpose of determining the
13 effectiveness of such programs;

14 (2) developing and recommending administrative
15 procedures for effective coordination of Federal programs
16 offering opportunities for education beyond high school
17 for such youth, particularly with respect to coordination
18 at the local level of informational services on such pro-
19 grams and the establishment of procedures for exchang-
20 ing such information among departments and agencies
21 of the Federal Government administering or assisting
22 programs designed to provide educational opportunities
23 beyond high school;

24 (3) developing research and pilot projects which
25 give promise of providing new and potentially more

1 successful means by which students who might benefit
2 from educational opportunities beyond high school may
3 be identified and oriented toward successful completion
4 of such education.

5 (c) The Council shall report to the Secretary of Health,
6 Education, and Welfare and to the Congress annually its
7 findings and recommendations, including recommendations
8 for changes in the law, not later than March 31 of each
9 calender year beginning after the enactment of this Act.

10 (d) Each member of the Advisory Council who is ap-
11 pointed from private life shall receive $100 per diem (in-
12 cluding traveltime) for each day during which he is en-
13 gaged in the actual performance of his duties as a member
14 of the Council. A member of the Council who is an officer
15 or employee of the Federal Government shall serve without
16 additional compensation. All members of the Council shall
17 be reimbursed for travel, subsistence, and other necessary
18 expenses incurred by them in the performance of such duties.

19 (e) The Secretary of Health, Education, and Welfare
20 shall invite one representative each from the Social Security
21 Administration, the Railroad Retirement Board, the Bureau
22 of Indian Affairs, the United States Office of Education, the
23 Veterans' Administration, and the Manpower Administration
24 to participate in a Federal student assistance programs con-
25 ference several times each year. This conference, and its

1 members, shall assist the Council on College Opportunities
2 by—
3 (1) providing any information concerning student
4 assistance programs administered by any of these agen-
5 cies requested by the Council;
6 (2) making recommendations at least once each
7 year to the Council concerning the duties of the Council
8 under section 404 (b) (2) of this Act.
9 STUDENT OUTREACH DEMONSTRATION PROJECTS
10 SEC. 405. (a) The Commissioner of Education, after
11 consultation with the National Advisory Council on College
12 Opportunity for Disadvantaged Youth, is authorized to ar-
13 range by contract, grant, or otherwise, with public and non-
14 profit private agencies for the carrying out by such agencies
15 of programs which—
16 (1) involve the use of innovative methods of activi-
17 ties designed to identify youths of financial or cultural
18 need who show reasonable promise of benefiting from
19 education beyond high school and to assist such youths
20 to undertake such education, and which the Commis-
21 sioner determines may have national significance or will
22 more effectively promote the objectives of subpart III
23 of part A of title IV of the Higher Education Act of
24 1965; or
25 (2) involve programs carried out in secondary
26 schools to identify students who are not now motivated

1 to undertake education beyond high school and to deter-
2 mine the means by which such students who potentially
3 might succeed in education beyond high school can be
4 motivated toward initiating such education, and which
5 the Commissioner determines may have national sig-
6 nificance or will more effectively promote the objectives
7 of subpart III of part A of title IV of the Higher Edu-
8 cation Act of 1965.

9 (b) The Commissioner shall approve arrangements pur-
10 suant to this section only on application by a public or non-
11 profit private agency and upon his finding that —

12 (1) the agency is qualified to carry out the project
13 for which the application is made;

14 (2) the applicant has established effective proce-
15 dures for fund accounting, evaluation of the results of the
16 project, and necessary reporting; and

17 (3) the project has been submitted to the appro-
18 priate State educational agency prior to the submission
19 of the application under this subsection.

20 (c) For the purpose of this section "State educational
21 agency" has the same meaning as provided is section 801
22 (k) of the Elementary and Secondary Education Act of
23 1965.

24 (d) There are authorized to be appropriated sums
25 sufficient for the purpose of this section for the fiscal year

1 ending June 30, 1972, and for the two succeeding fiscal
2 years.

3 SPECIFIC INCLUSION OF GRADUATE STUDENTS IN SPECIAL
4 SERVICES FOR DISADVANTAGED STUDENTS

5 SEC. 406. (a) Section 421 (b) (3) of the Higher Edu-
6 cation Act of 1965 (as redesignated by this Act) is amended
7 by inserting "undergraduate, graduate, or other" before
8 "postsecondary".

9 TITLE V—NATIONAL ADVISORY COUNCIL ON
10 STUDENT ASSISTANCE

11 NATIONAL COUNCIL

12 SEC. 501. (a) The Secretary of Health, Education, and
13 Welfare shall appoint a National Advisory Council on Stu-
14 dent Assistance which shall consist of ten members. At least
15 five of the members shall be appointed from among students
16 enrolled in eligible institutions as defined under title I of the
17 Student Assistance Act of 1969. At least three of the mem-
18 bers who are appointed pursuant to the preceding sentence
19 shall be participants in the programs authorized by title IV
20 of the Higher Education Act of 1965, or by title II of the
21 National Defense Education Act of 1958, or shall be a
22 recipient of any fellowship, scholarship, or grant-in-aid
23 authorized by Federal law.

24 (b) The Council shall advise the Commissioner of Edu-
25 cation on the administration of programs authorized by this

1 Act, by title IV of the Higher Education Act of 1965 and
2 by title II of the National Defense Education Act of 1958,
3 including an evaluation of the effectiveness of such programs
4 in terms of making available greater opportunities for youth
5 to obtain an education beyond high school.

6 (c) The Secretary of Health, Education, and Welfare
7 shall engage such technical assistance as may be required to
8 carry out the functions of the Council, and the Secretary
9 shall make available to the Council such secretarial, clerical,
10 and other assistance and such pertinent data prepared by the
11 Department of Health, Education, and Welfare as it may
12 require to carry out such functions.

13 (d) The Council shall make an annual report of its
14 findings and recommendations (including recommendations
15 for changes in the provisions of this Act, title IV of the
16 Higher Education Act of 1965, and title II of the National
17 Defense Education Act of 1958) to the President and the
18 Congress not later than January 31 of each calendar year
19 beginning after the enactment of this title. The President is
20 requested to transmit to the Congress such comments and
21 recommendations as he may have with respect to such
22 report.

23 (e) Each member of the Advisory Council who is
24 appointed from private life shall receive $100 per diem

1 (including traveltime) for each day during which he is en-
2 gaged in the actual performance of his duties as a member
3 of the Council. A member of the Council who is an officer
4 or employee of the Federal Government shall serve without
5 additional compensation. All members of the Council shall
6 be reimbursed for travel, subsistence, and other necessary
7 expenses incurred by them in the performance of such duties.

92D CONGRESS
1ST SESSION

S. 1410

IN THE SENATE OF THE UNITED STATES

MARCH 30, 1971

Mr. HUMPHREY (for himself, Mr. HART, Mr. MATHIAS, Mr. MONDALE, Mr. MUSKIE, and Mr. STEVENS) introduced the following bill; which was read twice and referred to the Committee on Labor and Public Welfare

A BILL

To amend the Higher Education Act of 1965 to establish a student internship program to offer students practical political involvement with elected officials on the local, State, and Federal levels of government.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That this Act may be cited as the "Interns for Political
4 Leadership Act of 1971."
5 SEC. 2. Title IX of the Higher Education Act of 1965
6 is amended by adding at the end thereof the following new
7 part:

II

1 "PART D—INTERNS FOR POLITICAL LEADERSHIP
2 "PROGRAM GRANTS AND CONTRACTS
3 "SEC. 931. The Secretary is authorized to enter into a
4 contract or other arrangement with a private non-profit agency
5 (to be known as the "National Coordinating Agency")
6 under which such agency will plan, develop, and carry
7 out an internship program under which students will be
8 provided practical political involvement with elected officials
9 in the performance of their duties at all levels of government
10 through internships in their offices. Such internship program
11 shall be carried out through arrangements with institutions
12 of higher education and State and local governments under
13 which students in their third and fourth years of study at
14 the institution will serve as interns in offices of State and
15 local elected officials, and under which the interns will be
16 assigned duties, which will give them an insight into the
17 problems of the different levels of government, as well as
18 an opportunity for research and for involvement in the policy-
19 making process. Such arrangements shall provide for coor-
20 dination between the on-campus educational programs of the
21 persons selected and their activities as interns, with com-
22 mensurate credit given for their work and achievement as
23 interns. Such internship program shall also provide oppor-
24 tunities for students who have participated in the internship
25 program at State and local levels to become interns in the

1 offices of Members of Congress for up to three months during
2 the first year following the receipt of their bachelor's degree.
3 Such internships shall be arranged by the National Coor-
4 dinating Agency with the Members of Congress who wish
5 to participate.

6 "SELECTION OF STUDENTS FOR PARTICIPATION

7 "SEC. 932. The students who are to participate in the
8 internship program provided for in this part shall be selected
9 by the National Coordinating Agency from among students
10 whose names are proposed by participating institutions of
11 higher education. Internships shall be distributed among the
12 States so that insofar as practicable the number for each
13 State bears the same ratio to the total number as the num-
14 ber of Members of Congress from that State bears to the
15 total number of Members of Congress.

16 "FEDERAL SHARE

17 "SEC. 933. The amount of Federal payments on ac-
18 count of carrying out the program provided for in this title
19 by providing for internships in the offices of State and local
20 elected officials may not exceed one-half of the cost thereof.

21 "ADMINISTRATION

22 "SEC. 934. Subject to the terms of the contract or
23 agreement between it and the Secretary, the National Coor-
24 dinating Agency shall prescribe the stipends to be paid to
25 the interns participating in the program provided for in

1 this part, and the duration and other terms and conditions
2 of such internships. The cost of administration of a program
3 may be paid by such agency.

4 "APPROPRIATIONS AUTHORIZED

5 "SEC. 935. There is authorized to be appropriated to
6 carry out this part the sum of $10,000,000 for the fiscal year
7 1972 and for each of the two succeeding fiscal years.

8 "DEFINITION

9 "SEC. 936. Notwithstanding section 1201 (a) or section
10 921 (a), the term 'State' as used in this part means the fifty
11 States, Puerto Rico, and the District of Columbia. For pur-
12 poses of the distribution of internships among the States, in
13 determining the number of Members of Congress for purposes
14 of section 932, the Resident Commissioner for Puerto Rico
15 and the Delegate from the District of Columbia shall be con-
16 sidered Members of Congress, and interns in the offices of
17 Members of Congress shall be attributed to the State of the
18 Member in whose office they are serving."

92D CONGRESS
1ST SESSION

S. 1453

IN THE SENATE OF THE UNITED STATES

APRIL 1, 1971

Mr. JAVITS introduced the following bill; which was read twice and referred to the Committee on Labor and Public Welfare

A BILL

To amend part A of title IV of the Higher Education Act of 1965, relating to educational opportunity grants, in order to authorize an increase in the amount of such grants in certain cases and to authorize such grants for students attending institutions of higher education on a less than full-time but at least half-time basis.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That section 402 of the Higher Education Act of 1965 is
4 amended by striking out the second sentence and inserting in
5 lieu thereof the following: "Such $1,000 limitation shall be
6 increased to $1,200 in the case of a student who during the
7 preceding academic year of college work received grades in

1 the upper half of his class. If the amount of the payment
2 determined under the preceding sentences of this section for
3 an academic year is less than $200 for a student, no payment
4 shall be made under this title to that student for that year."
5 SEC. 2. Section 403 of the Higher Education Act of
6 1965 is amended by adding after "except that" in the first
7 sentence the words "in the case of full-time students", and
8 in the second sentence by striking out "full time" and in-
9 serting in lieu thereof "at least half time".
10 SEC. 3. Section 404 (b) of the Higher Education Act of
11 1965 is amended by striking out clause (1) and inserting in
12 lieu thereof the following:
13 "(1) he has been accepted for enrollment as a full
14 time or at least half time student at such institution or,
15 in the case of a student already attending such institu-
16 tion, is in good standing, and in full time or at least half
17 time attendance there as an undergraduate, but in the
18 case of any such student accepted or in attendance on a
19 less than full-time basis the maximum amounts pre-
20 scribed in section 402 shall be ratably reduced;".

92D CONGRESS
1ST SESSION

S. 1755

IN THE SENATE OF THE UNITED STATES

MAY 4, 1971

Mr. CHILES introduced the following bill; which was read twice and referred to the Committee on Labor and Public Welfare

A BILL

To amend title IV of the Higher Education Act of 1965 to establish a Student Loan Marketing Association.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That this Act may be cited as the "Student Loan Marketing
4 Association Act of 1971".
5 SEC. 2. Title IV of the Higher Education Act of 1965 is
6 amended by adding at the end thereof the following new
7 part G:
8 "PART G—STUDENT LOAN MARKETING ASSOCIATION
9 "DECLARATION OF PURPOSE
10 "SEC. 471. Congress hereby declares that it is the
11 purpose of this part to establish a Government-sponsored

1 private corporation which will be financed by private capital
2 and which will serve as a secondary market and warehousing
3 facility for insured student loans and provide liquidity for
4 student loan investments.

5 "CREATION OF AGENCY

6 "SEC. 472. (a) There is hereby created a body cor-
7 porate to be known as the Student Loan Marketing Associa-
8 tion (hereinafter referred to as the 'Association'). The
9 Association shall have succession until dissolved by Act of
10 Congress. It shall maintain its principal office in the District
11 of Columbia and shall be deemed, for purposes of venue in
12 civil actions, to be a resident thereof. Offices may be estab-
13 lished by the Association in such other place or places as it
14 may deem necessary or appropriate for the conduct of its
15 business.

16 "(b) The Association, including its franchise, capital,
17 reserves, surplus, mortgages, or other security holdings, and
18 income shall be exempt from all taxation now or hereafter im-
19 posed by any State, territory, possession, Commonwealth, or
20 dependency of the United States, or by the District of Colum-
21 bia, or by any county, municipality, or local taxing author-
22 ity, except that any real property of the Association shall
23 be subject to State, territorial, county, municipal, or local
24 taxation to the same extent according to its value as other
25 real property is taxed.

1 "(c) There is hereby authorized to be appropriated to
2 the Secretary of Health, Education, and Welfare such sums
3 as may be necessary for making advances for the purpose of
4 helping to establish the Association. Such advances shall be
5 repaid within such period as the Secretary may deem to be
6 appropriate in light of the maturity and solvency of the
7 Association.

8 "BOARD OF DIRECTORS

9 "SEC. 473. (a) The Association shall have a Board of
10 Directors which shall consist of twenty-one persons, one of
11 whom shall be designated Chairman by the President.

12 "(b) An interim Board of Directors shall be appointed
13 by the President, one of whom he shall designate as interim
14 Chairman. The interim Board shall consist of twenty-one
15 members, seven of whom shall be representative of banks
16 or other financial institutions which are insured lenders under
17 this Act, seven of educational institutions, and seven of the
18 general public. The interim Board shall arrange for an
19 initial offering of common and preferred stocks and take
20 whatever other actions are necessary to proceed with the
21 operations of the Association.

22 "(c) When in the judgment of the President, sufficient
23 common stock of the Association has been purchased by edu-
24 cational institutions and banks or other financial institutions,
25 the holders of common stock which are educational institu-

1 tions shall elect seven members of the Board of Directors and
2 the holders of common stock which are banks or other finan-
3 cial institutions shall elect seven members of the Board of
4 Directors. The President shall appoint the remaining seven
5 directors.

6 "(d) At the time the event described in subsection (c)
7 has occurred, the interim Board shall turn over the affairs of
8 the Association to the regular Board so chosen or appointed.

9 "(e) The directors appointed by the President shall
10 serve at the pleasure of the President and until their succes-
11 sors have been appointed and have qualified. The remaining
12 directors shall each be elected for a term ending on the date
13 of the next annual meeting of the common stockholders of
14 the Association, and until their successors have been elected.
15 Any appointive seat on the Board which becomes vacant shall
16 be filled by appointment of the President. Any elective seat
17 on the Board which becomes vacant after the annual election
18 of the directors shall be filled by the Board, but only for the
19 unexpired portion of the term.

20 "(f) The Board of Directors shall meet at the call of its
21 chairman. The Board shall determine the general policies
22 which shall govern the operations of the Association. The
23 Chairman of the Board shall, with the approval of the Board,
24 select, appoint, and compensate qualified persons to fill the
25 offices as may be provided for in the bylaws, with such

1 executive functions, powers, and duties as may be prescribed
2 by the bylaws or by the Board of Directors, and such per-
3 sons shall be the executive officers of the Association and
4 shall discharge all such executive functions, powers, and
5 duties.

6 "FUNCTIONS

7 "SEC. 474. (a) The Association is authorized, subject
8 to the provisions of this part, pursuant to commitments or
9 otherwise, to make advances on the security of, purchase,
10 service, sell, or otherwise deal in, at prices and on terms and
11 conditions determined by the Association, student loans
12 which are insured under this Act.

13 "(b) Any warehousing advance made under sub-
14 section (a) of this section shall not exceed 80 per centum
15 of the face amount of an insured loan. The proceeds from
16 any such advance shall be invested in additional insured
17 student loans.

18 "COMMON STOCK

19 "SEC. 475. (a) The Association shall have common
20 stock having a par value of $100 per share which may be
21 issued only to lenders under part B of title IV of this Act,
22 pertaining to Guaranteed Student Loans, who are qualified as
23 insured lenders under such part.

24 "(b) Each share of common stock shall be entitled to
25 one vote with rights of cumulative voting at all elections

1 of directors. Voting shall be by classes as described in
2 section 473 (c).
3 "(c) The common stock of the Association shall be
4 transferable only as may be prescribed by regulations of the
5 Secretary of Health, Education, and Welfare, and, as to the
6 Association, only on the books of the Association. The Secre-
7 tary of Health, Education, and Welfare shall prescribe the
8 maximum number of shares of common stock the Association
9 may issue and have outstanding at any one time.
10 "(d) To the extent that net income is earned and real-
11 ized, subject to section 476 (b), dividends may be declared
12 on common stock by the Board of Directors. Such dividends
13 as may be declared by the Board shall be paid to the holders
14 of outstanding shares of common stock, except that no such
15 dividend shall be payable with respect to any share which
16 has been called for redemption past the effective date of
17 such call.
18 "PREFERRED STOCK
19 "SEC. 476. (a) The Association is authorized, with the
20 approval of the Secretary of Health, Education, and Wel-
21 fare, to issue nonvoting preferred stock with a par value of
22 $100 per share. Any preferred share issued shall be freely
23 transferable, except that, as to the Association, it shall be
24 transferred only on the books of the Association.
25 "(b) The holders of the preferred shares shall be entitled

1 to such rate of cumulative dividends and such shares
2 shall be subject to such redemption or other conversion pro-
3 visions as may be provided for at the time of issuance. No
4 dividends shall be payable on any share of common stock at
5 any time when any dividend is due on any share of preferred
6 stock and has not been paid.

7 "(c) In the event of any liquidation, dissolution, or
8 winding up of the Association's business, the holders of the
9 preferred shares shall be paid in full at par value thereof,
10 plus all accrued dividends, before the holders of the common
11 shares receive any payment.

12 "OBLIGATIONS

13 "SEC. 477. (a) The Association is authorized with
14 the approval of the Secretary of Health, Education, and
15 Welfare and the Secretary of the Treasury to issue and have
16 outstanding obligations having such maturities and bearing
17 such rate or rates of interest as may be determined by the
18 Association. Such obligations may be redeemable at the
19 option of the Association before maturity in such manner
20 as may be stipulated therein.

21 "(b) The Secretary of Health, Education, and Welfare
22 is authorized, on behalf of the United States, to guarantee
23 payment when due of principal and interest on obligations
24 issued by the Association in an aggregate amount deter-
25 mined by the Secretary in consultation with the Secretary

1 of the Treasury. The full faith and credit of the United States
2 is pledged to the payment of all amounts which may be re-
3 quired to be paid under any guaranty under this subsection.
4 "(c) To enable the Secretary of Health, Education,
5 and Welfare to discharge his responsibilities under guaran-
6 tees issued by him, he is authorized to issue to the Secretary
7 of the Treasury notes or other obligations in such forms and
8 denominations, bearing such maturities, and subject to such
9 terms and conditions, as may be prescribed by the Secretary
10 of Health, Education, and Welfare with the approval of
11 the Secretary of the Treasury. Such notes or other obliga-
12 tions shall bear interest at a rate determined by the Secre-
13 tary of the Treasury, taking into consideration the current
14 average market yield on outstanding marketable obligations
15 of the United States of comparable maturities during the
16 months preceding the issuance of the notes or other obliga-
17 tions. The Secretary of the Treasury is authorized and di-
18 rected to purchase any notes and other obligations issued
19 hereunder and for that purpose he is authorized to use as
20 a public debt transaction the proceeds from the sale of any
21 securities issued under the Second Liberty Bond Act, as
22 amended, and the purposes for which securities may be
23 issued under that Act, as amended, are extended to include
24 any purchase of such notes and obligations. The Secretary
25 of the Treasury may at any time sell any of the notes or

1 other obligations acquired by him under this subsection. All
2 redemptions, purchases, and sales by the Secretary of the
3 Treasury of such notes or other obligations shall be treated
4 as public debt transactions of the United States. There is
5 hereby authorized to be appropriated to the Secretary of
6 Health, Education, and Welfare such sums as may be nec-
7 essary to pay the principal and interest on the notes or
8 obligations issued by him to the Secretary of the Treasury.
9 "GENERAL POWERS
10 "SEC. 478. The Association shall have power—
11 "(1) to sue and be sued, complain and defend, in
12 its corporate name and through its own counsel;
13 "(2) to adopt, alter, and use the corporate seal,
14 which shall be judicially noticed;
15 "(3) to adopt, amend, and repeal by its board of
16 directors bylaws, rules, and regulations as may be nec-
17 essary for the conduct of its business;
18 "(4) to conduct its business, carry on its opera-
19 tions, and have officers and exercise the power granted
20 by this part in any State without regard to any qualifi-
21 cation or similar statute in any State;
22 "(5) to lease, purchase, or otherwise acquire, own,
23 hold, improve, use, or otherwise deal in and with
24 any property, real, personal, or mixed, or any interest
25 therein, wherever situated;

1 "(6) to accept gifts or donations of services, or of
2 property, real, personal, or mixed, tangible or intangible,
3 in aid of any of the purposes of the Association;
4 "(7) to sell, convey, mortgage, pledge, lease, ex-
5 change, and otherwise dispose of its property and assets;
6 "(8) to appoint such officers, attorneys, employees,
7 and agents as may be required, to determine their
8 qualifications, to define their duties, to fix their salaries,
9 require bonds for them and fix the penalty thereof; and
10 "(9) to enter into contracts, to execute instruments,
11 to incur liabilities, and to do all things as are necessary
12 or incidental to the proper management of its affairs and
13 the proper conduct of its business.
14 "AUDIT OF FINANCIAL TRANSACTIONS
15 "SEC. 479. (a) The financial transactions of the Asso-
16 ciation shall be audited by the Secretary of Health, Educa-
17 tion, and Welfare in accordance with the principles and
18 procedures applicable to commercial corporate transactions
19 and under such rules and regulations as he may prescribe.
20 The audit shall be conducted at the place or places where the
21 accounts are normally kept. The representatives of the Secre-
22 tary shall have access to all books, accounts, financial rec-
23 ords, reports, files, and all other papers, things, or property
24 belonging to or in use by the Association and necessary to
25 facilitate the audit, and they shall be afforded full facilities for

1 verifying transactions with the balances or securities held by
2 depositaries, fiscal agents, and custodians.
3 "(b) The expenses of any audit performed under the
4 section shall be borne out of appropriations to the Depart-
5 ment of Health, Education, and Welfare, and appropriations
6 in such sums as may be necessary are authorized. The Asso-
7 ciation shall reimburse the Department for the full cost of
8 such audit as billed therefor by the Secretary, and the De-
9 partment shall deposit the sums as reimbursed into the Treas-
10 ury as miscellaneous receipts.
11 "AUDIT REPORT TO CONGRESS
12 "SEC. 480. A report of each such audit for a fiscal year
13 shall be made by the Secretary of Health, Education, and
14 Welfare to the President and to the Congress not later than
15 six months following the close of such fiscal year. The re-
16 port shall set forth the scope of the audit and shall include
17 a statement (showing intercorporate relations) of assets
18 and liabilities, capital and surplus or deficit; a statement of
19 surplus or deficit analysis; a statement of income and ex-
20 pense; a statement of sources and application of funds; and
21 such comments and information as may be deemed necessary
22 to keep the President and the Congress informed of the op-
23 erations and financial condition of the Association, together
24 with such recommendations with respect thereto as the
25 Secretary may deem advisable, including a report of any

1 impairment of capital or lack of sufficient capital noted in
2 the audit. A copy of each report shall be furnished to the
3 Secretary of the Treasury and to the Association.

4 "OBLIGATIONS AS LAWFUL INVESTMENT, ACCEPTANCE
5 AS SECURITY

6 "SEC. 481. All obligations issued by the Association
7 shall be lawful investments, and may be accepted as security
8 for all fiduciary, trust, and public funds, the investment or de-
9 posit of which shall be under authority or control of the
10 United States or of any officer or officers thereof. All stock
11 and obligations issued by the Association pursuant to this
12 part shall be deemed to be exempt securities within the
13 meaning of laws administered by the Securities and Ex-
14 change Commission, to the same extent as securities which
15 are direct obligations of, or obligations guaranteed as to
16 principal or interest by, the United States. The Association
17 shall, for the purposes of section 14 (b) (2) of the Federal
18 Reserve Act, be deemed to be an agency of the United
19 States.

20 "PREPARATION OF OBLIGATIONS

21 "SEC. 482. In order to furnish obligations for delivery
22 by the Association, the Secretary of the Treasury is author-
23 ized to prepare such obligations in such form as the Board of
24 Directors may approve, such obligations when prepared to
25 be held in the Treasury subject to delivery upon order by the

1 Association. The engraved plates, dies, bed pieces, and so
2 forth, executed in connection therewith shall remain in the
3 custody of the Secretary of the Treasury. The Association
4 shall reimburse the Secretary of the Treasury for any ex-
5 penditures made in the preparation, custody, and delivery
6 of such obligations.

7 "ANNUAL REPORT

8 "SEC. 483. The Association shall, as soon as practicable
9 after the end of each fiscal year, transmit to the President
10 and the Congress a report of its operations and activities
11 during each year.

12 "SEPARABILITY

13 "SEC. 484. If any provision of this part or the applica-
14 tion thereof to any person or circumstance is held invalid,
15 the validity of the remainder of the part, and the application
16 of such provisions to other persons or circumstances, shall
17 not be affected.".

18 AMENDMENTS RELATING TO FINANCIAL INSTITUTIONS

19 SEC. 3. (a) The sixth sentence of the seventh para-
20 graph of section 5136 of the Revised Statutes, as amended
21 (12 U.S.C. 24), is amended by inserting "or obligations or
22 other instruments or securities of the Student Loan Marketing
23 Association," immediately after "or obligations, participa-
24 tion, or other instruments of or issued by the Federal Na-

1 tional Mortgage Association or the Government National
2 Mortgage Association,".
3 (b) Section 5200 of the Revised Statutes, as amended
4 (12 U.S.C. 84), is amended by adding at the end thereof
5 the following new paragraph:
6 "(14) Obligations of the Student Loan Marketing Asso-
7 ciation shall not be subject to any limitation based upon
8 such capital and surplus."
9 (c) The first paragraph of section 5(c) of the Home
10 Owners' Loan Act of 1933, as amended (12 U.S.C. 1464
11 (c)), is amended by inserting "or in obligations or other
12 instruments or securities of the Student Loan Marketing
13 Association;" in the second proviso immediately after "any
14 political subdivision thereof".
15 (d) Section 8(8)(E) of the Federal Credit Union
16 Act, amended (12 U.S.C. 1757(8)(E)), is amended by
17 inserting before the semicolon at the end thereof the follow-
18 ing: ", or in obligations or other instruments or securities
19 of the Student Loan Marketing Association".

92D CONGRESS
1ST SESSION

S. 1756

IN THE SENATE OF THE UNITED STATES

MAY 4, 1971

Mr. CHILES introduced the following bill; which was read twice and referred to the Committee on Labor and Public Welfare

A BILL

To amend the Higher Education Act of 1965 in order to strengthen the student insured loan program, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That this Act may be called the "Student Loan Assistance
4 Act of 1971".

5 SEC. 2. (a) The first sentence of section 424 (a) of the
6 Higher Education Act of 1965 is amended by striking out
7 the word "three" and inserting in lieu thereof the word
8 "eight".

9 (b) The second sentence of section 424 (a) of such Act

425
USP

1 is amended by striking out "June 30, 1975" and inserting in
2 lieu thereof "June 30, 1980".
3 SEC. 3. (a) (1) The first sentence of section 425 (a) of
4 the Higher Education Act of 1965 is amended by inserting
5 immediately before the period a comma and the following:
6 "except that pursuant to such regulations as the Commis-
7 sioner may establish, such total in any academic year or its
8 equivalent may exceed $1,500 but not $2,500 if the student
9 has been accepted for enrollment or is attending an eligible
10 institution taking a course of study for which the fees are
11 unusually high."
12 (2) The second sentence of section 425 (a) of such
13 Act is amended by inserting before the period therein a
14 comma and the following: "except that in any case where
15 the total of loans made to any student in any academic
16 year exceeds $1,500, such aggregate shall not at any time
17 exceed $10,000".
18 (b) (1) The first sentence of section 425 (b) of such
19 Act is amended by inserting before the period thereof a
20 comma and the words "plus interest".
21 (2) The second sentence of such section is amended
22 to read as follows: "The full faith and credit of the United
23 States is pledged to the payment of all amounts which may
24 be required to be paid under the provisions of section 430
25 or 437 of this part.".

1 SEC. 4. (a) Section 427 (a) (2) (B) of the Higher
2 Education Act of 1965 is amended by striking out "less than
3 5 years", by striking out "(unless sooner repaid) was",
4 and by striking out "earlier than 9 months nor".
5 (b) Section 427 (a) (2) (D) of such Act is amended
6 by striking out "(but without thereby increasing the insur-
7 ance liability under this part)".
8 SEC. 5. (a) Section 428 (a) (4) of the Higher Educa-
9 tion Act of 1965 is amended by striking out "June 30,
10 1971" and inserting in lieu thereof "June 30, 1976", and
11 by striking out "June 30, 1975" and inserting in lieu there-
12 of "June 30, 1980".
13 (b) Section 428 (b) (1) (D) is amended by striking
14 out "less than 5 years nor" and by striking out "earlier than
15 9 months nor".
16 (c) Section 428 (b) (1) of such Act is amended (1)
17 by striking out the word "and" in paragraph (J) there-
18 of, (2) by striking out the period at the end of paragraph
19 (K) of such section and inserting in lieu thereof a semi-
20 colon and the word "and", and (3) by adding at the end
21 thereof the following new paragraph:
22 "(L) provides that the lender will not collect or
23 attempt to collect from the borrower any portion of the
24 interest on the note which is payable by the Commission-
25 er under this part."

1 SEC. 6. Section 429 (c) of the Higher Education Act
2 of 1965 is amended by striking out "one-fourth of 1 per
3 centum" and inserting in lieu thereof "one-half of 1 per
4 centum".

5 SEC. 7. Section 434 of the Higher Education Act of
6 1965 is amended by striking out "up to 15 per centum of
7 their assets,".

8 SEC. 8. Section 430 (a) of the Higher Education Act of
9 1968 is amended by striking out " (other than interest added
10 to principal) ".

11 SEC. 9. Section 435 (a) of the Higher Education Act of
12 1965 is amended by adding at the end thereof the following
13 new sentence: "Notwithstanding any other provision of this
14 part, whenever the Commissioner determines that it is neces-
15 sary in order to carry out the purposes of this part and after
16 affording an opportunity for a hearing he is authorized to
17 suspend or terminate eligibility under this part for any single
18 otherwise eligible institution.

19 SEC. 10. Section 2 (a) (7) of the Emergency Insured
20 Student Loan Act of 1969 is amended by striking out
21 "June 30, 1971" and inserting in lieu thereof "June 30,
22 1976".

23 SEC. 11. Section 104 of the Truth in Lending Act (15

1 U.S.C. 1603) is amended by adding the following new para-
2 graph at the end thereof:
3 "(5) Loans under title II of the National Defense Edu-
4 cation Act of 1958 or loans to which title IV of the Higher
5 Education Act of 1965 is applicable."

Senator PELL. Senator Javits has a statement he wishes to insert in the record at this point.

STATEMENT OF HON. JACOB K. JAVITS, A U.S. SENATOR FROM THE STATE OF NEW YORK

Senator JAVITS. Mr. Chairman, some years ago when he was president of the University of California, Clark Kerr, now chairman of the Carnegie Commission on Higher Education, observed:

> I find that the three major administrative problems on a campus are sex for the students, athletics for the alumni and parking for the faculty.

As Dr. Kerr has since acknowledged, times have changed.

We are living in an era where higher education enrollments have tripled since 1955, higher education budgets have doubled since 1960, and annual expenditures per student have been rising three times as fast as the cost of living.

When I graduated from high school, only 17 percent of all young Americans were able to finish secondary school—today almost 75 percent of all our youngsters finish high school, and more than half of these head for post-secondary education, either college or vocational. Higher education has an annual budget of $26 billion—8.2 million Americans are enrolled in the Nation's colleges and universities.

If we are to meet the challenges of this new era, then innovation, reform and quality programs must be nurtured. In the reports on the 1966 and 1968 higher education bills, the minority members of this committee joined in a statement asserting that:

> As Republicans we are actively interested in achieving the goal sought by our party for more than a century—making available a higher education for all young Americans who qualify and who seek it.

In our 1968 report we also urged "an exercise of imagination in fostering American higher education." The two go together—increased opportunities and innovation. Truly, innovation is the key if our colleges and universities are to be able to offer quality schooling to the growing number of people of all ages and from all walks of life desirous and capable of achieving it.

In keeping with this need, on yesterday, together with Senators Beall, Dominick, Griffin, Prouty, Schweiker and Scott, I introduced the administration's bill, the National Foundation for Higher Education Act of 1971, S. 1062, to establish within HEW the Foundation as the Government's principal agency for stimulating innovation and reform in post-secondary education and for the support of quality post-secondary programs.

I ask unanimous consent that following my remarks there be included the explanatory statement made on the Senate floor in introducing the bill.

Also yesterday I introduced three other bills relating to higher education; namely, an amendment to the Higher Education Facilities Act to provide 66 percent Federal construction matching funds for developing institutions, such as Negro colleges, S. 1072; the State Higher Education Student Aid Act, S. 1074, to provide student incentive grants to the States on a matching basis, and to provide for educational-opportunity centers to facilitate the recruiting of the disadvantaged into higher education; and the Consolidation of Special Higher Education Programs Act, S. 1073, to consolidate into one title a num-

ber of existing higher education programs which have been previously authorized by Congress, but not yet funded.

I ask unanimous consent that following my remarks there be included the explanatory statements made in the Senate in introducing these bills.

Finally, Mr. Chairman, I should like to express my support for yours and the subcommittee's intention thoroughly to explore our higher education problems in order that we might give the Congress and the Nation the legislation so very much needed. I hope that we will have an opportunity to hear all the Federal agencies concerned—HEW and Treasury—and the various groups at interest as well as distinguished authorities in the field.

(The information submitted by Senator Javits follows:)

[From the Congressional Record, Mar. 2, 1971]

NATIONAL FOUNDATION FOR HIGHER EDUCATION ACT

By Mr. JAVITS (for himself, Mr. Beall, Mr. Dominick, Mr. Griffin, Mr. Prouty, Mr. Schweiker, and Mr. Scott):

S. 1062. A bill to establish a National Foundation for Higher Education, and for other purposes. Referred to the Committee on Labor and Public Welfare.

Mr. JAVITS. Mr. President, I introduce for appropriate reference the National Foundation for Higher Education Act. I introduce the bill on behalf of myself, the Senator from Vermont (Mr. Prouty), the Senator from Maryland (Mr. Beall), the Senator from Colorado (Mr. Dominick), the Senator from Michigan (Mr. Griffin), the junior Senator from Pennsylvania (Mr. Schweiker), and the senior Senator from Pennsylvania (Mr. Scott).

Mr. President, this is an administration bill. Although the bill itself does not provide an amount of funds, it is budgeted by the administration at $100 million. Its purpose is to encourage innovation in higher education. We simply cannot take for granted in modern times that education is a 4-year course for undergraduates; that it is a 3-year course for postgraduates; that there are certain norms and forms for doctorates or masters' degrees; or that only those within given age groups, to wit, roughly from 19 to 24 or 25, are appropriate students for higher education.

The bill would create a National Foundation for Higher Education with the Department of Health, Education, and Welfare as the Federal Government's principal agency for stimulating innovation and reform in postsecondary education and for the support of quality postsecondary programs.

At a time when some 8.2 million of our young people are enrolled at the Nation's colleges and universities and higher education has an annual budget of $26 billion—and both figures are steadily increasing—it is vital that innovation, reform and educational excellence be nurtured if postsecondary schooling is to be able to meet the challenge of this new age.

Under the bill, institutions of higher education will be able to undertake innovative programs which they heretofore have not been able to venture into because of the narrow confines of existing Federal programs and their own tight budgets. The Foundation will have authority to make grants, for example, for programs based on communications technology, developing cost-effective methods of instruction and operation, introducing reforms in the structure of academic professions and the recruitment and retention of faculties, new combinations of academic and experimental learning, and the creation of programs of study tailored to individual needs.

The recent announcement by the Carnegie Corp. and the Ford Foundation that they intend to spend $1.8 million in New York State to help start two new off-campus degree programs represents exactly the type of activity which the Foundation might undertake to help break down the walls which exist in some areas of the higher education community.

Some years ago Clark Kerr, as president of the University of California, observed:

"I find that the three major administrative problems on a campus are sex for the students, athletics for the alumni and parking for the faculty."

In an era where enrollments have tripled since 1955, higher education budgets have doubled since 1960, and annual expenditures per student have been rising three times as fast as the cost of living, this no longer can be true.

Truly, in the years ahead, innovation is the key, if the Nation's colleges and universities are to be able to offer quality higher education to the growing number of our people of all ages and from all walks of life desirous and capable of achieving it. New models of teaching and learning must be developed. There must be a source of support for experimentation, for probings into new areas of scholarship, and for radically different kinds of education, time, and facilities in which to undertake them.

I ask unanimous consent that there be included at this point in my remarks a section-by-section analysis of the National Foundation for Higher Education Act of 1971, the pertinent excerpts from the President's February 22 message entitled "Expanding Opportunities for Higher Education," and the news story from the February 17 New York Times describing the Carnegie Corporation-Ford Foundation program in New York State to which I earlier referred.

There being no objection, the items were ordered to be printed in the Record, as follows:

"SECTION-BY-SECTION ANALYSIS OF THE NATIONAL FOUNDATION FOR HIGHER EDUCATION ACT OF 1971

"CITATION

"This section provides that the Act may be cited as the 'National Foundation for Higher Education Act of 1971.'

"*Section 2. Establishment of National Foundation for Higher Education*

"Section 2 of the bill establishes in the Department of Health, Education, and Welfare a National Foundation for Higher Education. The President is authorized to appoint, with the advice and consent of the Senate, a Director of the Foundation who is to perform such duties as the Secretary of HEW prescribes.

"*Section 3. Purposes of the Foundation*

"Section 3 states that the purposes of the Foundation are—

"(1) to encourage excellence, innovation, and reform in postsecondary education;

"(2) to provide assistance for the design and establishment of innovative structures for providing postsecondary education and innovative modes of teaching and learning therein.

"(3) to expand the ways and patterns of acquiring postsecondary education and to open opportun 'es for such education to individuals of all ages and circumstances;

"(4) to strengthen the autonomy, individuality, and sense of mission of postsecondary educational institutions, and to support programs which are distinctive or of special value to American society; and

"(5) to encourage postsecondary educational institutions to develop policies, programs, and practices responsive to social needs, and to provide an organization concerned with the rationalization of public policies toward postsecondary education.

"*Section 4. Higher Education Foundation Board*

"*Section 4* authorizes the President to appoint, without regard to laws governing appointment in the competitive service, an 18 member Higher Education Foundation Board. The Board is to advise the Secretary and the Director with respect to matters of general policy arising in the administration of this Act and programs to be carried out under the Act. The Board is also to prepare an annual report to the Secretary on the current status and needs of postsecondary education in the United States. The Secretary is to transmit this report to the President with his recommendations.

"*Subsection (b)* provides that there shall be 18 members on the Board, broadly representative of the general public and the education community. Members are to serve staggered three year terms, except that members appointed to fill a vacancy are to serve for the remainder of that term. Board members are to receive per diem and travel expenses while serving on the business of the Board.

"*Section 5. Assistance*

"*Section 5* authorizes the Secretary to make grants to and contracts with public or private agencies, organizations, or institutions, or any combination thereof, in order to achieve the purposes of the Foundation. Grants may be made only to non-profit private agencies, organizations, or institutions. Among the activities for which assistance may be awarded are—

"(1) the creation of institutions and programs involving new paths to career and professional training, and new combinations of academic and experimental learning;

"(2) the establishment of institutions and programs based on the technology of communications;

"(3) the carrying out in postsecondary education institutions of changes in internal structure and operations designed to clarify institutional priorities and purposes;

"(4) the design and introduction of cost-effective methods of instruction and operation;

"(5) the introduction of institutional reforms designed to expand individual opportunities for entering and re-entering institutions and pursuing programs of study tailored to individual needs;

"(6) the introduction of reforms in graduate education, in the structure of academic professions, and in the recruitment and retention of faculties;

"(7) the creation of new institutions and programs for examining and awarding credentials to individuals, and the introduction of reforms in current institutional practices related thereto;

"(8) the development or revitalization of education and training programs of national importance; and

"(9) the alteration or remodeling of buildings to the extent necessary to achieve the objectives of any other activity assisted under section 5.

"The Secretary is also authorized to make grants or contracts for studies in the field of postsecondary education, including studies related to postsecondary education finance, organization and management.

"*Section 6. Fellowships*

"*Section 6* authorizes the Secretary to award fellowships and to pay stipends (including allowances for subsistence and other expenses for the fellows and their dependents) to fellowship holders where appropriate and necessary to carry out the purposes of the Act.

"*Section 7. General authority*

"*Section 7* gives the Secretary the authority—

"(1) to enter into contracts without performance or other bonds, and without regard to section 3709 of the Revised Statutes (dealing with solicitation of proposals).

"(2) to make advance, progress, and other payments without regard to the provisions of Section 3648 of the Revised Statutes.

"(3) to receive money and other property donated, bequeathed, or devised to the Foundation with or without a condition or restriction, including a condition that the Foundation use other funds for the purposes of the gift; and to use, sell, or otherwise dispose of such property for the purposes of the Act;

"(4) to publish or arrange for the publication of information without regard to the provisions of section 501 of title 44, United States Code (requiring printing work to be done by the Government Printing Office).

"(5) to accept and utilize the services of voluntary and uncompensated personnel, notwithstanding the provisions of section 3679(b) of the Revised Statutes, and to provide transportation and subsistence as authorized by section 5703 of title 5, U.S.C. for persons serving without compensation; and

"(6) to arrange with and reimburse the heads of other Federal agencies for the performance of any activity which the Foundation is authorized to conduct.

"*Section 8. Miscellaneous provisions*

"*Section 8* in subsection (a) authorizes the Secretary to appoint and compensate such non-civil service technical and professional personnel as he deems necessary to accomplish the functions of the Foundation.

"*Subsection (b)* authorizes the transfer of funds appropriated under this Act to any other Federal department or agency for use (in accordance with an interagency agreement) by such agency for purposes for which such transferred funds could be otherwise expended by the Secretary under this Act. The Secretary is

likewise authorized to accept transferred funds from other Federal agencies for use under this Act.

"*Subsection* (*c*) requires that all laborers and mechanics employed on construction projects assisted under this Act be paid wages at rates not less than those prevailing on similar construction in the locality as determined by the Secretary of Labor in accordance with the Davis-Bacon Act.

"*Section 9. Joint funding*

"*Section 9* provides that, pursuant to regulations issued by the President, where funds are advanced by the Foundation and one or more other Federal agencies, any one agency may be designated to act for all in administering such funds. In such cases, any agency may waive a technical requirement which is inconsistent with similar requirements of the administering agency, or which the administering agency does not impose.

"*Section 10. Amendments to executive schedule*

"*Section 10* amends section 5316 of title 5, U.S.C. relating to positions at Level V of the Executive Schedule, by striking out the Commissioner of Education and inserting the Director of the National Foundation for Higher Education.

"*Subsection* (*b*) *of section 10* amends section 5315 of such title, relating to positions at Level IV of the Executive Schedule, by adding the Commissioner of Education.

"*Section 11. Availability of appropriations*

"*Section 11* provides that funds appropriated to carry out this Act shall remain available until expended."

"EXPANDING OPPORTUNITIES FOR HIGHER EDUCATION

("Message from the President of the United States)

"*To the Congress of the United States:*

"Nearly a year ago, in my first special message on higher education, I asked the Congress to join me in expanding higher education opportunities across the nation. First, I proposed to reform and increase aid to students. Second, I proposed a National Foundation for Higher Education designed to reform and strengthen post secondary education.

"Neither house of Congress acted on these proposals. Now the time for action is growing short. Existing legislative authority for the basic Federal higher education programs expires at the end of the current fiscal year.

"1971 can be a year of national debate on the goals and potentials of our system of higher education. It can be a time of opportunity to discover new concepts of mission and purpose, which are responsive to the diverse needs of the people of our country. I therefore again urge the Congress to join with me in expanding opportunities in two major ways:

* * * * * * *

"RENEWAL, REFORM AND INNOVATION

"If we are to make higher education financially accessible to all who are qualified, then our colleges must be prepared both for the diversity of their goals and the seriousness of their intent. While colleges and universities have made exceptional efforts to serve unprecedented numbers of students over the last decade, they must find additional ways to respond to a new set of challenges:

"—All to often we have fallen prey to the myth that there is only one way to learn—by sitting in class, reading books, and listening to teachers. Those who learn best in other ways are rejected by the system.

"—While the diversity of individuals seeking higher education has expanded in nearly every social dimension—age, class, ethnic background—higher education institutions have become increasingly uniform and less diverse.

"—Increasingly, many colleges, and particularly universities, have become large, complex institutions which have lost their way. The servants of many masters and the managers of many enterprises, they are less and less able to perform their essential tasks well.

"—At the present time, thousands of individuals of all ages and circumstances are excluded from higher education for no other reason than that the

system is designed primarily for 18–22 year olds who can afford to go away to college.

"—At the present time, institutional and social barriers discourage students from having sustained experiences before or during their college years which would help them get more out of college and plan for their future lives.

"The relationship between the Federal Government and the universities has contributed little to meeting these needs because it has not been a genuine partnership. In many cases the Federal Government has hired universities to do work which has borne little natural relationship to the central functions of the institution. Too often, the Federal Government has been part of the problem rather than part of the solution.

"Certain Federal agencies promote excellence, innovation, and reform in particular areas. The National Science Foundation has played a magnificent role in the public interest for science, and the National Institutes of Health have played a similar role for health.

"The National Foundation for Higher Education would fulfill a new role in the Federal Government. It would have as its mandate a review of the overall needs of the American people for postsecondary education. It would have as its operating premises, the principles of selectivity and flexibility. Its constituency would include people as well as institutions—and not only the usual secondary student entering college, but also others—such as the person who wants to combine higher education with active work experience, or the one who has left school and wants to return.

"The Foundation can do much to develop new approaches to higher education:

"—New ways of 'going to college.' I am impressed with the need for new and innovative means of providing higher education to individuals of all ages and circumstances (Britain and Japan, for example, have already taken significant steps in the use of television for this purpose).

"—New patterns of attending college. A theme of several recent reports is that students are isolated too long in school, and that breaking the educational 'lock-step' would enable them to be better and more serious students (as were the GI's after World War II). If so, student bodies would reflect a greater mix of ages and experience, and colleges would be places for integrating rather than separating the generations.

"—New approaches to diversify institutional missions. Colleges and universities increasingly have aspired to become complex and 'well rounded' institutions providing a wide spectrum of general and specialized education. The Foundation could help institutions to strengthen their individuality and to focus on particular missions by encouraging and supporting excellence in specific areas—be it a field of research, professional training, minority education, or whatever.

"CONCLUSION

"These are but some of the new approaches to higher education which need to be pursued. A theme common to all of them is a new kind of engagement between all the citizens of our society and our system of higher education. All of us can make a contribution to bringing about such an engagement by taking part in a thoughtful national discussion about our priorities for higher education. Students and faculties can make a contribution by reexamining their goals and the means they choose to achieve them. The Federal Government can do its part by supporting access to higher education for all of our people and by providing the resources needed to help develop new forms of higher education which would be responsive to all of their needs.

"RICHARD NIXON.

"THE WHITE HOUSE, *February 22, 1971.*"

["From the New York Times, Feb. 17, 1971]

"$1.8 MILLION TO AID OFF-CAMPUS STUDIES

("By M. S. Handler)

"The Carnegie Corporation and the Ford Foundation have awarded the State University of New York and the State Education Department grants totaling $1.8-million to help start two new off-campus degree programs.

"The programs, if successful, could introduce radical changes in the structure of higher education in the United States.

"The programs will permit off-campus students—adults who were unable to go to college—to earn degrees through independent study and examination outside the traditional patterns and rules of college education.

"The foundations each provided $500,000 to the State University and $400,000 to the State Education Department, to be disbursed over two years. Governor Rockefeller, in a statement yesterday, praised the program, which will also require financial support from the State Legislature.

"The general outlines of the off-campus degree programs, largely inspired by London University's external-degree program and Britain's new Open University, were discussed at a news conference yesterday.

"The participants were Alan Pifer, president of the Carnegie Corporation, Harold Howe, 2d, vice president of the Ford Foundation, Dr. Ernst L. Boyer, Chancellor of the State Universtiy of New York, and Ewald B. Nyquist, Commissioner of the State Education Department. The conference was held at Governor Rockefeller's office at 22 West 55th Street.

"Dr. Boyer said that the $1-million the University would receive would accelerate plans to establish an off-campus undergraduate college in the Albany area. Its function will be to administer the University's program.

"Under faculty direction centered at many of the system's colleges, students of the new college will pursue individual programs of study through counseling, correspondence, occasional seminars and examinations.

"NO TIME LIMIT SET

"There will be no time limit on the number of years required for a degree. High school graduates will be eligible for the program, which will be available in combinations suited to the individual's needs and circumstances.

"Chancellor Boyer estimated that at least 500 students would be enrolled in the academic year of 1971–72. He stressed the great reservoir of untapped talents among adults who did not get an opportunity to enter college because of financial or other reasons.

"The State Education Department's $800,000 program, which will start at the same time, while substantially different from that the State University, will complement it by reaching another category of adults.

"Under the department's program, the Board of Regents will award an associate or bachelor's degree to persons who pass the required number of college level examinations regardless of how they prepared for them.

"Commissioner Nyquist said there were many men and women who had acquired more than a bachelor's knowledge in the working careers and were capable of taking examinations for degrees.

"REGENTS TO AWARD DEGREES

"The Board of Regents will award undergraduate degrees to persons, without regard to such considerations as age or place of residence within the state, who possess knowledge equivalent to that of a regular college graduate.

"Mr. Pifer and Mr. Howe said the two New York State programs would be the largest off-campus degree experiments yet tried in the United States.

"Mr. Pifer said the Carnegie Corporation and the Ford Foundation had for many years been interested in introducing greater flexibility in American higher education and that they were delighted when Mr. Nyquist and Dr. Boyer came forward with their specific program suggestions.

"Pursuing its policy of greater flexibility in higher education, the Ford Foundation also announced yesterday two other grants—One, for $400,000, will go to 19 institutions participating in the planning and development of a new University Without Walls program. The other, for $300,000, will go to the Policy Insurance of Syracuse University to study the establishment of an external baccalaureate degree program coordinated through institutions in the counties of Onondaga, Madison, Oswego, Cayuga and Cortland."

By Mr. JAVITS:

S. 1072. A bill to amend the Higher Education Facilities Act of 1963 in order to increase the maximum Federal share under such act to 66 per centum in the case of certain developing institutions. Referred to the Committee on Labor and Public Welfare.

Mr. JAVITS. Mr. President, I introduce for appropriate reference a bill to amend the Higher Education Facilities Act to provide 66 percent Federal construction matching funds for "developing institutions," defined in title II of the Higher Education Act as colleges which, for financial or other reasons, are struggling for survival and are developing institutions themselves. These schools, for the most part, serve students from lower income families and have very little in the way of endowments or other financial resources to meet their needs.

Under existing law, all colleges, both established and developing institutions, receive 50 percent Federal matching funds for construction of facilities.

The education appropriation bill for the current fiscal year provides $43 million for grant construction assistance.

Typical of these developing institutions are the 68 private and 43 public higher education institutions with a predominantly Negro student body. The median family income of the students attending these institutions is $3,900; the national median is $7,974. In 1968 and 1969, predominantly white colleges received $96 million in grants from private philanthropy of which $11 million was for building and equipment. This is contrasted with the $4.6 million given to predominantly black schools of which some $150,000 was for construction and equipment.

The Office of Education indicates that there are some 400 developing institutions in the Nation. Included among those which are located in New York State are the College of St. Rose in Albany, Keuka College in Keuka Park, Manhattan College in the Bronx in New York City, and Trocaire College in Buffalo.

CONSOLIDATION OF SPECIAL HIGHER EDUCATION PROGRAMS ACT

By Mr. JAVITS:

S. 1073. A bill to consolidate and improve certain programs for higher education, and for other purposes. Referred to the Committee on Labor and Public Welfare.

Mr. JAVITS: Mr. President, I introduce, for appropriate reference, the Consolidation of Special Higher Education Programs Act.

This bill consolidates into one title a number of existing higher education programs which have been previously authorized by the Congress but not funded. These programs are interinstitutional networks for knowledge—title VIII of the Higher Education Act, education for the public service—title IX of the Higher Education Act, clinical experience for students of law—title XI of the Higher Education Act, and international affairs and foreign language education—the International Education Act and title VI of the National Defense Education Act.

By consolidating these provisions, new life can be breathed into them so that they might realize the promise envisioned when first enacted by the Congress.

An authorization of $86.5 million for fiscal year 1972 is provided, which is the sum of the authorizations which were provided for the component programs; thus consolidation does not diminish the intent of the legislation.

STATE HIGHER EDUCATION STUDENT AID ACT OF 1971

By Mr. JAVITS:

S. 1074. A bill to authorize assistance to the States in establishing and carrying out programs of higher education student aid. Referred to the Committee on Labor and Public Welfare.

Mr. JAVITS. Mr. President, I introduce for appropriate reference the State Higher Education Student Aid Act of 1971.

This measure has two principal provisions:

First, the bill would provide student incentive grants to the States on a matching basis to assist young people from families of substantial need to obtain a higher education. This provision is designed to encourage the States to expand their present programs of grant assistance to students, and complements the administration bill and existing student-aid programs of Federal educational opportunity grants, direct and guaranteed loans, and work-study. States would receive funds only when they expand their present efforts. Thus, this money would supplement, not supplant, existing programs.

Second, the bill would provide for educational-opportunity centers in areas with major concentrations of low-income population to facilitate the recruiting of disadvantaged children into higher education. These centers would provide in-

formation concerning financial and academic support available at colleges, assistance in applying for admittance to such schools, including preparing detailed documentation for use by admissions and financial aid officers, provide counseling services and tutorial help. This second part follows recent recommendations of the Carnegie Commission on Education, which has emphasized that—

"To make recruiting programs fully effective, there is an urgent need for institutions to coordinate planning and combine resources."

Thus, programs such as New York State's urban centers would be encouraged throughout the Nation by this provision.

For the first year, the bill authorizes $50 million for the student incentive grant program and $20 million for the educational opportunity center program.

What is being done now by my own State of New York to assist individual students to attend college serves as an example of what this measure seeks to develop. During the last complete school year some 245,500 young New Yorkers held State scholarships and grants worth about $69.9 million, a tenfold increase over the past decade. And just as New York is being confronted with pressures due to increased enrollments and rising tuition costs to still further expand its program, so are other States similarly beset. In New York, the dollar amount of regents scholarships ranges from $250 to $1,000 yearly, depending upon the financial resources of the student. My bill would provide up to 750 Federal dollars for each student in equal matching funds from the State.

College enrollment, now at over 8 million and double that of a decade ago, is expected to increase nearly 50 percent by 1976–77. Today 40 per cent of young Americans enter college; a century ago, shortly after President Lincoln had signed the land-grant college law, only 2 per cent were so privileged.

And while enrollments have increased, so have costs. The average amount an undergraduate pays for tuition and required fees has doubled in the past 10 years. The Office of Education indicates that the estimated average amounts for tuition and required fees, board and dormitory rooms is $1,324 in 4-year public colleges and $2,844 in private universities.

It is obvious that if we are to achieve the goal iterated by President Nixon in his February 22 message on higher education, that "no qualified student who wants to go to college should be barred by lack of money", not only must the Federal Government enlarge its efforts, but the States must also do so. This bill seeks to encourage the States to do just that.

Senator PELL. Philosophically, I believe that the Federal Government should provide a floor of assistance, as a matter of right, to all students who wish to pursue a post-secondary education.

The administration's proposal, on the other hand, would provide limited amounts of grants turning on need and rely upon a system of loans to provide further assistance. While some would say this is a different method, I disagree, it is indeed a difference in philosophic approach.

Just what is to be the continuing role of the Federal Government in regard to higher education? For example, would not the establishment of something like a national student loan association, create a permanent institution which would forestall the day of direct grants? Would it not be wiser to generate student loan funds through a warehousing device available to meet the needs, but flexible in its purpose?

These are some of the questions we will explore in these hearings. There are many facts and figures which must be generated and understood, but underlying our consideration will be the basic question of the Federal role. Once that issue is resolved, I think the other questions will fall into place.

Today and tomorrow we will be hearing from the administration. Today the administration will be discussing its general higher education bill and I must say it is unfortunate that the bill is not before us. Our bill, as you know, has been in for a number of weeks. I regret that we don't have the administration's bill for this will limit the ex-

tensiveness of our questions, but we do have the general thrust of it from the messages that have been sent up to us.

We are having these hearings at this time as a joint effort on behalf of the Secretary and our own subcommittee in our efforts to move ahead promptly, because if we wait we will not get the legislation through in a timely manner.

My understanding is that the Secretary would like to make his presentation first, and hopefully that questions to him would take a short period of time, then Commissioner Marland and Mr. Muirhead will carry on. This procedure is acceptable, however, I have not consulted with other members of the subcommittee, so we will have to see how it goes.

STATEMENT OF HON. ELLIOT L. RICHARDSON, SECRETARY OF HEALTH, EDUCATION, AND WELFARE; ACCOMPANIED BY DR. SIDNEY P. MARLAND, JR., U.S. COMMISSIONER OF EDUCATION; PETER MUIRHEAD, EXECUTIVE DEPUTY COMMISSIONER, U.S. OFFICE OF EDUCATION; AND CHRISTOPHER CROSS, DEPUTY ASSISTANT SECRETARY FOR LEGISLATION (EDUCATION)

Secretary RICHARDSON. Thank you very much, Mr. Chairman.

From my point of view, it would be helpful to have the Commissioner complete his testimony before the subcommittee proceeds to questions. Possibly it would then have before it a more complete presentation of the administration's proposals.

Senator PELL. I agree that would be better, but I had understood you could not remain.

Secretary RICHARDSON. Tomorrow I would like to be able to present the presentation on the Foundation, and then leave. But today, since we will be all here for as long as the session lasts, it would be preferable to proceed with our statements.

Senator PELL. That fills the gap in communication.

Secretary RICHARDSON. Thank you very much, Mr. Chairman.

I am sure I speak for my associates in saying that we welcomed the statement of the basic issues with which you opened this hearing.

I am accompanied by, as you see, Dr. Sidney P. Marland, Jr., U.S. Commissioner of Education and Mr. Peter P. Muirhead, Executive Deputy Commissioner, U.S. Office of Education, and on my left is Mr. Christopher Cross, Deputy Assistant Secretary for Legislation with responsibility in the field of education.

I noted Mr. Chairman, your notation of the fact that you hoped action could be taken on this important subject. It is true, of course, that legislation now in effect will be expiring with the end of the current fiscal year, and so we do want to work with you and the subcommittee as cooperatively as we can to try to assure that you will be able to report out legislation in time for it to be acted upon before the current legislation expires, and in time so that the concerned students and institutions will be able to make their plans in the confident awareness that funds will be available for the coming academic year.

I believe you have before you the Higher Education Foundation bill, and the student assistance legislation will be filed, I believe, today or tomorrow.

Last week the President sent to the Congress his second special message on higher education, urging your prompt action on proposals which would greatly expand higher education opportunities for the people of this Nation. I am pleased to be with you this morning to discuss these proposals and to join the President in urging your immediate attention to this matter of great national concern.

Senator PELL. Mr. Richardson, if you would permit me to interrupt for a moment, I would like to say that within the scope of higher education we definitely include the junior 2-year colleges: Indeed there is a very strong representation in this hearing room today from the American Association of Junior Colleges which is meeting in town. I had the pleasure of meeting some of them yesterday, and I just want to welcome them to this hearing.

Secretary RICHARDSON. Thank you, Mr. Chairman. We certainly welcome the opportunity to testify in their presence. In fact, I look forward to speaking to their association tomorrow.

The President's program for expanding higher education opportunities is based on two important proposals: expansion and reform of student financial aid programs and the encouragement of basic structural changes in higher education through the establishment of the National Foundation for Higher Education. For the first time in the history of Federal higher education policy, this administration is also submitting a budget which requests sufficient funds to support its commitment to expanded educational opportunities.

The basic tenet of our program for the reform and expansion of student aid programs is the commitment that no qualified student who wants to go to college should be barred by lack of money. The legislative proposal which is before you provides that Federal funds would go first, and in the largest amounts, to the neediest students, placing them on an equal footing with students from higher income families. In addition, the proposal provides that needy students would have advance assurance of the type and amount of Federal assistance they could expect to get for their college education.

Commissioner Marland and Mr. Muirhead will develop the profound significance of this new direction in Federal policy. For the time being, I would like to emphasize that we are proposing nothing less than an assured level of basic Federal support for every student from a low-income family who is qualified to enter college. This assurance will have an important effect on the college aspirations of high school, and even elementary school, students. In addition, it will provide, as never before, a degree of freedom for college-bound students from low-income families to choose among a variety of educational institutions with an assurance of a basic level of Federal support, regardless of which type of institution they choose to attend.

PURPOSES OF PROGRAM

The administration's improvements in the existing student aid programs have five major purposes:

1. To assure the availability of funds to every qualified student.
2. To assure that Federal funds go first, and in the largest amounts, to the students who need them most.
3. To provide potential students with as accurate information as possible concerning the aid they can expect.

4. To assure that all students of equal need are treated alike.

5. To provide additional financial aid to students attending high cost institutions.

The administration is recommending a coordinated student aid system with two parts: (a) a combination of grants, work-study payments, and subsidized loans for undergraduate students with low to middle incomes attending postsecondary educational institutions as well as proprietary institutions of higher education, and (b) creation of a National Student Loan Association to raise money privately and make it available for all postsecondary students at all income levels.

The basic concept of the student aid system is that all students whose families can be expected to make the same contribution should have the same help available for their education from Federal sources. The combination of family contributions plus Federal grants, work-study payments, and subsidized loans would be enough to enable any student to meet minimum education expenses.

The system would work in the following manner:

Each year the Secretary of HEW, after conferring with the Advisory Council on Financial Aid to Students, would publish a schedule indicating the amount of Federal funds available to students with differing family contribution levels. The college or university would calculate each student's eligibility for aid by determining the expected family contribution toward his educational costs. This determination would take into account such factors as the size of the family, the number of children in college, extraordinary family expenses, and capital assets. The deficiency between expected family contribution and the amount of resources the student should have available to him would be met by a combination of grants, work-study payments, and subsidized loans.

It should be noted that what we are proposing represents a Federal floor for educational assistance. Added to this floor will be, in a majority of cases, financial aid from State sources, institutional aid, and private financial assistance, which amounted to an estimated total of $994 million in academic year 1969–70.

As an example of State programs that are available, I might note that in New York, State assistance this year will aid about 250,000 students with an average award of $280. In Ohio, a student enrolling in a private institution from a family with an income of under $3,000 receives a $900 State grant. If he enrolls in a public institution, he receives a $300 grant. In either case, that assistance would be added to his eligibility for Federal assistance.

Many other States have similar programs of student aid. Institutions, particularly private ones, also devote a significant portion of their income to student assistance. We would anticipate that they would use those funds to provide supplemental awards for low-income students and whatever limited assistance might be needed for students not qualifying for direct Federal subsidy. Of course, in no instance would Federal aid, combined with other aid, exceed the cost of education at the institution in question.

Mr. Chairman, it has been charged that our proposal ignores the problems faced by middle income families in putting their children through college. I would like to emphasize how untrue this is by

pointing out to the committee some concrete examples of how our proposals would work under the President's budget commitment:

A family with $12,000 income and three children in college would be eligible for almost $1,000 per student just in basic grants and loans.

Children from large families with incomes over $15,000 would often be eligible for up to $1,500 per student in "cost-of-education" loans subsidized at the very favorable rates of the NDEA loan program.

Each child from a small family with income of $13,500 and with only two children, both in college, but with medical expenses of $2,400, would be eligible for basic subsidized loans of almost $400 per student and additional subsidized cost of education loans.

If these are not "middle-income families," Mr. Chairman, I have to ask what kind of families we mean when we use this phrase. Median family income in the United States is about $9,800. I would suppose that families in the brackets on either side of this line are truly "middle income." And these families are going to be helped—not just by loan guarantees, but by substantial grants and subsidy allowances.

We feel that the concept of relating student aid to family contribution, and hence to family income available for support of the student's education, is the only workable way to determine the extent and type of Federal student assistance. The use of the amount of Federal income tax paid by a family, as proposed in S. 659, to determine Federal student assistance is, according to economists, nearly always more regressive than adjusted family income.

I cannot overemphasize at this point the fact that under the administration bill, eligibility for student assistance will be made on the basis of family income and claims on that income. The key individual in this equation will be the college financial aid officer who will make the determination of adjusted family income, and hence qualification for direct Federal subsidy.

The commitment of this administration to increasing student aid is reflected in the President's budget for fiscal year 1972. That budget calls for a $575 million appropriation for education opportunity grants and work-study in fiscal year 1972, a 70-percent increase over the current year. It also provides funds to subsidize nearly four times the volume of loans covered in the fiscal year 1971 budget. We believe this demonstrates quite clearly the commitment of this administration to higher education.

The President's proposal will also provide dramatically increased access to Federally guaranteed loans for all students, regardless of their families' financial status. In the past, the supply of guaranteed loans has been arbitrarily restricted by the lack of a secondary market which could buy student loan paper and provide lenders with new loan capital. To meet this problem we propose the establishment of the National Student Loan Association, with authority to buy and warehouse student loans made by institutions of higher education and commercial lenders. We estimate that this new marketing institution would supply as much as $1 billion in new lendable funds for guaranteed loans.

NSLA would be a private corporation, chartered and established by the Federal Government. It would raise funds by issuing its own

obligations for sale in private capital markets. These obligations would be guaranteed against default by the Government, allowing the NSLA to pay a lower rate of interest.

With the proceeds from its sales, NSLA would buy, sell, or warehouse student loan paper from colleges, banks, or other eligible lenders. Typically, a college without funds of its own to invest in student loans would make a loan to a student and then turn immediately to NSLA to sell the student's note and regain liquidity. To insure the operation of NSLA and ease the transition into a secondary market, the fiscal 1972 budget calls for an appropriation of $400 million, which would be used to assist colleges in making loans and would be returned to the Treasury after NSLA begins operation.

NSLA would significantly increase the flow of funds into student loan markets. Both banks and colleges would be encouraged to do more student lending.

There are proposals for a secondary market before both the House and Senate which provide only for warehousing of student loans. While the warehousing function, which involves cash advances to be repaid by the lender, is vital to a secondary market institution, authority to buy and sell student loans is also essential.

Finally, several other features of the President's student aid proposals merit attention:

Educational opportunity grants would continue as the basic grant program, but without matching requirements.

The college work-study program would continue. Colleges would continue to match work-study funds provided by the Federal Government—$1 for $4—but this requirement would be waived for institutions or work programs which it would hamper.

National defense student loan benefits would continue. However, lendable capital would come from the private money markets rather than the Federal Treasury.

Institutions of higher education would preserve the option, within national limits set by the Commissioner of Education, of determining the mix of grants and work-study payments appropriate to the individual student.

The guaranteed loan program would continue to be open to all college students, however high their family incomes. The interest subsidy paid by the Federal Government on student loans to above-average-income students while they are in college and the special allowance paid to banks would be eliminated.

Loan ceilings would be raised to $2,500 annually and would apply to the aggregate of both subsidized and unsubsidized loans.

The length of the maximum permissible loan repayment period would be increased to 20 years from the present 10.

The student could prepay his loan at any time without penalty.

Providing increased access to higher education is only one part of the administration's strategy for expanding higher education opportunities. The President said in his message on higher education:

> If we are to make higher education financially accessible to all who are qualified, then our colleges must be prepared both for the diversity of their goals and the seriousness of their intent.

To encourage basic structural change in higher education and to provide new and more meaningful educational options for students, the

President proposes to establish the National Foundation for Higher Education.

For too long the relationship between the Federal Government and the Nation's colleges and universities has aggravated rather than solved problems. In many cases, the Federal Government has hired universities to do work which has had little or no relationship to their essential functions. The National Foundation for Higher Education will forge a new and constructive partnership for basic change and innovation designed to meet the needs of the American public.

Mr. Chairman, I understand that I will return tomorrow to discuss in detail the Foundation proposal. Today, however, let me make clear that I am personally responsible for, and am committed to the specific design of the Foundation.

It has been carefully drawn up to achieve independent yet coordinated action. It will be an agency within the Department of Health, Education, and Welfare, run by a Presidential appointed Director, and advised by a strong Board. The director of the foundation will have close working relationships with the Commissioner of Education and the Director of the proposed National Institute of Education. Since I have made it clear that the Commissioner of Education is the chief education officer, I intend to ask the director of the foundation to report to me through him.

I am pleased to see that S. 659, which you have introduced, Mr. Chairman, includes a foundation, as well as another key request of the President in the area of education reform. The National Institute of Education is also before you as S. 434, which was introduced by Senator Prouty. It would appear that the members of this subcommittee share with the President a major concern for the reform and revitalization of education in this Nation. I believe that our differences can be readily resolved and we can get on with the task at hand—making education more exciting, more challenging, and more productive.

During the past year we have consulted frequently with representatives of the higher education community and of the Congress in an attempt to reach accommodation on a higher education bill which would be accepted by all concerned. These consultations have resulted in several important changes in this year's proposals over last year's. We have, for example, added a new component to our student aid proposals—cost of education loans—which will provide benefits identical to those currently received by students under the national defense student loan program, enabling low- and middle-income students to attend higher tuition institutions. At the suggestion of Members of Congress and leaders in the higher education community, we have also proposed a new program of loan insurance for private college facilities and requested extension of existing authority for direct loans and grants under the Higher Education Facilities Act.

Finally, our consultations have resulted in important changes in our proposal for the National Foundation for Higher Education. We have removed from the Foundation the programs which clouded its reformist image last year, and we have, as noted, modified its structure to place it within the Department of Health, Education, and Welfare.

The Higher Education Opportunity Act also contains a number of other titles and provisions which either extend or modify many existing provisions of the Higher Education Act of 1965, the Higher

Education Facilities Act, and the National Defense Education Act. Commissioner Marland will discuss these modifications with you in detail.

In closing, Mr. Chairman, I would like to emphasize the importance of prompt congressional action on the President's proposals for higher education. Failure to act immediately could, as I noted in the beginning, mean a denial of much-needed support for as many as 1 million students who have not previously had access to Federal student aid programs. Time is of the essence. We must act now in order to assure students and institutions alike that Federal resources will be available for the opening of school in the fall.

The theme common to all of the administration's higher education proposals is expanding higher education opportunities for all who can benefit from them. The President called for a "new kind of engagement between all the citizens of our society and our system of higher education." I urge the Congress to join in this exciting new effort to make good on our national commitment to equality of educational opportunity.

Thank you.

Senator PELL. I would like to mention at this point that Senator Alan Cranston, who would have liked to have been with us all morning, has other committee responsibilities, and had to leave. He asked me to pass on a special welcome to the Californians who are here.

Commissioner Marland, will you proceed.

Dr. MARLAND. Thank you, Mr. Chairman, members of the subcommittee.

I am certain that I don't need to stress to the members of this committee the value of higher education in America today, both to the individual and to this Nation. Latest figures show that a person with 4 years of higher education will, over the course of his life, earn about $213,000 more than a person with a high school diploma. Yet this figure, significant as it is, does not begin to reflect the value to the person of the sense of satisfaction which comes from knowing that one has been able to grow to the fullest possible extent.

As I pointed out at my White House Press Conference last week, a student from a family with an income of $15,000 is almost five times more likely to be able to attend college than is one from a family with an income of $3,000 per year.

Senator PELL. Excuse me, Mr. Commissioner. I note you have a 24-page statement.

Dr. MARLAND. I will come to that, Mr. Chairman, and will suggest that I conclude after page 3 or 4, and submit the remainder for the record.

Mr. PELL. Fine; thank you very much.

Dr. MARLAND. As I pointed out, we think that we have proposed an answer to this dilemma which will insure that any student who wants to go on to higher education will not be denied that chance, simply because his family's resources are too meager. I will leave the discussion of the specifics of our student financial aid proposals to a later point in my testimony; but I would like the committee to consider what this prospect will mean—to the student, to his parents, to the school, to the community.

First, to the students and his parents—and I speak here as a school administrator, deeply conscious of boys and girls in our high schools today—the knowledge that the money for a college education will be available when needed should have a pronounced effect on the goals of children from lower income families. No longer will parents have to try to discourage a bright child from dreaming too much about the future simply because there is no prospect that the money will be there when the need is. No longer need parents encourage their children to take high school courses which do not fully meet their needs simply because there is little likelihood that the traditional academic courses will provide the skills necessary for one who must earn a living immediately after graduating from highschool.

To the school, this turn of events will mean that guidance counselors can really begin to help promising students develop to their fullest potential without the guilty feeling, which some must have, that they are not really acting in the student's best interests when they raise his or her sights, only to have these young ambitions crushed because of lack of money.

Finally, to the community, this group of young people will serve as examples of what can be done to break the grinding cycle of poverty. Younger children will know that they too can dream, and see their dreams fulfilled. Parents will be able to speak with pride of their son, the doctor, or their daughter, the engineer.

In short, Mr. Chairman, we are talking about hope.

We do not, of course, claim that making available the opportunity for higher education will solve all the problems of the world; but we do believe that many of the ills of our society which result from frustrated hopes can be ameliorated.

The second feature of the administration's proposals which I should like to briefly touch on is our recommendation for the National Foundation for Higher Education.

In many ways I believe that the Foundation proposal is analogous to our student financial aid proposals, for both are aimed at aiding the recipient—in one case, the school; in the other, the student—to fulfill its potential.

I view the National Foundation as a device to aid schools, colleges, universities, to decide rationally what they want to become and to be a source of seed money for them in their attempts to realize their plans.

In some cases these plans may involve new ways of doing familiar things, such as developing more economic methods of administering institutions or changing the methods of recruiting and retaining faculties. In other instances, more fundamental change may be desirable, such as the development of new kinds of institutions for higher education. In both situations the National Foundation would be a source of aid.

In addition, the Foundation hopefully would work toward the development of a national policy for higher education, including an examination of the Federal Government's impact on policy formulation and institutional behavior.

Many of the activities which the Foundation ultimately would fund might very well arise as a result of research activities originally supported by the proposed National Institute of Education. The Foundation would provide financially pressed higher education insti-

tutions with an extra margin of funds to begin putting promising concepts to work.

As a final point in my personal remarks, Mr. Chairman, I should like to stress once again the urgency which exists to act on both the Higher Education Opportunity Act and the National Foundation for Higher Education Act. June 30 is approaching rapidly and letters of admissions are already being sent out to next year's freshmen. I hope that the Congress will see fit to pass this legislation at the earliest possible moment.

And here, Mr. Chairman, I would pause in the prepared text with your permission, noting that there are some 15 pages of detailed exposition concerning the 10 titles of the Higher Education Act, and I would submit them for the record, without further discussion.

Senator PELL. Thank you very much, indeed.

(Dr. Marland's prepared statement follows:)

Statement by
Honorable Sidney P. Marland, Jr.
U.S. Commissioner of Education
Before the
Subcommittee on Education
Committee on Labor and Public Welfare
United States Senate
Wednesday, March 3, 1971
10:00 a.m. EST

Mr. Chairman and Members of the Committee:

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I would now like to describe in some detail the provisions of the Higher Education Opportunity Act of 1971.

Title I

Title I would extend Title I of the Higher Education Act through 1973. The existing authority for community services and continuing education programs contained in that title would continue without change. Because we are reviewing the place of categorical programs such as this in the context of the broader Federal role in higher education, however, we are only asking for a two-year extension.

Title II

Title II would extend and amend the library programs contained in Title II of the HEA. At present there are three types of grants made under Title II--basic, supplemental, and special purpose grants. We propose to increase the proportion of funds targeted on special purpose grants, reducing basic and supplemental grants from seventy-five to fifty percent of the sums appropriated for Part A. The remaining fifty percent available for special purpose grants would provide more

assistance for:

--institutions or their branches which demonstrate a special need for additional library resources;

--institutions or their branches which can meet special national or regional needs in library or information sciences; and

--combinations of institutions which need special assistance in establishing and strengthening joint-use facilities.

We feel that a greater concentration of Federal assistance in such institutions will help assure that the resources devoted to library materials will have the greatest impact on the quality of postsecondary education in this country. Again, because we are reviewing the place of categorical programs such as this, we are asking for a two-year extension

In Part B of Title II, relating to Library Training and Research, we would propose two changes. First, we believe that the provisions which relate to training of library professions should be coordinated with other education professions training activities. Therefore, we are proposing that this authority be transferred from Title II and added as a new Part G to Title V (Education Professions Development Act). Second, we are asking for repeal of the research and demonstration component of Part B, which merely duplicates authority already contained in the Cooperative Research Act.

We are also asking for repeal of Part C, which allows the transfer of HEW funds to the Library of Congress for the Library's use in acquiring valuable materials and in preparing cataloging information. This vital function will be continued more appropriately under the budget authority of the Library of Congress.

Title III

Title III extends, with technical amendments, Title III of the HEA--Strengthening Developing Institutions. This title has played a significant role in assisting weaker institutions of higher education, especially predominantly black colleges in the South, in their struggle to stay in the mainstream of academic life in this country. Federal assistance has come in the form of grants for cooperative arrangements between a developing institution and a stronger one, in National Teaching Fellowships, and in the support of Professors Emeritus.

We are also proposing two amendments to the existing law. One would clarify the requirements for participation of institutions which offer less than the bachelor's degree. This would provide that only institutions which award a bachelor's degree must meet the requirements of sections 302 (a) and (b) that institutions be established for five years before they may meet the definition of developing institutions. This change would allow new community colleges, which are being established at the rate of 60 a year to receive funds promptly under this title. Such institutions would, of course, be funded under the existing set-aside of 23 percent for two-year colleges.

The second amendment would amend the professors emeritus program to provide that professors emeritus may come from the developing institutions themselves, as well as from stronger and more recognized colleges and universities. We have found that these faculty members often understand the unique problems of students at developing institutions much better than other retired faculty from more traditional schools.

Title IV

Title IV contains amendments to student financial aid programs.

I. Present Programs: Description and Problems

The Office of Education presently administers four major programs for aiding students: Educational Opportunity Grants, the College Work-Study program, National Defense Student Loans and Guaranteed Loans.

The first three programs are mainly funded by the Federal Government and administered by colleges and universities. The amount of funds available to the institution for these programs depends on the total funds appropriated by Congress, State distribution formulas and the approval of regional review panels. Once the college has its various allocations, the student aid office determines what mix of grants, work-study payments and loans is appropriate for each individual eligible student.

Commercial lending institutions, primarily banks, operate the Guaranteed Loan programs. Loans are made at a maximum interest rate of 7 percent to the student. The Federal Government guarantees the loans against default, pays the student's interest on subsidized loans while he is in college and makes a special payment to lenders during tight money conditions.

There are several problems with this system of student aid:

- Availability of funds --Allocation formulas, matching requirements and insufficient funds limit the aid which institutions can award to individual students. Colleges enrolling large numbers of disadvantaged students are in an especially difficult position because of the matching requirements.

- Limited loan funds -- Existing loan programs provide an inadequate volume of lendable funds because (a) the National Defense Student Loan program requires capital outlays from the Federal budget which has been under severe fiscal pressures and restraints for the last several years; and (b) students must compete with other borrowers (who often offer more profitable investment opportunities) for the lendable funds of banks under the Guaranteed Loan program. (Low-income students with limited bank connections sometimes find themselves at a particular disadvantage.)

- Open-ended expenditures -- The Federal Government is obligated to meet its commitment to pay the interest on subsidized Guaranteed Loans while students are in college. As interest rates rise, and as more and more middle and upper income families find it in their interest to take advantage of these subsidies, a larger and larger share of Federal funds for student aid is being diverted away from the most needy students. The system as a whole has a built-in tendency to become less progressive as these subsidies absorb a disproportionate part of any budget increase for student aid.

- Uncertainty -- A student who wants to go to college cannot tell where he can get aid or how much he can count on in advance of his admission and the particular student aid office determination. Nor can a bank assure the student in advance that it will have funds to lend to him.

- Inequitable distribution -- Federal funds do not necessarily go to those students who need them most. Moreover, different colleges assess need in different ways. Substantial subsidies go to middle and upper income students, especially under the Guaranteed Loan program.

II. Proposed Programs: Purposes

The Administration's improvements in the existing student aid programs have four major purposes:

--To assure the availability of funds to every qualified student.

--To assure that Federal funds go first, and in the largest amounts, to the students who need them most.

--To provide potential students with as accurate information as possible concerning the aid they can expect.

--To assure that all students of equal need are treated alike.

--To provide additional financial aid to students attending high cost institutions.

III. Proposed Program: Concept and Structure

The Administration is recommending a coordinated student aid system with two parts: (a) a combination of grants, work-study payments and subsidized loans for full-time undergraduate students with low to middle incomes attending public and non-profit postsecondary educational institutions as well as proprietary institutions of higher education; and (b) creation of a National Student Loan Association to raise money privately and make it available for all postsecondary students at all income levels.

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A. Grants, work-study payments, subsidized loans

The basic concept is that all students whose families can be expected to make the same contribution should have the same help available for their education from Federal sources. The combination of family contributions plus Federal grants, work-study payments and subsidized loans would be enough to enable any student to meet minimum education expenses. The key determinant is family income (and, thus, family contribution). Students from lower income families would receive more Federal aid than students from higher income families. (Lower income students would also receive a larger proportion of their aid in the form of grants and work-study payments rather than in the form of subsidized loans.) But the total resources available (i.e., family contribution plus Federal aid) to students at different income levels would be made equivalent.

The system would work as follows. Each year the Secretary of HEW, after conferring with the Advisory Council on Financial Aid to Students, would publish a schedule indicating the amount of Federal funds available to students with varying family contributions. Each student's eligibility for aid would be calculated by determining the expected family contribution toward his educational costs. This determination would take into account such factors as the size of the family, the number of children in college, extraordinary family expenses and capital assets. The deficiency between expected family contribution and the

amount of resources the student should have available to him would be met by a combination of grants, work-study payments and subsidized loans.

For example, under the Administration's fiscal 1972 budget proposals, students from families unable to provide more than $1,400 to assist with the cost of postsecondary education would be eligible for Federal funds. The maximum foundation support (grant and work-study plus subsidized loan) available to any one student would be $1,400; i.e., to students from families unable to afford any support. The maximum grant available to any one student would be $1,000. In addition to these base amounts, students who (1) meet the eligibility criteria for subsidized aid, and (2) attend schools with annual average cost in excess of $1,400 would be eligible to apply for an additional subsidized "cost of education" loan of up to $1,500. This program would be controlled by schools in a manner similar to the present NDEA loan programs and terms to students would be approximately the same as those governing present NDEA loans. The amounts of aid to be available at different income levels for families of different sizes under the funding levels contemplated by the Administration's proposals are illustrated in Attachments I and II.

Several others features of the proposal deserve mention:

- All aid from State and private student aid programs would be <u>in addition</u> to Federal aid, and would permit students eligible for it a wide choice of the type of institution they attend.

- A "grandfather" clause would assure that students receiving aid under the EOG, work-study, and NDEA title II programs would receive no less under the new system than they were entitled to under the old one.
- Institutions of higher education would preserve the option, within national limits set by the Commissioner of Education, of determining the mix of grants and work-study payments appropriate to the individual student.
- The National Defense Student Loan Revolving Fund (currently about $140 million not already lent) would continue in its present form, except that no new Federal appropriations would be made to the fund. Loans would continue to be made in a manner similar to current NDSL's; however, cancellation for reaching, military service, Peace Corps service, etc. would be eliminated for new loans.
  Loans from this fund would go first to students eligible under the "grandfather clause" in the bill; remaining funds would be used to provide subsidized loans under the Higher Education Opportunity Act.
- Students attending proprietary institutions of higher education would be made eligible for all benefits.

Finally, these proposals would not alter the valuable features of existing programs:

- Educational Opportunity Grants would continue as the basic grant program but without matching requirements.
- The College Work-Study program would continue. Colleges would continue to match work-study funds provided by the Federal

Government (one dollar for four) but this requirement would be waived for institutions or work programs which it would hamper.

B. National Student Loan Association

The purpose of the proposed National Student Loan Association (NSLA) is to increase the amount of resources available for loans (both subsidized and unsubsidized) to all students at all income levels.

NSLA would be a private corporation, chartered and established by the Federal Government. It would raise funds by issuing its own obligations for sale in private capital markets. These obligations would be guaranteed against default by the Government, allowing the NSLA to pay a lower rate of interest.

With the proceeds from its sales, NSLA would buy, sell, or warehouse (buy under the condition that the seller will repurchase, i.e., NSLA "stores" the loans) student loan paper from colleges, banks or other eligible lenders. Typically, a college without funds of its own to invest in student loans would make a loan to a student and then turn immediately to NSLA to sell the student's note.

NSLA would significantly increase the flow of funds into student loan markets. Both banks and colleges would be encouraged to do more student lending. It is estimated that NSLA may buy up to $2 billion worth of loans in its first year of operation.

The Guaranteed Loan Program would continue to be open to all college students, however high their family incomes. However, some changes would be made in the program. First, the 7 percent interest ceiling would be eliminated. Second, the interest subsidy paid by the Federal Government on student loans to other than low income students while they are in college and the special allowance paid to banks would be eliminated. The program would continue to be an unsubsidized loan program except for students meeting a test of need.

Several other features applicable to both subsidized and unsubsidized loans are of significance:

- Banks and other financial institutions would make both kinds of loans.
- Loan ceilings would be raised and would apply to the aggregate of both subsidized and unsubsidized loans. A student could borrow up to $2,500 a year for up to seven years.
- The length of the maximum permissible loan repayment period would be increased to twenty years from the present ten.
- Student borrowers would not have to pay interest while they were still in college. Federal payments would cover interest charges

on subsidized loans. On unsubsidized loans, lender would be required to allow the student to defer payments of both interest and principal while the student was in college. The government would guarantee deferred interest payments along with principal

- The student could prepay his loan at any time without penalty.
- Lenders would also be permitted to agree, at the time the loan was made, to allow the student to defer payments and interest up to an aggregate of five additional years. In such cases, the student would be allowed to choose those times during the repayment period when regularly scheduled payments would be especially burdensome. The Federal Government would guarantee interest charges during such periods.

IV. Proposed Program: Consequences

It is estimated that in Fiscal Year 1972, the first year of operation of the program,:

- 2 1/2 million students would receive benefits, an increase of one million over the number of students receiving assistance under present programs.
- approximately $575 million in grants and work-study payments would be available, an increase of $242 million above FY 1971.
- about $1.2 billion would be available to make loans under the subsidized loan programs, an increase of $830 million.

V. Problems Solved and Purposes Achieved

The Administration's student aid proposals overcome the problems and achieve the purposes noted earlier.

- Availability -- Every student who qualifies for direct Federal assistance under the schedule established by the Secretary of HEW will receive such assistance. NSLA will provide an adequate supply of lendable funds for students who do not qualify for subsidies.

- Need -- Grants, work-study payments and subsidized loans will be concentrated on those in most need: students from low-income families.

  Certainty -- The aid schedule published annually by the Secretary of HEW would inform every eligible student of the amount of aid he could expect, subject to review by the financial aid officer at the college of his choice.

- Equity -- Students whose families could be expected to make similar contributions would receive equivalent amounts of aid.

Title V

Title V amends and extends programs dealing with the training of educators authorized by the Education Professions Development Act (Title V, HEA). The Administration is proposing eight technical amendments to the Education Professions Development Act. Following is a brief description of the amendments, outlining the reasons why each is being proposed.

I. Extension of Parts A, B, D, E, and F of Title V for Five Years

We are proposing the combination of Parts C (Graduate Fellowships) and D (Training Programs) of EPDA. This is accomplished by allowing the appropriations authorization for Part C to lapse. The reasons for this proposed change are:

A. The language of Part D (Improving Training Opportunities for Personnel Serving in Programs of Education Other Than Higher Education) is broader than that of Part C (Fellowships for Teachers and Related Educational Personnel). Everything funded under Part C can be supported under Part D; and in fact, the Bureau of Educational Personnel Development is not using the Part C authority at all in 1971 due to the narrowness of its concerns.

B. Two very high national priorities, increasing the educational achievement of children of low-income families through provision

of better teachers, and implementing the most promising new approaches to effective training and retraining of teachers, either cannot be addressed effectively or are precluded under Part C. The broader language of Part D encourages the direction of resources to these needs.

C. Potential applicants under Part C are limited to institutions of higher education with graduate programs. This is in direct contrast to Part D under which all colleges and universities, including junior and community colleges, State departments of education and local educational agencies (18,000 school districts) are potential applicants. Cooperative Federal-State relationships under Part D have proven useful and effective. Nearly 50 per cent of all EPDA funded projects are funded through local education agencies, which have the best knowledge of their own training needs.

D. Individual and institutional payments under Part C are on a set formula basis, requiring a stipend to the student and an institutional assistance grant to the university of $3,500 each. This does not cover the actual training costs or encourage local contributions to projects as occurs under Part D.

E. Teacher fellowship programs such as the Prospective Teacher Fellowship Program funded under Part C, have not produced substantial numbers of teachers for the disadvantaged, and have tended to attract teachers from fields which are now in surplus nationally. Part D addresses itself specifically to meeting

areas of shortage such as early childhood, special education, and vocational-technical education. In addition, the Teacher Corps is proving to be a much more effective vehicle for attracting talented college graduates (especially males and minorities) to teaching the disadvantaged and providing them with appropriate preparation than was the case with fellowship programs funded under Part C.

II. Amendments to Part B (2)

A. Increasing the amount of State funds for Administration

The States are currently allowed 3 percent of their State allotment for administrative costs. This amount has not proven sufficient for most States to assess critical needs, administer the program, and evaluate projects. The amendment would allow States a sum not to exceed 5 percent or $20,000, whichever is higher.

B. Elimination of the ceiling on amounts expended by States for teacher aides.

Currently the States can utilize only one-third of their allotment to attract, train and qualify teacher aides. The amendment removes this one-third restriction and allows State discretion as to the proportion of funds expended for training teachers. This amendment is included since experience has indicated wide variation among States in the needs for recruitment and teaching of teachers and teacher aides.

C. Authorization of training programs directed at retraining teachers already in school systems so that they may teach in other grades or in other subject matter areas.

Currently the legislation allows for the recruitment and training of people who have never been, or who are not now employed in the schools. The St te grant program was designed as a means of attracting people to the field of education, particularly in critical shortage areas. However, there is now a national surplus of teachers, and many States would prefer to use Federal funds to retrain teachers already employed to meet shortages rather than recruiting new personnel.

III. An Amendment To Make Indian Schools Eligible For Funding Under EPDA.

Federally run and Federally supported Indian schools under the Bureau of Indian Affairs are not presently eligible for funding under Part D of EPDA. Inclusion of these schools would allow for on-premises staff training in these schools and a wide variety of other benefits. The National Advisory Council on EPDA has recommended that BIA schools be made eligible for personnel development benefits.

IV. Amendment To Allow For The Compensation of Tutors Participating In Youth-Tutoring-Youth Projects and Other Tutors in Career Opportunities Programs.

At the present time tutors, typically selected by GOP project directors from high school and college students, to tutor other disadvantaged children cannot be compensated for their services or even for expenses involving their services under EPDA, since the tutors themselves are not necessarily training to be teachers.

Elaborate arrangements have had to be made with the Neighborhood Youth Corps in order to arrange for compensation. Experience to date indicates that youth-tutoring-youth programs are an effective means of attracting and involving low-income students in the educational process and of improving the learning capabilities of both the tutor and tutee. We feel that the program would be more effectively administered if authority to minimally compensate tutors (who often come from low income homes and cannot even afford bus fares) were included in EPDA.

V. Extension Of Authority Under Part D to Permit Large Scale Upgrading Of The Undergraduate Preparations of Teachers and Other Educational Personnel.

This amendment is designed to fill a gap in EPDA. The present authorization does not permit grants for the direct reform of regular undergraduate programs for the development of educational personnel. Since those programs prepare over 90 percent of all teachers and other educational personnel, the gap is a serious one insofar as it affects BEPD ability to deal with "improving the quality of teaching", one of the two primary purposes of the EPDA. The proposed amendment does not authorize stipends and other types of support for individual students. It would, direct all of its resources to the development of better programs for training those undergraduates. The amendment would provide a more productive vehicle than the traditional institutes for bringing those concerned with the academic disciplines together with those concerned with teacher training in joint efforts to improve the quality of teaching.

VI. Addition of A New Part G To Authorize Training of Library Personnel.

This amendment simply creates a new Part G of EPDA containing the language formerly in Sections 221-223 of Title II of the Higher Education Act. These sections authorize the Commissioner to make grants to institutions of higher education for establishing training institutes and fellowship programs for persons coming under the category of "librarians". These sections of HEA Title II are being transferred to EPDA in an attempt to place all educationally connected training programs within the same act. This is consistent with Administration efforts at consolidation and coordination of programs.

VII. Consolidation of NDEA title IV (National Defense Fellowships) with title V-E.

The bill repeals title IV NDEA effective July 1, 1971 and broadens existing authority in Part E of title V HEA to allow funding similar activities under title V.

Title VI

Title VI would repeal five existing titles of the HEA--Title VI (Financial Assistance for the Improvement of Undergraduate Instruction); Title VIII (Networks for Knowledge); Title IX (Education for the Public Service); Title X (Improvement of Graduate Programs); and Title XI (Law School Clinical Programs). These are all relatively narrow categorical programs and the last four have never been funded. Rather than maintaining these categorical authorities, the Administration is proposing the creation of the National Foundation for Higher Education. The broad authority for the Foundation, one of the purposes of which is "to provide assistance for the design and establishment of innovative structures for providing postsecondary education and innovative modes of teaching and learning therein". This authority will permit funding of projects of merit in all of these areas.

Title VII

Title VII amends the General Provision in Title XII be redesignating XII as VIII and by adding a new section which requires that applicants under Titles II, III, and V must make assurances that there will be:

--no supplanting of Federal funds for other funds;

--fiscal control and fund accounting to assure proper disbursement and accounting for Federal funds;

--proper evaluation and dissemination of results;

--such reports made and such records kept as the Commissioner may find necessary.

Similar provisions in Titles II, III, and V are repealed. These amendments continue the efforts already begun in P.L. 91-230 to

standardize general provisions wherever possible.

Title VIII

Title VIII extends the Higher Education Facilities Act through June 30, 1973, including the grants authority under titles I and II. In addition, it adds a new program designed to aid private nonprofit institutions of higher education by providing Federal insurance of loans for the construction of academic facilities at these schools. The Federal insurance of both principal and interest on these loans should greatly improve the borrowing power of these institutions, as well as creating considerable for the Federal government in loan subsidy payments. This authority should prove to be especially beneficial to private black institutions.

Title IX

Title IX extends title VI of the National Defense Education Act (Language Development) for two years. Once again, we are asking for a two-year extension because of the general review of categorical programs.

Title X

Title X deals with discrimination against women in the educational community. It would prohibit discrimination on the basis of sex by any recipient of Federal assistance for any educational activity or program, except where sex is a bona fide ground for differential treatment. This latter provision would allow single sex institutions to continue.

The title would permit termination of grants to any recipient of Federal funds for education who fails to comply with this requirement. This action would only be authorized as a last step, of course, and only after adequate hearings, formal findings of noncompliance, and judicial review, if necessary.

ATTACHMENT I

FAMILY CONTRIBUTION BY INCOME LEVELS AND
NUMBER OF CHILDREN IN THE FAMILY

Income Levels	Family Contribution by Number of Children				
	(1)	(2)	(3)	(4)	(5)
$ 3,000	0	0	0	0	0
4,000	$ 300	$ 110	0	0	0
5,000	530	320	$ 160	0	0
6,000	750	540	350	$ 220	$ 140
7,000	990	750	530	390	310
8,000	1,220	950	710	560	480
9,000	1,460	1,150	890	720	640
10,000	1,690	1,350	1,060	890	800
11,000	1,920	1,540	1,230	1,040	890
12,000	2,150	1,730	1,400	1,190	1,090

Family contribution, as well as the amount of available resources, would vary as family income is weighted to reflect the number of children in the family, the number of children in college, extraordinary family expenses, and capital assets.

BENEFITS AVAILABLE TO STUDENTS BY THEIR EXPECTED FAMILY CONTRIBUTION

FAMILY CONTRIBUTION	GRANT/WORK-STUDY SUPPORT	SUBSIDIZED LOANS	COST OF EDUCATION LOANS	TOTAL
$ 0	$1,000	$400	$1,500	$2,900
200	800	400	1,500	2,900
400	600	400	1,500	2,900
600	400	400	1,500	2,900
800	200	400	1,500	2,900
1,000	0	400	1,500	2,900
1,200	0	200	1,500	2,900

THESE FEDERAL SUPPORT LEVELS CAN BE SUPPLEMENTED BY:

1. INSTITUTIONAL STUDENT ASSISTANCE;
2. STUDENTS SUMMER EARNINGS;
3. STATE AND PRIVATE STUDENT ASSISTANCE;
4. FEDERALLY GUARANTEED LOANS.

ATTACHMENT II

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Senator PELL. I would like at this time to welcome Senator Beall. I am delighted that he is a member of this subcommittee. He knows how much I liked his father, and I look forward to serving with him.

Senator BEALL. Thank you, Mr. Chairman.

Senator PELL. Would you like to ask any questions at this point?

COMMUNITY COLLEGES IN MARYLAND

Senator BEALL. I would like to indulge in a little parochial pride, if I might, and state to the Secretary and Dr. Marland, and others, that this morning I had breakfast with 16 community college presidents from the State of Maryland. We are rather proud of our community college system in the State, which has grown at a very rapid rate. These gentlemen are in the audience here today listening with a great deal of interest to the administration's programs for aiding higher education. I wish to welcome them and say how delightful I am that they are with us.

Secretary RICHARDSON. We congratulate the State of Maryland on the development of its community college system, which is certainly an outstanding one.

Senator BEALL. Thank you.

Thank you, Mr. Chairman.

Senator PELL. Thank you very much.

Dr. Muirhead?

Dr. MUIRHEAD. I have no formal statement, Mr. Chairman.

Senator PELL. I have a variety of questions. They are not in as good order as I would like, but I am so interested in the subject matter that they came to me as we moved along.

REVENUE SHARING

First, a very, very general question, and I am sure the answer is negative, but am I correct in saying that the proposals of the administration, the financing of these programs, would not include funds from any of those programs that are recognized as categrical aid programs, those that would be consolidated under the revenue sharing plan perhaps to be proposed by the administration.

Secretary RICHARDSON. No. None of them. We are talking today only about higher education, and the proposed programs for consolidation under the special revenue-sharing proposal are all programs affecting elementary and secondary education.

Senator PELL. Right. I just wanted that for the record, and I am delighted to hear it.

Now in your effort to concentrate funds on low income students, regulations, and guidelines must have been or are in the process of being issued. Could you supply for the record these guidelines and regulations, a representative sample of the forms that are used by the colleges to ascertain the income, and needs of students?

Secretary RICHARDSON. This can be done, Mr. Chairman.

(The information subsequently supplied follows:)

Determining Financial Need Under Major Federal
Programs of Student Financial Aid

Under the existing student financial aid programs, institutions annually sign an "Agreement" covering participation which calls, among other things, for the use of systematic methods for determining the financial need of applicants under the programs. Institutions agree to "give preference to students from low-income families" under the College Work-Study Program and to award Educational Opportunity Grants to those students who have "exceptional financial need." Institutions further must indicate that they use one of four suggested student financial need assessment systems, or they may provide a complete description of any other system employed. (See Attachment I)

The College Scholarship Service and the Financial Need Analysis Service of the American College Testing Program both are recognized as acceptable need assessment systems. In addition, the Division of Student Financial Aid has published (last edition in March 1968) a booklet describing the principles of need analysis. This publication, Determining Awards Under Federal Student Aid Programs, presents two additional need assessment systems that might be employed by a college, the Federal Income Tax System and the Alternate Income System. A sample data collection document for family financial circumstances is suggested and illustrated in the booklet. (See Attachment II)

Under the three college-based programs, the Division of Student Financial Aid has not attempted to establish specific guidelines for the collection of financial information from parents, nor has it become involved in any way in the actual collection of family financial information. Institutions may use anything from a parental affadavit of nonsupport to lengthy and complex questionnaires, as long as they attest to using "systematic methods" for determining the financial need of applicants.

The Student Application for Federally Insured Loans, under the Guaranteed Loan Program, is the only approved form issued by the Division of Student Financial Aid for the collection of family financial information. This document is designed to serve banks and other lenders in determining student eligibility for Federal subsidized loan assistance. (See Attachment III)

It has been accepted that it is the role of and responsibility of the financial aid officer to review the financial circumstances of the family and to make an evaluation which is equitable for the student, and systematic and fair in the dispersal of Federal student aid funds. It is extremely difficult to draw a line between the data essential to equitable need assessment and that point where the questions asked begin to invade the realm of personal privacy. As long as financial need is a determining factor for student aid programs, it is necessary for all applicants to provide family income data sufficient to substantiate that financial need.

ATTACHMENT I

FINANCIAL NEED ANALYSIS

An objective system of financial need analysis must try to treat all families equitably, recognizing the peculiarities of each family's situation to the greatest extent possible. It must recognize expenses and expenditures that are not a matter of family choice. And it must recognize family benefits, in addition to salaries and wages, that raise the real standard of living. Most systems of financial need analysis are based on the following specific assumptions:

1. Parents have an obligation to pay for the education of their children to the extent that they are able to do so.
2. A family's income is the primary source of support for college education, but assets must also be considered. Income and assets, combined, produce the most complete index of a family's financial strength and therefore its ability to pay.
3. In determining a family's ability to pay for college, the computation system must consider the size of the family and the extraordinary expenses that the family may have.

4. The system must assume that the student has an obligation to assume a responsibility for a portion of the cost of his education.

The first essential of any need analysis system is data collection. The financial aid officer must collect information about the financial circumstances of the family under consideration. The date collection device must permit the family to list:

1. All the income that the family has available, such as salaries and wages, interest and dividends, public assistance payments, and other types of income must be included, but need not be itemized. Benefits not in the form of cash, but having a precise cash value and serving to relieve the family budget from normal burdens should be included.
2. All the major assets that the family has available, including residence equity, other real estate, family-owned businesses or farms, stocks, bonds, bank accounts, and other investments.
3. The unusual expenses that the family must meet from its income and assets. Working mothers, other dependents, medical and dental needs, indebtedness, and so forth may create extraordinary expenses that should be included.

4. Special problems that the family faces or expects to face. Such circumstances as illness of the working parent and younger children which will be seeking higher education should be allowed for.

Unusual Expenses

The usual expenses for which adjustments are made include the following:

Schooling expenses. A procedure is used to determine the ability of a family to contribute an absolute amount toward the total higher education expenses of siblings in college at that time. This absolute amount is then allocated equally among all the children in one family who are attending college in the same year.

Expenses for a working mother. An allowance for the expenses of a working mother is made because it costs more for a family to have two people earn a given income than to have one person earn the same income. Therefore, if both parents work, an allowance of 50 percent of the mother's first $2,000 income and 25 percent of income over $2,000 (up to a maximum annual allowance of $1,500) is often granted.

Medical and dental expenses. An allowance is made for medical and dental expenses in excess of 5 percent of before-tax income. This base amount represents the normal expenditures for medical expenses at a moderate level of income.

Emergency expenses. Allowances are also given for certain expenditures that are not normal expenses of family life and do reduce the family's usable income.

Indebtedness. An allowance for debt is subtracted from the family's assets.

Expenses for dependents other than children. Some parents must provide total or partial support for their own parents or other relatives. An allowance of $600 is made for each of these dependents.

Determining Additional Income.

Some parents receive benefits, in addition to their salaries and wages, that raise their real standard of living. The financial aid officer must be careful to consider these in arriving at an equitable and reasonable contribution for educational expenses. Some examples of this follow:

1. While living expenses for farm families differ little in amount from those of urban families, there are certain non-cash benefits to the farm family in housing and home-produced food products. The financial aid officer may wish to increase family net income by $800, an average annual value for rental housing in rural areas.

2. Families receiving public assistance, social security and other realted benefits are asked to report all income considered as family resources.

3. Ministers and private school teachers may receive rent-free housing as a pre-requisite of their employment. A conservative estimate of the value of such free housing is 15 percent of the annual income.

Treatment of Assets

The first step in computing the supplemental contribution of a family from its assets is to determine the net worth of the family: the fair market value of family assets less indebtedness. One approach to treating the remaining assets is to then provide a $10,000 retirement and emergency reserve allowance against them, with twenty-five percent of the remainder expected toward the expenses of college.

Conclusion

Any system that analyzes financial need must deal first with the objective facts of family financial circumstances. It cannot make distinctions between the frugal poor and the spendthrift. It cannot distinguish between improvidence and financial tragedy. It must be based on the assumption that an applicant and his family are simply accepted in their present financial condition. Families with similar incomes may have dissimilar assets for a variety of reasons. Previous illness, bankruptcy, or unemployment may have depleted the assets of a frugal family.

The primary purpose of financial aid programs, and therefore of financial need analysis, is to permit college attendance by students who cannot afford to pay the expenses themselves. If a family were expected to contribute an amount greater than its present ability dictated, the student would be penalized by being forced to find a way to assume the financial burden that could not be met either by his parents or the college's student aid program.

Although accurate, objective data are the basis for systematic need analysis, the resulting contribution can never be considered to be a scientifically accurate recommendation. Complexities in individual family financial circumstances and differences in attitudes toward education will require that an aid officer make adjustments in order to determine the appropriate contribution from a specific family. In doing this, he must evaluate both the objective and subjective information available to him from all sources. A system of need analysis must always be a guide for judgment, not a substitute.

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ATTACHMENT II

U.S. DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE
OFFICE OF EDUCATION
BUREAU OF HIGHER EDUCATION
DIVISION OF STUDENT FINANCIAL AID

DETERMINING AWARDS

UNDER

FEDERAL STUDENT AID PROGRAMS

Second Revised Edition, March 1968

FOREWORD TO SECOND REVISED EDITION

The booklet "Determining Awards Under Federal Student Aid Programs" was produced originally by the College Scholarship Service, under contract with the Office of Education, to assist financial aid officers in institutions of higher education in making determinations of student financial need consistent with the rules and regulations established by the Commissioner for the implementation of the Federal Student Financial Aid Programs administered by the Division of Student Financial Aid, Bureau of Higher Education: The National Defense Student Loan Program, the College Work-Study Program, and, in particular, the Educational Opportunity Grants Program.

Stocks of the original booklet were exhausted some months ago. This abbreviated version has been developed, as an interim measure, to meet the needs of those institutions which will be participating in the Federal Student Financial Aid Programs for the first time in Fiscal Year 1969.

Administrative manuals have been developed by each of these programs since the original "Determining Awards" booklet appeared. For this reason, only those portions of the original text which reflect material not discussed elsewhere have been retained here. In particular, emphasis is placed on the computation of the expected parental contribution from income and assets toward educational costs, under the Federal Income Tax System and under the Alternate or Income System. A completely revised version of "Determining Awards Under Federal Student Aid Programs" is in preparation and will be distributed to all participating institutions in 1968.

March, 1968

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I. INTRODUCTION

The Federal grant, loan, and work-study programs are designed for students who are admissible to post-secondary institutions or who are enrolled in such institutions, who are in need of assistance to pay their college expenses, and who are in "academic good standing."

Before need analysis is discussed, an additional comment about the academic eligibility is important. The Congressional intent is that financial need shall be a fundamental requirement for award of this Federal assistance, but superior academic promise or performance shall not. The Draft Regulations for Educational Opportunity Grants, issued by the Office of Education in February 1966, specify that a student is eligible if he "has been accepted for enrollment as a full-time undergraduate student, or is in good standing and in full-time attendance as an undergraduate student."

It must be remembered that these programs are "opportunity" programs and not "scholarship" programs, as many gift-aid programs more typically are. In the Federal grant, work, and loan programs, the intent of the phrase "in good standing" is to include, as a minimum, all students progressing normally toward a degree. It may also include, at the discretion of the institution, all those eligible to continue as enrolled students at the institution, including those who may be temporarily on academic probation. "Good standing" is in no way meant to suggest that a student must be expected to or must actually maintain a strong academic average.

The successful implementation of these programs requires that institutions accept the flexibility of the academic requirements that are to be applied to students being considered for Federal funds. This may be in conflict with the procedures many institutions have developed (and may wish to continue to utilize) in the awarding of the non-Federal funds under their jurisdiction, particularly gift assistance. This conflict may trouble some institutions, but it is an issue that must be faced. An institution can either make the academic requirements for the other aid under its jurisdiction more flexible, or it can operate on two different standards--one for its own programs and a different one for the Federal grants, loans, and jobs. The Federal student assistance programs require that a student is, and will continue to be, eligible for assistance under them as long as:

1. The student is allowed to remain in the institution.
2. He continues to show academic promise.
3. It is reasonable to expect that he will be graduated.
4. The Federal funds continue to be available.
5. The financial need remains.

Flexibility regarding academic criteria is explicitly encouraged with respect to Educational Opportunity Grants. Section 403 of the Higher Education Act of 1965 carries the clear suggestion that such grants be renewed for the duration of the recipient's undergraduate program, not to exceed four academic years, as long as he maintains satisfactory progress in his course of study.

The fact that one of the major intents of the Higher Education Act is to reduce dropouts and to encourage re-entry into educational programs of those who may have dropped out lends further strength to the importance of the renewal of the awards. The absence of renewals and of the necessary matching funds to meet need could well cause recipients to drop out of college for financial reasons. Forced withdrawals by the very students who, by definition, are particularly in need would clearly be in contradiction to the intent of the Educational Opportunity Grants Program, its encouragement of the full utilization of educational talent, and the elimination of unnecessary dropouts on the part of those with the ability to pursue post-secondary programs profitably.

Even though the academic qualifications of students selected to receive funds under the Federal programs are not rigorous, the financial need qualifications definitely are. Successful administration of these programs by colleges, particularly the Educational Opportunity Grants Program, will require the colleges to identify young men and women of exceptional financial need, to determine the amount of assistance they need to continue their education beyond high school, and to offer a package of financial assistance adequate to meet each student's needs.

II. WHAT IS FINANCIAL NEED?

Financial need is the difference between the amount of money a student and his family can provide for an education and the expense of that education. Financial need is not a term synonymous with poverty. It is related to college expenses as well as family financial strength. While maintaining its objectively measured standard of living, a family that would need substantial financial aid to send its child to one college might need much less to meet that child's expenses at another institution. Two elements must always be considered:

1. The amount of money the student and his family can reasonably be expected to contribute toward a definite period of education, usually an academic year.

2. The expense of the education during that period at the institution of higher education the student plans to attend.

Financial need is the difference between these two amounts. The greater the difference the greater the need, measured on a scale relative to college expenses.

In assessing eligibility for the Federal programs, particularly for the Educational Opportunity Grants Program, the institution should determine financial need as measured on an absolute scale relative to the amount the parents of the student can contribute toward the expense of education at any institution.

Eligibility for the Educational Opportunity Grants Program is limited to students of "exceptional financial need" as measured on the absolute scale of parental contribution. These are students from families in which the parents are able to contribute up to approximately $625 an academic year.

III. HOW TO MEASURE A FAMILY'S ABILITY TO PAY (UNDER THE FEDERAL INCOME TAX SYSTEM AND THE ALTERNATE OR INCOME SYSTEM)

A. Computing the Parents' Expected Contribution:

The Federally financed student assistance programs assume that a student and his parents have the primary obligation to pay for the education of the student. Parents are expected to provide, as well as they are able, the basic essentials of life whether the student lives at home or on the college campus. The student is expected to use a portion of his own savings to assist in meeting the expense of his education. When these responsibilities have been met, the college, society, or the government may accept the additional responsibility through programs of student financial assistance.

All need analysis systems recognize that a certain level of income and assets is necessary to maintain a family. It is only when income and assets exceed this level that funds are considered to be available to assist in meeting the expense of education.

A system of evaluating ability to pay for college expenses must relate in some way to the total financial strength of a family. No need analysis system can scientifically provide an exact recommendation of the contribution that can be expected from any particular family. Financial need analysis can only indicate the approximate contributions that can be expected from a family. It is the role and responsibility of the financial aid officer to review the financial circumstances of the family and make an evaluation which adequately reflects the particular problems that must be faced by a particular family living in a particular situation. This section discusses two methods by which the financial aid officer may estimate the amount that the parents can be expected to contribute toward the expense of a college education.

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The first essential of any need analysis system is data collection. The financial aid officer must collect information about the financial circumstances of the family under consideration. The data collection device must permit the family to list:

1. All the sources of income that the family has available. Items such as salaries and wages, interest and dividends, public assistance payments, and other types of income must be included.

2. All the major assets that the family has available. Items usually included are residence equity, value of other real estate, value of family-owned businesses or farms, stocks, bonds, bank accounts, and other investments.

3. The unusual expenses that the family must meet from its income and assets. Working mothers, other dependents, medical and dental needs, indebtedness, and so forth may create extraordinary expenses that should be included.

4. Special problems that the family faces or expects to face. Such circumstances as illness of the working parent, anticipated expenses for home maintenance, and so forth should be described.

It is important not only to obtain the information that the financial aid officer must have to make his evaluation, but also to provide the family with an opportunity to explain the circumstances which it feels are important and should be known. In addition to providing additional information from which to estimate the ability of the family to pay the expenses of a college education, this information will frequently provide an insight into the attitudes of the family about college attendance.

FEDERAL INCOME TAX SYSTEM

The graduated Federal income tax is generally accepted as a fair and equitable method of assessing the economic status of a family unit. For most of the families in the United States, the Federal income tax paid bears a relatively direct relationship to the amount of income that the family receives and the unusual expenses that it must pay from its income. The amount of Federal income tax paid, therefore, may be used as one basis for determining the amount of money the family can be expected to contribute from income toward meeting the expense of a college education.

Use of the Federal income tax paid as a measure of ability to pay for the expense of higher education has special advantages for many families and for many institutions. It does not require that the family maintain special records about its income and expenditures, nor does it require that it make additional calculations. It uses information that is readily available to most families. The system is easily explained and generally understood. It has the tendency to eliminate some of the value judgments that are necessary in other systems of need analysis. The information can be verified; with the cooperation of the family, it is possible for the institutional financial aid officer to obtain a certified copy of the Federal income tax return from the Internal Revenue Service.

The system works quite simply. The family is asked to provide information about its income and expenses taken directly from Form 1040 or 1040A of its last two Federal income tax returns. This information is used by the financial aid officer to compute the amount of Federal income tax paid last year (or to verify the amount that the family has indicated on the data collection form). For families that itemize their deductions, the reported tax can be verified through use of the marginal taxation rates given in Table I. For families that take the standard deduction, Table II may be used to verify the amount of income tax reported.

For families in which there is a general stability of income from year to year (as is the case with most salaried workers), the amount of income tax paid last year can be used in estimating the amount of money that the family can be expected to contribute from its income. In those cases in which the amount of the family's income has changed significantly during the past two years, the contribution from family income can be estimated by use of the average income tax paid during the two years reported on the form.

Next, the family is asked to provide information about its assets and investments. These items include:

1. Home equity--the fair market value of the home minus the amount of mortgage or home improvement loans outstanding.
2. Other real estate equity--the fair market value of any other real estate owned by the family, minus the amount of mortgage or improvement loans outstanding.
3. Value of business or farm--the total assets (fixed and current) of the farm or business less the total liabilities (fixed and current) of the business. If the family owns only a portion of the business or farm, the value must be adjusted to reflect its share of ownership.
4. Bank accounts--both savings and checking.
5. Other investments--including stocks, bonds, loans that the family has made to others, and so forth.

The value of these assets is totaled, and an allowance of $10,000 is made against the total to provide for the retirement needs of the family and to allow for other financial commitments (any indebtedness) that the family may have outstanding. A contribution of 1 percent of the assets beyond $10,000 can be reasonably expected toward the expense of college each year.

The contribution from family income, derived from the amount of income tax paid, and the contribution from family assets are then added together to provide the total parental contribution.

There are some disadvantages to the use of this system. Many families, reasonably or unreasonably, have a strong reluctance to divulge information which they have submitted to the Internal Revenue Service. Some are concerned that release of such information will prejudice their position with the Internal Revenue Service in future years. They may look upon it as an attempt to audit their tax return. Others may see it as a way of verifying information that they have given to other agencies, such as the welfare department, and may be concerned that disclosure of the information may affect the benefits that they are receiving.

The Federal income tax system does not take into consideration certain circumstances which can affect the family's ability to pay. When a family computes the Federal income tax it will pay, no allowance is made, for example, for the costs of educating an older brother or sister who may be attending the same or a different college. Such an expenditure does affect the family's ability to contribute to the expense of the applicant's education. Allowance is also made for other dependents only if the parents provide more than half of their support. In many instances the family may be making a significant contribution to an aged grandparent, aunt, or uncle, which will influence its ability to contribute toward a child's education, even though the amount may not be sufficient to provide it with a deduction on its Federal income tax. It is generally agreed that it costs a family more for two people to earn a given income than for one person to earn the same income. The Federal income tax system does not make any allowance for the additional expenses of a working mother. These are examples of expenses that the financial aid officer may wish to consider in making evaluations of the family financial circumstances as they affect the ability to pay for a college education.

Finally, this system is based on information that may be out-of-date by the time the funds are actually given to the student. Financial aid applications received in the spring, for awards to be made in September, will be based on information for the year ending the preceding December. In some cases significant changes in family circumstances will have occurred and the contribution that has been calculated may be unfair to the family or to the college. If there is any indication that such

changes may have occurred, the financial aid officer will be well advised to verify the information he received in the spring with later data obtained at the time of registration in the fall.

This problem exists with any need analysis system, since circumstances do change. The only point to emphasize here is that a system reflecting actual income for an expired year is more likely to be out-of-date than one using projected income estimates from families for the current year--the year in which the student actually enrolls in or continues in his post-secondary school program.

A sample data collection form that may be used with the Federal income tax system of computing the family's ability to pay is shown at the end of this publication.

AN ALTERNATE APPROACH, THE INCOME SYSTEM

As has been shown, any system of need analysis that is sensitive to the unusual and unique situations of families will use a number of different variables. For many families, these more complicated systems are not necessary because the family circumstances are not complicated. In addition, the lower the family income and assets, the less impact complicated circumstances can have on the parental contribution figure because that figure is low by definition. It cannot, therefore, be reduced greatly by tax deductions or by allowances.

An alternate system, which can be referred to simply as the "income system," utilizes family income directly for the identification of the family contribution from income. The financial aid officer need only know the family's income and number of dependents to determine, from Table III, the contribution that may reasonably be expected from the family income. Family assets are then treated as in the Federal income tax system--all assets are totaled, an allowance of $10,000 is granted against them, and a contribution of 1 percent of the remainder is expected from the family.

To apply this system, the institution need only collect the following information from the family.

- Annual income from wages, salaries, and other sources
- Number of dependent children
- Net assets, including real estate equity (home and other), bank accounts, investments, and value of farm or business. This system obviously has the advantages of requiring relatively simple data collection and relatively few steps in computing the parents' contribution. It has the disadvantage of not accommodating any unusual expenses that the family may incur and that may affect its ability to meet college expenses.

SAMPLE CASE

One sample case, the Adams case, is presented at the end of this booklet, on the data collection form suggested for use with the Federal Income Tax System.

This family includes a father, aged 50, who earns $4,200 and a mother who earns $1,000, two children, the applicant, Thomas, aged 17, and a younger sister, aged 12. The family lists medical expenses of $450 in 1965 and of $465 in 1966.

The results of the need analyses under each system are summarized briefly below. Under the Federal Income Tax System the parental contribution figure is just under $300, but in the alternate or income system, which is less sensitive, it is $350.

(a) Federal Income Tax System

As is indicated on line 13, the Adams family paid a Federal income tax of $290 for 1965, and its assets of $7,500 are below $10,000. Therefore, their parental contribution would be $290, based on itemized deductions of $800, of which $300 reflects medical expenses in excess of 3 percent of income.

(b) Alternate or Income System

Under the alternate or income system, Table III may be used directly. For an income of $5,200 and two children, the parental contribution would be $350.

As in the Federal Income Tax System, there is no additional contribution from the assets of $7,500 since they are below $10,000. Therefore, the total parental contribution would be $350.

B. Other Factors in Computing Financial Need

The parents' contribution, as calculated by one of the foregoing methods, is the basic element in computing financial need. It also forms the primary basis of eligibility for consideration in the Educational Opportunity Grants Program. But in order to reflect the applicant's financial circumstances accurately, the financial aid officer must take into account three other factors:

- The amount that can be expected from the student's savings
- The amount that the student can be expected to earn during the summer preceeding his registration
- The expenses that the student will have during the academic year of study.

STUDENT SAVINGS AND EARNINGS

The savings that the student has accumulated during the preceding years certainly can be considered as one source of meeting the expense of his college education. In an effort not to exhaust the savings too quickly and to allow the recipient some flexibility in the use of loans and part-time employment, many colleges divide student savings by the number of years the student will remain in college and expect the resulting amount to be made available during each year.

Each college must evaluate for itself the reasonable expectation that it can make for savings from the summer earnings of its students. Colleges that draw heavily from urban areas may expect more; colleges that draw from rural areas may expect less. Institutions also should be ready to make individual exceptions where justified by special circumstances; for instance, a student may be unable to find any employment or may have to use all his summer earnings to assist in the support of his family.

The following amounts can be used as general guidelines for the savings that can be expected from student summer earnings:

Rank of the student	Men	Women
Pre-freshman	$ 300	$ 200
Pre-sophomore	350	250
Pre-junior	400	300
Pre-senior	450	350

DETERMINING A STUDENT BUDGET FOR AN ACADEMIC YEAR

The final important element in the assessment of student financial need is the establishment of a reasonable college budget. This budget must adequately reflect the charges that are made to a student by the institution as well as the reasonable amounts he will be expected to pay for non-institutional expenses. The budget for a student in residence should include: tuition, fees, room and board, and a reasonable amount for such expenses as the replacement and maintenance of clothing, laundry, amusements, incidentals, books, and travel. Many institutions include $400 for personal expenses and $150 for books and supplies as reasonable estimates of the average expenditures of most students.

The budget for the commuting student should reflect the amount of tuition, fees, books, and personal expenses, as for the student in residence. In place of the room and board charged by the institution, an amount must be added to reflect the cost of room and board at home and meals eaten on campus. Many institutions include $500 as a reasonable estimate of the expenses that families of commuting students must pay to provide room and board at home plus meals on campus.

Travel expenses vary from student to student, but the college must include some amount in the budget in order to set proper awards. For the commuting student it is frequently possible to calculate the actual cost of public transportation. For a resident student, it is generally appropriate to include the cost of two round trips by rail or air-coach.

Extraordinary expenses for such items as additional clothing for students attending college in substantially different climates from that at home, extra courses taken for remedial purposes or to enrich a program, residence on campus during vacation periods, or unusual health and medical needs must be treated in each individual case as exceptions to the normal budget.

The following examples of typical budgets for institutions of different types may be of assistance in developing a reasonable budget.

A PRIVATE COLLEGE

	Resident Student	Commuting Student
Tuition and fees	$ 1,400	$ 1,400
Room and board on campus	850	---
Maintenance at home	---	500
Books and supplies	150	150
Personal expenses	400	400
Transportation	200	150
	$ 3,000	$ 2,600

A STATE-SUPPORTED UNIVERSITY

	Resident Student	Commuting Student
Tuition and fees	$ 400	$ 400
Room and board on campus	850	---
Maintenance at home	---	500
Books and supplies	150	150
Personal expenses	400	400
Transportation	200	150
	$ 2,000	$ 1,600

A TUITION-FREE COMMUNITY COLLEGE

	Resident Student	Commuting Student
Tuition and fees	---	---
Room and board on campus	---	---
Maintenance at home	---	$ 500
Books and supplies	---	150
Personal expenses	---	400
Transportation	---	100
		$1,150

These represent the total expenses that must be met by families and students for the nine-month academic year at each type of institution. They include all the expenditures that the institutions have found, through study, are typical of the majority of their students, and the budgets are adequate for a student to maintain himself and study adequately without undue pressure from finances.

C. Special Problems in Need Analysis

Institutions frequently encounter difficulties in their efforts to assess accurately and equitably the financial need of older, self-supporting, and married students. It can be argued that the parents of such students have no responsibility to provide support. It can also be argued that parents have a greater obligation to provide support for children, regardless of their age, than has a college, the society, or the government.

The various administrative manuals contain guidelines for institutions in dealing with these problem cases.

TABLE I

Tax rates of the Internal Revenue Service by level of taxable income (for use with the Federal Income Tax system)

Schedule for married taxpayers filing joint returns

Taxable income	Federal income tax
Not over $ 1,000	14% of taxable income
$ 1,000 to 2,000	$ 140 plus 15% of excess over $ 1,000
2,000 to 3,000	290 plus 16% of excess over 2,000
3,000 to 4,000	450 plus 17% of excess over 3,000
4,000 to 8,000	620 plus 19% of excess over 4,000
8,000 to 12,000	1,380 plus 22% of excess over 8,000
12,000 to 16,000	2,260 plus 25% of excess over 12,000
16,000 to 20,000	3,260 plus 28% of excess over 16,000
20,000 to 24,000	4,380 plus 32% of excess over 20,000
$24,000 to $28,000	$5,660 plus 36% of excess over $24,000

Schedule for heads of households

Taxable income	Federal income tax
Not over $ 1,000	14% of taxable income
$ 1,000 to 2,000	$ 140 plus 16% of excess over $ 1,000
2,000 to 4,000	300 plus 18% of excess over 2,000
4,000 to 6,000	660 plus 20% of excess over 4,000
6,000 to 8,000	1,060 plus 22% of excess over 6,000
8,000 to 10,000	1,500 plus 25% of excess over 8,000
10,000 to 12,000	2,000 plus 27% of excess over 10,000
12,000 to 14,000	2,540 plus 31% of excess over 12,000
14,000 to 16,000	3,160 plus 32% of excess over 14,000
16,000 to 18,000	3,800 plus 35% of excess over 16,000
18,000 to 20,000	4,500 plus 36% of excess over 18,000
20,000 to 22,000	5,220 plus 40% of excess over 20,000
$22,000 to $24,000	$6,020 plus 41% of excess over $22,000

TABLE II Federal income tax payments, based on standard deductions, by level of net income and size of family (for use with the Federal Income Tax system)

Net income (before Federal Tax)	1-child		2-child		3-child		4-child	
	Two-parent family	One-parent family	Two-parent family	One-parent family	Two-parent family	One-parent family	Two-parent family	One-parent family
$1,000 - 1,249	$ 0	$ 0	$ 0	$ 0	$ 0	$ 0	$ 0	$ 0
1,250 - 1,499	0	10	0	0	0	0	0	0
1,500 - 1,749	0	40	0	0	0	0	0	0
1,750 - 1,999	0	70	0	0	0	0	0	0
2,000 - 2,249	20	100	0	20	0	0	0	0
2,250 - 2,499	50	130	0	50	0	0	0	0
2,500 - 2,749	80	170	0	80	0	0	0	0
2,750 - 2,999	110	200	30	110	0	30	0	0
3,000 - 3,249	140	240	60	140	0	60	0	0
3,250 - 3,499	180	270	90	180	10	90	0	10
3,500 - 3,749	210	310	120	210	40	120	0	40
3,750 - 3,999	240	350	150	250	70	150	0	70
4,000 - 4,249	280	390	190	290	100	190	20	100
4,250 - 4,499	310	430	220	320	130	230	50	130
4,500 - 4,749	350	470	250	370	160	260	80	170
4,750 - 4,999	380	510	290	410	200	300	110	200
5,000 - 5,249	420	550	320	450	230	340	140	240
5,250 - 5,499	460	590	360	490	270	380	180	270
5,500 - 5,749	490	640	400	530	300	420	210	310
5,750 - 5,999	530	680	430	570	340	460	240	350
6,000 - 6,249	570	720	470	610	370	500	280	390
6,250 - 6,499	610	770	510	650	410	540	310	430
6,500 - 6,749	650	810	550	690	440	580	350	470
6,750 - 6,999	690	860	580	740	480	620	380	510
7,000 - 7,249	740	900	620	780	520	660	420	550
7,250 - 7,499	780	950	670	830	560	710	460	590
7,500 - 7,749	820	990	710	870	600	750	490	640
7,750 - 7,999	860	1,040	750	920	640	800	530	680
8,000 - 8,249	910	1,080	790	960	680	840	570	720
8,250 - 8,499	950	1,130	840	1,010	720	890	610	770
8,500 - 8,749	990	1,180	880	1,050	760	930	650	810
8,750 - 8,999	1,040	1,230	920	1,100	810	980	690	860
9,000 - 9,249	1,080	1,280	960	1,150	850	1,020	740	900
9,250 - 9,499	1,120	1,330	1,010	1,200	890	1,070	780	950
9,500 - 9,749	1,160	1,380	1,050	1,250	940	1,120	820	990
9,750 - 9,999	1,210	1,430	1,090	1,300	980	1,170	860	1,040

5-child		6-child		7-child		8-child		
Two-parent family	One-parent family	Two-parent family	One-parent family	Two-parent family	One-parent family	Two-parent family	One-parent family	Net income (before Federal Tax)
$ 0	$ 0	$ 0	$ 0	$ 0	$ 0	$ 0	$ 0	$1,000 - 1,249
0	0	0	0	0	0	0	0	1,250 - 1,499
0	0	0	0	0	0	0	0	1,500 - 1,749
0	0	0	0	0	0	0	0	1,750 - 1,799
0	0	0	0	0	0	0	0	2,000 - 2,249
0	0	0	0	0	0	0	0	2,250 - 2,499
0	0	0	0	0	0	0	0	2,500 - 2,749
0	0	0	0	0	0	0	0	2,750 - 2,999
0	0	0	0	0	0	0	0	3,000 - 3,249
0	0	0	0	0	0	0	0	3,250 - 3,499
0	0	0	0	0	0	0	0	3,500 - 3,749
0	0	0	0	0	0	0	0	3,750 - 3,999
0	20	0	0	0	0	0	0	4,000 - 4,249
0	50	0	0	0	0	0	0	4,250 - 4,499
0	80	0	0	0	0	0	0	4,500 - 4,749
30	110	0	30	0	0	0	0	4,750 - 4,999
60	140	0	60	0	0	0	0	5,000 - 5,249
90	180	10	90	0	10	0	0	5,250 - 5,499
120	210	40	120	0	40	0	0	5,500 - 5,749
150	250	70	150	0	70	0	0	5,750 - 5,999
190	290	100	190	20	100	0	20	6,000 - 6,249
220	320	130	230	50	130	0	50	6,250 - 6,499
250	370	160	260	80	170	0	80	6,500 - 6,749
290	410	200	300	110	200	30	110	6,750 - 6,999
320	450	230	340	140	240	60	140	7,000 - 7,249
360	490	270	380	180	270	90	180	7,250 - 7,499
400	530	300	420	210	310	120	210	7,500 - 7,749
430	570	340	460	240	350	150	250	7,750 - 7,999
470	610	370	500	280	390	190	290	8,000 - 8,249
510	650	410	540	310	430	220	320	8,250 - 8,499
550	690	440	580	350	470	250	370	8,500 - 8,749
580	740	480	620	380	510	290	410	8,750 - 8,999
620	780	520	660	420	550	320	450	9,000 - 9,249
670	830	560	710	460	590	360	490	9,250 - 9,499
710	870	600	750	490	640	400	530	9,500 - 9,749
750	920	640	800	530	680	430	570	9,750 - 9,999

TABLE II (continued) Federal income tax payments, based on standard deductions, by level of net income and size of family (for use with the Federal Income Tax system)

Net income (before Federal Tax)	1-child		2-child		3-child		4-child	
	Two-parent family	One-parent family	Two-parent family	One-parent family	Two-parent family	One-parent family	Two-parent family	One-parent family
$10,000 - 10,249	$1,250	$1,480	$1,140	$1,350	$1,020	$1,220	$ 910	$1,090
10,250 - 10,499	1,300	1,540	1,190	1,410	1,070	1,270	960	1,140
10,500 - 10,749	1,350	1,610	1,230	1,460	1,120	1,330	1,000	1,200
10,750 - 10,999	1,400	1,670	1,280	1,520	1,170	1,380	1,050	1,250
11,000 - 11,249	1,450	1,730	1,330	1,580	1,210	1,440	1,100	1,310
11,250 - 11,499	1,510	1,790	1,380	1,640	1,260	1,490	1,150	1,360
11,500 - 11,749	1,560	1,860	1,430	1,710	1,310	1,560	1,190	1,420
11,750 - 11,999	1,620	1,920	1,480	1,770	1,360	1,620	1,240	1,470
12,000 - 12,249	1,670	1,980	1,540	1,830	1,410	1,680	1,290	1,530
12,250 - 12,499	1,730	2,050	1,590	1,890	1,460	1,740	1,340	1,590
12,500 - 12,749	1,780	2,110	1,650	1,960	1,520	1,810	1,390	1,660
12,750 - 12,999	1,840	2,180	1,700	2,020	1,570	1,870	1,440	1,720
13,000 - 13,249	1,890	2,250	1,760	2,090	1,630	1,930	1,500	1,780
13,250 - 13,499	1,950	2,320	1,810	2,160	1,680	1,990	1,550	1,840
13,500 - 13,749	2,000	2,380	1,870	2,220	1,740	2,060	1,610	1,910
13,750 - 13,999	2,060	2,450	1,920	2,290	1,790	2,130	1,660	1,970
14,000 - 14,249	2,110	2,520	1,980	2,360	1,850	2,200	1,720	2,030
14,250 - 14,499	2,170	2,590	2,030	2,430	1,900	2,260	1,770	2,100
14,500 - 14,749	2,220	2,670	2,090	2,490	1,960	2,330	1,830	2,170
14,750 - 14,999	2,280	2,750	2,140	2,560	2,010	2,400	1,880	2,240
15,000 - 15,249	2,340	2,830	2,200	2,640	2,070	2,470	1,940	2,300
15,250 - 15,499	2,400	2,900	2,250	2,720	2,120	2,530	1,990	2,370
15,500 - 15,749	2,470	2,980	2,320	2,800	2,180	2,610	2,050	2,440
15,750 - 15,999	2,530	3,060	2,380	2,870	2,230	2,690	2,100	2,510
16,000 - 16,249	2,590	3,140	2,440	2,950	2,290	2,760	2,160	2,580
16,250 - 16,499	2,650	3,220	2,500	3,030	2,350	2,840	2,210	2,660
16,500 - 16,749	2,720	3,300	2,570	3,110	2,420	2,920	2,270	2,730
16,750 - 16,999	2,780	3,380	2,630	3,180	2,480	3,000	2,330	2,810
17,000 - 17,249	2,840	3,460	2,690	3,260	2,540	3,070	2,390	2,890
17,250 - 17,499	2,900	3,540	2,750	3,340	2,600	3,150	2,450	2,970
17,500 - 17,749	2,970	3,620	2,820	3,420	2,670	3,230	2,520	3,040
17,750 - 17,999	3,030	3,700	2,880	3,500	2,730	3,310	2,580	3,120
18,000 - 18,249	3,090	3,780	2,940	3,580	3,790	3,390	2,640	3,200
18,250 - 18,499	3,150	3,860	3,000	3,660	2,850	3,470	2,700	3,280
18,500 - 18,749	3,220	3,950	3,070	3,740	2,920	3,550	2,770	3,360
18,750 - 18,999	3,280	4,040	3,130	3,830	2,980	3,630	2,830	3,440

5-child		6-child		7-child		8-child		
Two-parent family	One-parent family	Two-parent family	One-parent family	Two-parent family	One-parent family	Two-parent family	One-parent family	Net income (before Federal Tax)
$ 800	$ 960	$ 680	$ 840	$ 570	$ 720	$ 470	$ 610	$10,000 - 10,249
840	1,020	730	900	620	780	510	660	10,250 - 10,499
890	1,070	780	940	660	820	560	700	10,500 - 10,749
940	1,120	820	1,000	710	880	600	760	10,750 - 10,999
990	1,180	870	1,040	760	920	640	800	11,000 - 11,249
1,030	1,230	920	1,100	810	980	690	860	11,250 - 11,499
1,080	1,290	970	1,150	850	1,020	740	900	11,500 - 11,749
1,130	1,340	1,010	1,210	900	1,080	790	960	11,750 - 11,999
1,180	1,400	1,060	1,260	950	1,130	830	1,000	12,000 - 12,249
1,220	1,450	1,110	1,320	1,000	1,190	880	1,060	12,250 - 12,499
1,270	1,510	1,160	1,370	1,040	1,240	930	1,110	12,500 - 12,749
1,320	1,570	1,200	1,430	1,090	1,300	980	1,160	12,750 - 12,999
1,370	1,630	1,250	1,480	1,140	1,350	1,020	1,220	13,000 - 13,249
1,420	1,690	1,300	1,540	1,190	1,410	1,070	1,270	13,250 - 13,499
1,470	1,760	1,350	1,610	1,230	1,460	1,120	1,330	13,500 - 13,749
1,530	1,820	1,400	1,670	1,280	1,520	1,170	1,380	13,750 - 13,999
1,580	1,880	1,450	1,730	1,330	1,580	1,210	1,440	14,000 - 14,249
1,640	1,940	1,510	1,790	1,380	1,640	1,260	1,490	14,250 - 14,499
1,690	2,010	1,560	1,860	1,430	1,710	1,310	1,560	14,500 - 14,749
1,750	2,070	1,620	1,920	1,480	1,770	1,360	1,620	14,750 - 14,999
1,800	2,140	1,670	1,980	1,540	1,830	1,410	1,680	15,000 - 15,249
1,860	2,210	1,730	2,050	1,590	1,890	1,460	1,740	15,250 - 15,499
1,910	2,280	1,780	2,110	1,650	1,960	1,520	1,810	15,500 - 15,749
1,970	2,340	1,840	2,180	1,700	2,020	1,570	1,870	15,750 - 15,999
2,020	2,410	1,890	2,250	1,760	2,090	1,630	1,930	16,000 - 16,249
2,080	2,480	1,950	2,320	1,810	2,160	1,680	1,990	16,250 - 16,499
2,130	2,550	2,000	2,380	1,870	2,220	1,740	2,060	16,500 - 16,749
2,190	2,630	2,060	2,450	1,920	2,290	1,790	2,130	16,750 - 16,999
2,240	2,700	2,110	2,520	1,980	2,360	1,850	2,200	17,000 - 17,249
2,300	2,780	2,170	2,590	2,030	2,430	1,900	2,260	17,250 - 17,499
2,370	2,860	2,220	2,670	2,090	2,490	1,960	2,330	17,500 - 17,749
2,430	2,940	2,280	2,750	2,140	2,560	2,010	2,400	17,750 - 17,999
2,490	3,010	2,340	2,830	2,200	2,640	2,070	2,470	18,000 - 18,249
2,550	3,090	2,400	2,900	2,250	2,720	2,120	2,530	18,250 - 18,499
2,620	3,170	2,470	2,980	2,320	2,800	2,180	2,610	18,500 - 18,749
2,680	3,250	2,530	3,060	2,380	2,870	2,230	2,690	18,750 - 18,999

TABLE III Parents' contribution from net income by size of family (for use with the Alternate Approach, the Income System)

Net income (before Federal Tax)	Number of Dependent Children							
	1	2	3	4	5	6	7	8
$ 3,250 - 3,499	$ 130							
3,500 - 3,749	200							
3,750 - 3,999	260							
4,000 - 4,249	320	$ 130						
4,250 - 4,499	390	190						
4,500 - 4,749	450	240						
4,750 - 4,999	510	300	$ 130					
5,000 - 5,249	580	350	180					
5,250 - 5,499	640	410	230	$ 110				
5,500 - 5,749	700	470	280	160				
5,750 - 5,999	760	520	330	200	$ 110			
6,000 - 6,249	820	580	380	240	150			
6,250 - 6,499	880	640	430	290	190	$ 130		
6,500 - 6,749	940	690	470	330	230	160	$ 100	
6,750 - 6,999	1,000	750	520	380	270	200	140	
7,000 - 7,249	1,060	810	570	420	310	240	170	$ 130
7,250 - 7,499	1,120	840	620	460	350	270	210	160
7,500 - 7,749	1,180	890	670	500	380	310	240	200
7,750 - 7,999	1,240	940	720	550	420	340	280	230
8,000 - 8,249	1,300	1,000	770	590	460	380	310	270
8,250 - 8,499	1,360	1,060	810	640	500	420	350	300
8,500 - 8,749	1,420	1,130	840	680	540	450	380	330
8,750 - 8,999	1,480	1,190	890	730	580	490	420	370
9,000 - 9,249	1,540	1,250	950	770	620	530	450	400
9,250 - 9,499	1,600	1,310	1,000	810	660	560	490	430
9,500 - 9,749	1,670	1,380	1,060	850	690	600	520	470
9,750 - 9,999	1,740	1,450	1,120	900	730	640	560	500
10,000 - 10,249	1,810	1,520	1,180	950	770	670	590	530
10,250 - 10,499	1,870	1,590	1,240	1,000	810	710	630	570
10,500 - 10,749	1,950	1,660	1,300	1,050	860	740	660	600
10,750 - 10,999	2,030	1,730	1,360	1,110	900	780	690	640
11,000 - 11,249	2,110	1,800	1,430	1,170	950	820	730	670
11,250 - 11,499	2,190	1,870	1,490	1,220	1,000	850	770	700
11,500 - 11,749	2,270	1,940	1,550	1,280	1,050	880	800	740
11,750 - 11,999	2,350	2,020	1,620	1,340	1,100	920	840	770
12,000 - 12,249	2,430	2,080	1,690	1,400	1,150	980	880	800
12,250 - 12,499	2,510	2,160	1,750	1,460	1,210	1,030	930	830
12,500 - 12,749	2,600	2,240	1,820	1,520	1,260	1,080	980	860
12,750 - 12,999	2,690	2,320	1,890	1,590	1,320	1,130	1,030	890
13,000 - 13,249	2,780	2,400	1,960	1,660	1,380	1,180	1,070	930
13,250 - 13,499	2,870	2,470	2,030	1,720	1,440	1,240	1,110	970
13,500 - 13,749	2,960	2,550	2,100	1,790	1,500	1,300	1,140	1,020
13,750 - 13,999	3,050	2,630	2,170	1,860	1,560	1,350	1,190	1,070

Net income (before Federal Tax)	Number of Dependent Children 1	2	3	4	5	6	7	8
$ 14,000 - 14,249	$3,140	$2,720	$2,240	$1,930	$1,630	$1,410	$1,240	$1,120
14,250 - 14,499	3,230	2,800	2,320	1,990	1,690	1,470	1,300	1,170
14,500 - 14,749	3,330	2,880	2,400	2,060	1,750	1,530	1,350	1,220
14,750 - 14,999	3,430	2,970	2,480	2,140	1,820	1,590	1,400	1,270
15,000 - 15,249	3,530	3,040	2,560	2,210	1,890	1,660	1,460	1,330
15,250 - 15,499	3,630	3,140	2,640	2,280	1,960	1,720	1,520	1,390
15,500 - 15,749	3,730	3,220	2,720	2,360	2,020	1,770	1,590	1,440
15,750 - 15,999	3,830	3,300	2,800	2,440	2,090	1,840	1,660	1,500
16,000 - 16,249	3,940	3,390	2,890	2,510	2,160	1,920	1,720	1,570
16,250 - 16,499	4,050	3,480	2,970	2,590	2,230	1,990	1,790	1,640
16,500 - 16,749	4,200	3,580	3,060	2,670	2,310	2,060	1,860	1,700
16,750 - 16,999	4,350	3,670	3,140	2,750	2,390	2,130	1,930	1,770
17,000 - 17,249	4,450	3,760	3,230	2,830	2,460	2,210	2,000	1,830
17,250 - 17,499		3,850	3,320	2,910	2,540	2,280	2,070	1,890
17,500 - 17,749		3,940	3,400	2,990	2,620	2,360	2,140	1,960
17,750 - 17,999		4,040	3,490	3,080	2,700	2,430	2,210	2,030
18,000 - 18,249		4,150	3,580	3,170	2,780	2,510	2,290	2,100
18,250 - 18,499		4,230	3,680	3,250	2,860	2,590	2,360	2,170
18,500 - 18,749		4,340	3,770	3,340	2,940	2,670	2,440	2,250
18,750 - 18,999		4,450	3,870	3,430	3,030	2,750	2,520	2,320
19,000 - 19,249			3,960	3,520	3,110	2,830	2,600	2,400
19,250 - 19,499			4,050	3,610	3,200	2,920	2,680	2,470
19,500 - 19,749			4,150	3,700	3,280	3,000	2,760	2,550
19,750 - 19,999			4,250	3,790	3,370	3,090	2,850	2,630
20,000 - 20,249			4,350	3,880	3,460	3,170	2,930	2,710
20,250 - 20,499			4,450	3,980	3,550	3,260	3,020	2,790
20,500 - 20,749				4,090	3,640	3,350	3,100	2,870
20,750 - 20,999				4,190	3,730	3,440	3,190	2,960
21,000 - 21,249				4,270	3,820	3,540	3,280	3,050
21,250 - 21,499				4,360	3,920	3,630	3,370	3,140
21,500 - 21,749				4,450	4,020	3,720	3,460	3,230
21,750 - 21,999					4,120	3,820	3,560	3,310
22,000 - 22,249					4,230	3,920	3,650	3,400
22,250 - 22,499					4,340	4,010	3,750	3,490
22,500 - 22,749					4,450	4,120	3,850	3,580
22,750 - 22,999						4,230	3,950	3,670
23,000 - 23,249						4,340	4,050	3,750
23,250 - 23,499						4,450	4,150	3,840
23,500 - 23,749							4,250	3,940
23,750 - 23,999							4,350	4,050
24,000 - 24,249							4,450	4,150
24,250 - 24,499								4,250
24,500 - 24,749								4,350
24,750 - 24,999								4,450

PARENTS' CONFIDENTIAL FINANCIAL REPORT AND CERTIFICATION
for use with Federal Income Tax System

Name and home address of the student applicant	Adams, Thomas S. 1234 Superior Avenue Lake Center, Michigan

Name and home address of the parent or guardian	Adams, Milton M. 1234 Superior Avenue Lake Center, Michigan

Income report on Federal Income Tax Returns, Form 1040 or 1040-A	For the year ending December 31	1964	1965
1.	Salaries and wages	$ 5000	$ 5200
2.	Interest and dividends	-	-
3.	Other income	-	-
4.	Total	$ 5000	$ 5200
5.	Adjustments	-	-
6.	Total income on which tax was based	$ 5000	$ 5200

Exemptions and deductions claimed on Federal Income Tax Returns, Form 1040 or 1040-A	For the year ending December 31	1964	1965
7.	Number of exemptions claimed (explain if this includes others than yourself and your children. Use the back of this statement for your explanation)	4	4
8.	Number of exemptions times $600	$ 2400	$ 2400
Complete either item 9 or item 10 — 9.	Standard deduction, 10% of line 6 up to $1,000 OR	500	-
10.	Itemized deductions		
	Contributions	$	$ 200
	Medical and dental		300
	Taxes		250
	Interest expense		50
	Other itemized deductions		
	Total itemized deductions	$	$ 800
11.	Total exemptions and deductions (line 8 plus either line 9 or total itemized deductions on line 10)	$ 2900	$ 3200
12.	Income on which tax was paid (line 6 less line 11)	$ 2100	$ 2000
13.	Amount of tax paid	306	290
Parents' assets — 14.	Home equity	$	7000
15.	Other real estate equity		-
16.	Total value of business or farm		500
18.	Other investments		-
19.	Total assets (line 14 through line 18)	$	7500
Parents' liabilities — 20.	Total personal debts still unpaid (explain and itemize on the back of this statement)	$	-

Explanations. Answer those which apply to you.

1. Explain the sources of other income listed on line 3

2. Explain the adjustments listed on line 5

3. Explain the number of exemptions claimed on line 7 if they include other than yourself, your wife, and your children

4. Explain the other real estate equity listed on line 15

5. Explain the other investments listed on line 18

6. Explain the total personal debt listed on line 20. Include the purpose of the debt and the amount you still owe.

7. Explain any other matters which you believe should be considered in evaluating your financial situation.

Parents' certification

We have checked this form for omissions and errors. To the best of our knowledge the information reported is complete and correct. We agree to inform the college financial aid officer of any major changes in our financial status if the student applicant is awarded assistance. Further, we agree, if requested, to send to the college an official photostatic copy of our latest federal income tax return obtained from the appropriate district office of the United States Internal Revenue Service.

Signatures of both parents or guardians _____

_____

Date _____

EDUCATIONAL OPPORTUNITY GRANTS PROGRAM MANUAL

(This "Interim Manual" has been abridged and revised for use by new institutions pending the publication of the revised manual)

10 August 1970

CHAPTER I

INTRODUCTION TO THE EDUCATIONAL OPPORTUNITY GRANTS PROGRAM

101. Purpose of the Program

The purpose of the program is to provide Educational Opportunity Grants to students of exceptional financial need, who, for lack of financial means of their own or of their families, would be unable to enter or remain in institutions of higher education without such assistance. Grants are made available to eligible students through insitutions of higher education participating in the program. The Educational Opportunity Grants Program was established by Title IV, Part A, of the Higher Education Act of 1965 (Public Law 89-329).

102. Criteria for Institutional Eligibility

Criteria for institutional eligibility may be reviewed with the appropriate regional offices.

102.01 Discrimination Prohibited

Title VI of the Civil Rights Act of 1964 states: "No person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subject to discrimination under any program or activity receiving Federal financial assistance." Therefore, the Educational Opportunity Grants Program, like every program or activity receiving financial assistance from the Department of Health, Education, and Welfare, must be operated in compliance with this law.

103. Criteria for Student Eligibility

In accordance with Section 176.8 of the EOG Draft Regulations, an eligible institution of higher education may award an Educational Opportunity Grant to any student if it determines that such student:

(1) is a national of the United States, or is in the United states for other than a temporary purpose and intends to become a permanent resident thereof;

(2) has been accepted for enrollment as a full-time undergraduate student, or is in good standing and in full-time attendance as an undergraduate student;

(3) shows evidence of academic or creative promise and capability of maintaining good standing in his course of study;

(4) is of exceptional financial need;

(5) would not be financially able to attend the institution without an Educational Opportunity Grant.

To be considered as "full-time," a student must carry at least 75 percent of the normal academic load in terms of course work or other required activity. A student who attends on a part-time basis is not eligible for a grant.

Students attending summer session will qualify for an Educational Opportunity Grant if they are: (1) registered on a full-time basis in an academic quarter or trimester or (2) registered for at least the equivalent of one semester credit hour or 1½ quarter credit hours per week of a summer session, six weeks or more in length. A student, therefore, registered full-time in a summer quarter or trimester, which is equal to a quarter or trimester of the regular academic year, is eligible for a grant. Also eligible for a grant is the student registered for either 6 semester hours or 9 quarter hours of a six-week summer session. The student, however, who receives a summer session grant must be attending or planning to attend during the regular academic year the institution of higher education awarding him the grant.

Under the Draft Regulations, the term "undergraduate student" means a student enrolled in an undergraduate course of study. The term "undergraduate course of study "excludes (1) that portion of any program involving a period of study beyond the first four years of full-time study at the college level, or (2) any portion of a program leading to (i) a degree beyond the bachelor's degree, or (ii) a first professional degree when at least three years of study at the college level are usually required for entrance into a program leading to such degree at the institution.

A student may not receive a grant for full-time study in a professional school when at least three years of study at the college level are usually required for entrance into a program in that school leading to a first professional degree. A student could qualify for a grant during three years of undergraduate study as a pre-law student, for example, but his eligibility would cease when he subsequently entered law school.

The term "good standing" means that the grant recipient is maintaining satisfactory progress in the course of study which he is pursuing, according to the regularly prescribed standards and practices of the institution from which he received the grant.

Determination as to whether a student evidences "academic or creative promise" and "capability of maintaining good standing" should be made in the light of an applicant's potential for success in completing or benefiting from his intended course of study.

There is no age limitation governing student eligibility.

103.01 Duration of Student Eligibility

The duration of a student's Educational Opportunity Grant shall be for the period required by the student to complete his undergraduate course of study, but in no event shall such period exceed four academic years, less any period with respect to which the student previously received payments under an Educational Opportunity Grant from the same or another institution.

Educational Opportunity Grants will be committed on the basis of academic years, which is that period of time, the duration of which is typically eight or nine months consisting of two semesters, or two trimesters, or three quarters, during which one year of study at the college level is normally completed.

The normal academic year begins with the fall semester, quarter, or trimester. A student may use more than one academic year of eligibility during a calendar year, but it should be kept in mind that eligibility for an EOG is limited to four academic years.

Attendance at summer sessions significantly affects the duration of a student's eligibility for a grant. If the student is attending a regular quarter or trimester, the eligibility expended is equivalent to any other academic quarter or trimester. A student, however, attending a summer term of six weeks or more, but less than the length of a regular term, will expend ½ of the grant eligibility available to him for a regular term. This share of eligibility must then be deducted from his total four undergraduate academic years of grant eligibility. The financial aid officer consequently should explain to the EOG recipient who plans to attend a summer session that his fourth year of grant eligibility will be proportionately reduced.

103.02 Initial Year Award

The initial year award refers to the first academic year of the first Educational Opportunity Grant awarded any student. Ordinarily a student will receive an initial year award and three renewal awards in the normal course of a four year baccalaureate program. A student shall be considered an initial year awardee only during the first academic year that he receives a grant, even though he may use less than an academic year of eligibility.

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Such a student will be eligible for three renewal year awards plus a fourth renewal award for the share of eligibility not awarded to him in his initial year. For example, a student who enters during the second semester of an academic year shall hold an initial year award only during that semester. Assuming that he does not accelerate his program by summer study, this student would be eligible for a fourth renewal award of one semester only provided he is still an undergraduate student in good standing.

103.03 Renewal Year Award

A renewal year award refers to the second or subsequent academic year a student is a recipient of an Educational Opportunity Grant. Priority in the disbursement of EOG funds must be given to renewal applicants, assuming their continued eligibility based upon a redetermination of need.

103.04 Transfer Students

If a student transfers to another institution of higher education participating in the Educational Opportunity Grants Program, his application at the second institution would not be for an initial year award if he had received a grant from the first institution he attended. However, an Educational Opportunity Grant recipient who transfers during the period of his initial year award is eligible for the unexpired portion of his initial year award from the institution to which he transfers, assuming the availability of funds and his continued eligibility based upon a redetermination of need.

104. Determination of Exceptional Financial Need

In the great majority of cases, the student's relationship with his parents is such that the parents would normally be expected to contribute to his educational expenses, provided that they are financially able to do so. For the purpose of this program, a student is considered to be in exceptional financial need if his parents can be expected to contribute from their income and assets no more than $625 toward his educational expenses during the academic year. Parents include not only natural parents, but stepparents, or an individual who stands in loco parentis, except that foster parents, conservators, or a State agency appointed guardian shall be excluded.

It is recognized that special circumstances may exist in which it would not be reasonable to expect any contribution from the parents no matter what their financial ability may be. The basis for this determination by the financial aid officer must be carefully documented.

Some factors which in combination most commonly form a basis for such a decision are:

(1) age of student;
(2) marital status of student;
(3) whether the student is self-supporting;

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(4) whether the student lives at home;
(5) whether the parents declare the student as an exemption on their income tax return;
(6) marital relationship of parents;
(7) student-parent relationship.

A student for whom the financial aid officer has determined that no parental contribution should be expected, regardless of the parents' financial ability, will be referred to hereafter as an independent student. This student is considered to be of exceptional financial need when the amount available to him for educational expenses, which will be referred to hereafter as the independent student contribution, is no more than $625 for the academic year.

A married student is not necessarily an independent student as the term is used here. There will be cases in which the financial aid officer, for purposes of establishing eligibility for an Educational Opportunity Grant, will determine that a parental contribution should be expected for the married student.

105. Computation of Expected Parental Contribution

For determining the expected parental contribution, the financial aid officer may use one of the four methods of need assessment listed below. (For further reference, see the booklet entitled Determining Awards Under Federal Student Aid Programs or the program manuals of the two independent need analysis systems.)

See "Determing Awards Under Federal Student Aid Programs" for
The Federal Income Tax System
Alternative Approach, The Income System

See respective need analysis system program manual for
The American College Testing System
The College Scholarship Service System

106. Computation of Independent Student Contribution

The independent student contribution is the amount available to an independent student for educational expenses. This amount is the difference between (1) his assets and resources and his expected income from assets, savings and employment; and (2) his living expenses without direct educational costs. Living expenses may include the following: room and furnishings, including utilities; food; personal transportation; clothing; medical and dental, including insurance; recreation and personal. An independent student, for instance, with an expected income of $4,000 and living expenses of $3,600 would have $400 available for education expenses.

Students who can contribute more than $625 toward their expenses may not receive EOG's.

The determination of the independent student contribution presents several difficulties for the financial aid officer. One factor is that this student's budget is usually calculated for twelve months, rather than for an academic year. In addition, many of these students are married, in which case the income and living expenses of the student's spouse and any other dependents must be considered in determining his expected contribution. Since need analysis for these students is not yet a highly-refined or a well-defined procedure, the financial aid officer must rely heavily on his own judgment of the student's special circumstances.

107. Administration of the Program

The Educational Opportunity Grants Program is administered in accordance with Title IV, Part A, of the Higher Education Act of 1965 (Public Law 89-329) and the regulations which govern the program.

In order to participate in the program, an eligible institution of higher education, through an authorized official of the institution, enters into an agreement for the institutional conduct of the EOG program. The agreement must be renewed annually.

Institutions of higher education are notified annually of application procedures, including the procedure for establishing eligibility and for certifying civil rights compliance. An institutional application to participate in the Educational Opportunity Grants Program must be submitted for each fiscal year of participation, July 1 through June 30. This application form, provided by the Division of Student Financial Aid, is part of the "Institutional Application(s) to participate in Federal Student Financial Aid Programs."

The Educational Opportunity Grants Branch requires a fiscal operations report for the preceding fiscal year on or about August 15. This report is submitted in conjunction with the NDSL and CWS program as a part of the so called "Tripartite Report." New institutions will wish to obtain blank copies of this report package so that they may collect the needed data throughout the year and may avoid last minute efforts of data retrieval.

Award letters for the EOG program are mailed at the earliest possible opportunity following the regional panel review process. Award letters are mailed in mid-March. Award letters contain the authorization only. The actual cash for awards is obtained from the National Institutes of Health. See Chapter V of this manual.

Attached to this "Interim Manual" are certain Memoranda on the administration of this program. Memoranda should be read in sequence because they represent the developing program guidlines over a three year period. Where there is apparent conflict between the Memoranda and this "Interim Manual," The "Manual" may be considered authoritative. Questions relating to the EOG program may be directed to the appropriate Regional Office (see list in Appendix) or to:

Educational Opportunity Grants Branch
Division of Student Financial Aid
Bureau of Higher Education
Office of Education
Washington, D.C. 20202
Phone: (202)962-2482

CHAPTER II

DETERMINATION AND DOCUMENTATION OF EDUCATIONAL OPPORTUNITY GRANTS

201. Determination of the Grant

An EOG grant may be from $200 to $1000.
The procedure for the determination of the Educational Opportunity Grant amount, for either an initial year or a renewal year award, is to ascertain, in sequence, the following:

(1) Cost of attending the institution of higher education;

(2) Total family contribution;

(3) Total student contribution;

(4) Financial need of the student;

(5) The Educational Opportunity Grant amount and matching amount of financial aid provided the student;

Certain adjustments in this process are necessary for the independent student. These adjustments will be mentioned as appropriate in the following analysis of the above procedure.

201. 01 Initial Entitlement for the Educational Opportunity Grant

The purpose of the EOG Program is to assist the most needy students. All EOG recipients must come from families with incomes of less than $9,000. All EOG recipients must have an expected parental contribution or independent student contribution of $625, or less, per academic year.

201. 02 Cost of Attending the Institution of Higher Education

In computing the cost for a student to attend an institution of higher education, the financial aid officer must consider both the basic institutional budget and any extraordinary expenses of the student. EOG recipients from impoverished backgrounds may well need budget items for tutoring, remedial courses, medical and dental care, additional clothing, counseling services, etc.

In the case of an independent student, the normal living expenses were deducted in computing the independent student contribution; therefore the cost of attending the institution would include only those direct educational costs not previously considered--tuition, fees, books, transportation to class, etc.--and any supplemental living expenses attributabe to education, e.g., on-campus meals.

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201. 03 Total Family Contribution

For a student from whom a parental contribution is expected, the total family contribution includes the parental contribution and the student's contribution from his income, assets, and resources. For an independent student, the independent student contribution is equivalent to the total family contribution, since all resources available to the independent student were used in computing his contribution.

The contribution which the EOG student will make from summer earnings and assets will be treated in the conventional manner. Frequently the EOG student will have no assets and even little savings from summer earnings because of the many demands on any income to a disadvantaged family. The financial aid officer may be justified in expecting little or no contribution from summer earnings or student assets. Such reduced expectations should be carefully documented in the student's folder.

201. 04 Financial Need of the Student

The financial need of the student is the difference between his cost of attending the institution of higher education and his total family contribution or independent student contribution.

The need analysis process outlined above is similar to that which the aid officer would use with any financial aid program. The following additional steps may prove useful in distinguishing those students who should have EOG's.

Step 1 - Eliminate applicants from families with gross annual incomes over $9000 (for farmers and business "gross" is income after allowance for operating expenses deductible for tax purposes but before income taxes). Family income above this maximum cannot be considered "low," even though financial need may be clearly demonstrated. They are, therefore, beyond the scope and purpose of the EOG program, even though they may be eligible for other forms of aid.

Step 2 - Next eliminate those having an expected parental contribution, based upon an approved system of need analysis, of more than $625 per academic year. This is the same measure of eligibility employed in the past.

Step 3 - Evaluate remaining applicants on the basis of the following description of the type of student for whom the EOG program was intended:

Is:	Is Not:
5. One who is admissible to the appropriate curriculum according to standards established by the institution. There is evidence of academic or creative promise and the ability to complete the course of study, This evidence, however, may deviate somewhat from standard selection criteria. While greater adjustment may be necessary than required of the average student, there is good reason to believe that the potential EOG recipient will respond favorably, given the available supportive services.	5. One whose potential is incongruous with the demands of the desired curriculum or higher education in general. Completion of the course of study seems doubtful, even with the supportive services available to the student.
6. One whose enrollment in higher education is dependent upon sizeable amounts of financial assistance which could not be provided through available non-EOG resources without unreasonable quotas of loans and part-time employment.	6. One whose college financing can be provided through family support and the typical scholarship, loan, and part-time employment programs available through the community, State, and the institution of enrollment.

Step 4 - From those applicants who fall within the financial and descriptive criteria above, select EOG recipients by proceeding from the most needy to the least needy of the eligible group until funds are exhausted. The EOG award amount will be left to the judgment of the financial aid officer, except that stipend cannot exceed one half of the student's need or $1000 per academic year, whichever is less. Section 201. 05 of the EOG Manual provides guidance for those occasions when less than the maximum grant is thought to be desirable.

Step 5 - Provide the necessary "matching" funds as in past years. Refer to Chapter III of this Manual for acceptable forms of "matching" aid. It is hoped that each EOG recipient will receive an aid package which meets his financial need.

The Intended EOG Recipient

Is:

1. One whose family has historically been unable to provide adequate financial support for typical consumer goods and services. Income was inadequate before, not solely as a result of the additional expense of college. Therefor, the family can contribute little or nothing to the student's education.

2. One whose family has been unable to accumulate assets which will provide any element of financial security to the family members. There is little or no cash or property to be used for college expenses or other discretionary purchases.

3. One whose family operates a business or farm which has small cash turnover to go along with low gross income.

4. One whose environment has not allowed concrete plans for higher education to be formed because of the lack of money, family encouragement, proper counseling or any of several other deterrents.

Is Not:

1. One whose family encountered temporary financial loss or strain, preceded and/or followed by adequate resources to provide at least a moderate standard of living.

2. One whose family has been successful in obtaining some degree of financial security through cash or real estate assets to which it can turn for retirement, emergency, or specialized uses, such as education, Business holdings and inventory or farming assets, while used for income production, have such size as to give substantial financial visibility.

3. One whose family operates a business or farm which has large cash turnover and resulting ability to incorporate family needs into expenses of operation.

4. One whose post-secondary plans have been supported by the environment to the extent that college was a foregone conclusion.

201. 05 The Educational Opportunity Grant Amount and Matching Amount of Financial Aid Provided the Student

The final determination of the Educational Opportunity Grant amount and the matching or equal amount of financial aid is based both on the student's initial entitlement for a grant and his financial need. An Educational Opportunity Grant may not exceed either the student's initial entitlement for a grant or one half his financial need. In no case, however, may the basic Educational Opportunity Grant be less than $200 or more than $1000.

The matching amount of financial aid provided the student must be at least equal to or greater than the Educational Opportunity Grant. A definition of matching and a discussion of eligible sources of matching funds for an Educational Opportunity Grant are found in Chapter III.

In the majority of cases, the financial aid officer will award the student the maximum amount computed by the grant determination process. He may determine in some cases, however, that he could better meet the needs of a student by making him an award of less than the maximum computed amount. For example, an institution whose main source of eligible matching aid is loans may prefer to give a less sizeable grant in order to avoid burdening the student with a larger loan obligation than the financial aid officer considers advisable. In this situation, the financial aid officer should document the determination of the student's maximum EOG amount, the total financial aid package--EOG, matching and other aid--given the student, and the reasons for giving less than the maximum EOG amount. These requirements will insure that each student's financial need is thoroughly analyzed, and that the financial aid package is developed according to sound practices.

The difficult task often confronting the financial aid officer is balancing a limited amount of EOG and matching money against an increasing group of applicants with exceptional financial need. Greater flexibility to package aid as described above will enable institutions to make better use of limited funds and to construct the best financial aid package for the student.

202. Documentation of Application and Need Assessment

The institution should have in a student's file:

1) A statement of parental income, or a statement of independence from parents;

2) A student application form;

3) A summary form indicating how the student's need was determined and noting any special circumstances which the financial aid officer found particularily relevant. (See Attachment D.)

When a financial aid officer determines that a student is to be considered an independent student, from whom no parental contribution is expected, the specific reasons for such a determination should be documented. Chapter I, Section 104, outlines the factors that would support this decision.

202. 01 Definition of Staff Responsibilities for Financial Aid Programs

Section 176.14 of the EOG Draft Regulations provides that participating institutions"..shall designate an officer as the institutional representative having direct responsibility for the conduct and supervision of the Educational Opportunity Grants Program," and the officer so designated should"..have similar responsibilities for other student financial aid programs." Because financial assistance is becoming available to greater numbers of students from an increasing number of private and governmental sources, the complexity of administering these awards suggests the need for centralizing this function within institutions of higher education.

In addition to the Financial Aid Officer each institution should designate a "Fiscal Officer" to institute and maintain proper fiscal procedures and records. To ensure proper administration of the EOG Program, as well as other financial aid programs, it is necessary for the Financial Aid Officer and the Fiscal Officer to work together as a team to ensure that student needs are met and documented in a competent fashion.

In those institutions where the administration of the student financial assistance program is decentralized, it is essential that the various committees and officials having pertinent records provide copies to be included in the student's file. This practice will expedite the review and audit functions and minimize the chances of error in administration of the program.

The important elements are careful documentation of all EOG transactions and completeness of each student's folder.

When a financial aid officer awards a student an EOG of less than the maximum amount that he could receive on the basis of the grant determination process, the reasons for this determination must be carefully documented in accordance with the requirements of Chapter II, Section 201. 05.

202. 02 Notification, Offer, and Acceptance

It is expected that the institution will provide evidence of its offer of financial assistance, either through a copy of the letter confirming the offer of aid or some other document. It is essential that the EOG matching funds be shown for each award. (See Attachments A and B.)

It is also expected that the student will acknowledge, in writing, his acceptance of the financial aid package offered by the institution. (See Attachment C.) In most cases, the offer will be accepted as presented. If, however, a student should decline a part of the aid package, negotiation of an arrangement acceptable to the institution and the student would be in order, for example, the substitution of a scholarship or an institutional job for a National Defense Student Loan. In the final analysis, a grant must be matched in the form of a financial aid "package" which is both offered to, and accepted by, the student.

202. 03 Leave of Absence

When the institution finds it necessary to recommend a leave of absence because of extended illness, personal hardship, military service, or other good causes, in accordance with regularly prescribed standards and practices of the institution, records should support the leave approved. Except for military service, and other extraordinary circumstances, the leave may not exceed twelve months, in accordance with Section 176.11 of the EOG Draft Regulations. A student whose leave of absence exceeds the approved period need no longer be given priority for a renewal year award.

202. 04 Student Unrest

The Educational Opportunity Grant Program is covered by various "student unrest provisions." You are asked to study carefully the Keeping You Posted #7 dated March 10, 1969 in the attachment. Clearly the institution must now inquire into the legal history of new and transfer students, and it must terminate EOG awards to student who have been convicted of certain crimes. Questions about the number of student terminations under the "unrest provisions" are now included in the "Tripartite Report." See Keeping You Posted #12 dated May 1970 for additional commentary on student unrest.

CHAPTER II

ATTACHMENT A

Sample Award Letter

College of the Elms
Ivy Lane
Collegeville, Ohio 12345

Date

Mr. Jonathan R. Doe
2244 18th Street
Metropolis, Ohio 12468

Dear Mr. Doe:

It is my pleasure to inform you that the Committee on Admissions has accepted your application for admission as a full-time freshman at the College of the Elms for the fall semester commencing on September 15, 1966 .

I am also pleased to tell you that you have been awarded financial aid as indicated on the attached sheet in order to offset your college expenses during the academic year 1966-67.

Please read all the enclosed material carefully, and notify me concerning your acceptance of our offer of admission and financial aid within one month of the date of this letter.

I shall look forward to hearing from you.

Sincerely yours,

C.D. Roe
Director of Admissions
and Financial Aid

Enclosures

CHAPTER II

ATTACHMENT B

Sample Award Notification

College of the Elms
Ivy Lane
Collegeville, Ohio 12345

Date:
2244 18th Street
Metropolis, Ohio 12468
Address

Jonathan R. Doe
Name of Financial Aid Recipient

1. Your estimated college expenses as a _x_ resident ___ commuting student for the academic year 1966-67:

Tuition and Fees	$800	
Room and Board	850	
Books and Supplies	150	
Personal Expenses	400	
Transportation	200	
TOTAL COSTS		$2400

2. Estimated family contribution from:

Parents' Income and Assets	$300	
Your Assets	100	
Your Net Summer Savings	300	
TOTAL FAMILY CONTRIBUTION		$ 700

3. Your estimated financial need: $1700

4. Financial aid awarded:

Educational Opportunity Grant	$500	
College of the Elms Scholarship	300	
National Defense Student Loan	500	
Metropolis H.S. PTA Scholarship	100	
College Work-Study Employment	300	
TOTAL AID AWARDED		$1700

5. The Educational Opportunity Grant will be paid to you as follows:
   $250 at the time of fall registration
   $250 at the time of spring registration.

6. Please sign and return the enclosed acceptance form if you desire to accept this offer of financial assistance.

NOTE: Mr. Doe was awarded the $500 EOG on the basis of his initial entitlement for a grant and his financial need. The NDSL could be considered as matching financial aid and the scholarships and CW-SP job as other financial aid for meeting his remaining need. In item 5 of the sample award notification form, the institution may wish to spell out in greater detail the funding pattern for all the aid package. In item 4 of the notification form, all types of assistance awarded by the college could be included so that the amounts could easily be filled in for the appropriate aid categories.

CHAPTER II

ATTACHMENT C

Sample Acceptance Form Letter

TO: Mr. C.D. Roe
Director of Admissions and Financial Aid
College of the Elms
Ivy Lane
Collegeville, Ohio 12345

FROM: Jonathan R. Doe
2244 18th Street
Metropolis, Ohio 12468

I x accept ___ decline your offer of admission to the College of the Elms as a full-time freshman student for the fall semester commencing on September 15, _____.

I x accept ___ decline the financial aid awards as indicated:*

Educational Opportunity Grant	$500
College of the Elms Scholarship	300
National Defense Student Loan	500
Metropolis H.S. PTA Scholarship	100
College Work-Study Employment	300
TOTAL	$1700

_____
(Signature)

_____
(Date)

*Figures to be filled in by the college.

ATTACHMENT D

Sample Need Analysis Summary

Student Budget	$_____	
Adjustment (plus or minus)	_____	
Total	_____	_____
Family Resources		
Income (plus)	_____	
Assets Contribution	_____	
Student Resources		
Savings (plus)		
Summer Savings (net) (plus)	_____	
V.A. Benefits (plus)	_____	
Other (plus)	_____	
Other Resources	_____	
Total Need		(minus)_____

Total Budget Minus Total Resources gives Student Need.

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CHAPTER III

MATCHING FUNDS AND MAINTENANCE OF LEVEL

301. Matching Financial Aid for an Educational Opportunity Grant

Matching funds for an Educational Opportunity Grant include all financial aid which may be used to satisfy the requirement of Section 402(1) of the Higher Education Act of 1965.

The amount of matching financial aid provided the student is determined by the Educational Opportunity Grant amount (see Chapter II, Section 201.05). The matching amount of financial aid must be at least equal to the amount of the Educational Opportunity Grant.

In some cases, to satisfy the remaining need of the student, the institution may wish to provide a greater amount of financial aid than that equal to the Educational Opportunity Grant. Both funds eligible and those not eligible as matching may be used by the institution in satisfying the remaining financial need of the student.

301.01 Grants, Gifts, and Scholarship Aid

Grants, gifts, and scholarship aid may be treated as matching financial aid in all cases where the institution of higher education controls the funds or where the funds are provided by a scholarship or grant program established by a State, private institution or organization.

The scholarship, grant, or gift may be treated as matching financial aid if such aid is included as a firm commitment or stems from firm arrangements and is not merely a promise.

The institution may wish to require that a student, awarded a non-institutional scholarship or grant, provide an official award notification, if such aid is to be used for matching his Educational Opportunity Grant.

301.02 Loans

Direct loans made by the institution and those loans in which the institution provides the guarantee funds may be treated as matching financial aid. This would include the National Defense Student Loan Program, the Nursing Student Loan Program, the Health Professions Student Loan Program, the College Reserve Program of United Student Aid Funds, Inc. and any State or private Guarantee Loan Program in which the institution provides the guarantee funds.

If the institution performs primary administrative functions and exercises control over the determination of loan recipients, then a loan made under a State loan program may be used as matching, even though the State provides the loan funds. State loan programs of this category, however, must have prior approval, from the Washington office, on an individual basis before being acceptable as matching aid.

Short term or emergency loans, which are intended to be repaid before the end of an academic term, are not eligible for matching EOG's. Direct bank loans, most State loan programs, and loans from sources such as foundations, service clubs and other philanthropic organizations are not eligible as matching because the institution does not exercise primary control over these funds.

301.03 Student Employment Programs

Employment provided by the institution during any academic semester, trimester, quarter, or term during which the student is in full-time attendance as an EOG recipient may be used as matching financial aid. Institutional employment and CWSP employment during an academic period in which the student is not in full-time attendance (usually in the summer) may be considered as matching aid. Employment not provided by the institution may not be used as matching aid, but should be treated as a student resource in determining his financial need.

Employment provided by the institution refers to employment for the institution or for some related business or institution either controlled by the institution or with which the institution has a written agreement allowing the institution to screen and recommend placements. Examples would be a contract food service or research foundation.

When student employment is used as matching financial aid, the student's gross wages (before Social Security, Income Tax, or other deductions) are considered as eligible matching funds.

Payments for student employment are acceptable as matching aid either in cash or by crediting the student's account for the fair cash value of services performed.

301.04 Institutional Waivers of Tuition and Fees

Institutional Waivers of the tuition and fees regularly charged all students may be used as matching financial aid.

301.05 Sources of Student Financial Aid Excluded as Matching Financial Aid

The following are examples of funds which may not be considered as matching financial aid for Educational Opportunity Grants: The extension of Social Security benefits to students attending institutions of higher education, AF-ROTC and NROTC scholarships, Vocational Rehabilitation payments, and Federal education benefits for certain areas of specialized study available through the various agencies of the Federal Government, e.g., G.I. Bill payments.

301.06 Circumstances Affecting Matching Financial Aid

Circumstances may arise during the academic year which could modify the amount of matching financial aid. If some matching financial aid committed by the institution cannot be provided, other matching financial aid must be substituted.

If a student who has been awarded an EOG is also employed under either the College Work-Study Program or the institution's own work program and quits his job or is fired for cause before the end of the assigned period of work, then neither different employment nor a different type of financial aid need be substituted solely to satisfy the matching requirement of the EOG Program.

In such cases the financial aid officer should, however, make every reasonable effort to meet the student's remaining need for assistance in order to prevent his being forced to terminate his studies prematurely for purely financial reasons. If no substitute aid is provided by the financial aid officer, the reasons for such action and its effect on the student's ability to continue his studies should be carefully documented. The financial aid officer should also counsel the student regarding his responsibility to any future employer before placing him in another part-time job.

302. Maintaining the Level of Undergraduate Financial Assistance

The Agreement, to which an institution must became a party prior to its participation in the EOG program, requires that the institution continue to spend, in each fiscal year in which the Agreement remains in effect, in its own undergraduate financial assistance program, an amount not less than the institutional average expenditure for such purpose during the three fiscal years preceding the fiscal year in which the Agreement is entered into. (See Chapter V, ...Section 505.)

Sources of financial assistance that can be used in computing the level of institutional undergraduate financial assistance would include: institutional scholarships and grants, institutional waivers of tuition and fees, institutional loans, institutional share for NDSLP loans, institutional employment, institutional share for CWSP payments.

Although the institution can use its own as well as the Federal contribution for NDSLP loans as matching financial aid, only the institution's contribution can be considered in computing the level of institutional undergraduate assistance. Also, the institution's share of CWSP expenditures can be applied in computing the level of institutional undergraduate assistance.

The following table summarizes the appropriateness of using various funds as matching for Educational Opportunity Grants and as components of the institutional maintenance of level.

Maintenance of Level	Matching Sources for EOG		
		A.	Gift Aid
Yes -------	Yes ----------	1.	Institutional grants-in-aid.
Yes -------	Yes ----------	2.	Institutional scholarships.
Yes -------	Yes ----------	3.	Institutional waiver of tuition.
Yes -------	Yes ----------	4.	Institutional waiver of fees.
No -------	Yes ----------	5.	Full amount of State Scholarships.
No -------	Yes ----------	6.	Full amount of scholarships or grants provided by a group outside the institution.
No -------	Yes ----------	7.	Law Enforcement Education Program grants.
		B.	Loans
Yes -------	Yes ----------	1.	Institutional student loans, including Insured Loans if the institution is a lender.
Yes -------	Yes ----------	2.	Institutional share* of the National Defense Student Loan Program.
No -------	Yes ----------	3.	Full amount of National Defense Student Loan Program.
Yes -------	Yes ----------	4.	Institutional share* of student nursing and health professions loans.
No -------	Yes ----------	5.	Full amount of student nursing and health professions loans.
Yes -------	Yes ----------	6.	Institutional share* of the United Student Aid Funds, Inc., College Reserve Program.
No -------	Yes ----------	7.	Full amount of the United Student Aid Funds, Inc., if institution provides guarantee funds under the College Reserve Program.

Maintenance of Level	Matching Sources for EOG		
			B. Loans (continued)
No	No	8.	Full amount of State loan in which institution does not provide any funds.**
No	No	9.	Full amount of loan if institution provides guarantee funds to a State or private loan program.*
No	No	10.	Full amount of Guaranteed Loan Program in which the institution does not provide any funds.
No	No	11.	Full amount of loan contracted independent of institution.
No	Yes	12.	Cuban Student Loan Program.
No	Yes	13.	EOG funds transferred to NDSLP.
No	Yes	14.	Law Enforcement Education Program Loans
			C. Employment
Yes	Yes	1.	Institutional employment during periods of full-time study.
Yes	Yes	2.	Income from employment contracted by an institution with a private concern, with a provision that a given number of student jobs (not paid from College Work-Study funds) are in the contract, e.g., food service and window-washing.
Yes	No	3.	Institutional employment not during periods of full-time study.
No	No	4.	Employment not related to the institution.
Yes	Yes	5.	Institutional share of the College Work-Study Program.
No	Yes	6.	Full amount of income from the CWSP.
No	No	7.	Income from jobs financed by the Federal Government, e.g., research under a Federal grant.

Maintenance of Level	Matching Sources for EOG	
No -------	No ----------	8. Other student income.
		D. Other Sources
No -------	No ----------	1. Social Security benefits.
No -------	No ----------	2. Vocational Rehabilitation benefits.
No -------	No ----------	3. GI Bill benefits.
No -------	Yes ----------	4. Federal grants to Indians.***
No -------	No ----------	5. Student savings.
No -------	No ----------	6. War Orphan Benefits.
No -------	No ----------	7. ROTC and NROTC scholarships or payments.

* Only the institutional share may be used for maintenance of level. The full amount may be used for matching.

** If the institution performs primary administrative functions and exercises control over the determination of loan recipients, then the full amount of the State loan may be used as matching. State loan programs of this category, however, must have prior approval, from the Washington Office, on an idividual basis before being acceptable as matching aid.

*** If the institution performs primary administrative functions and exercises control over the determination of Indian grant recipients, then the amount of the grant may be used as matching.

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CHAPTER IV

RECRUITMENT ACTIVITY

401. Identification and Encouragement of Eligible Students for the Educational Opportunity Grants Program

Each institution participating in the Educational Opportunity Grants Program has agreed, as condition of participation, to develop plans for, and engage in, vigorous efforts to seek out qualified youths of exceptional financial need and encourage them to continue their education beyond the secondary level. Article I, Paragraph 8, of the Terms of Agreement sets forth two areas in which activity could be performed to demonstrate such "vigorous" efforts": (1) establishing or strengthening close working relationships with secondary school principals and guidance and counseling personnel, and (2) making conditional grant commitments, where feasible, to qualified students with special emphasis on students enrolled in grade 11 or below who show evidence of academic or creative promise.

Above and beyond this, an institution of higher education might well benefit by coordinating its activities with other institutions of higher education in encouraging promising students to complete secondary school and pursue post-secondary educational opportunities.

An active campaign to publicize and explain the grants program to those students already enrolled at the institution will also locate eligible grant applicants, particularly in that segment of the student population attending school part-time because of limited financial resources. It should be noted, however, that although EOG Program benefits are available to any undergraduate applicant who qualifies for this assistance, it is anticipated that initial year awards will be given primarily to incoming freshmen.

In many sections of the nation there are a number of activities such as the Educational Talent Search and Upward Bound Programs which are designed to identify and encourage students from disadvantaged families to continue their education.

The Financial Aid Officer, and his counterparts in the Admissions Office, should carefully consider students referred by these projects since they may well be eligible for an Educational Opportunity Grant. A directory of these projects may be obtained from:

Division of Student Special Services
Bureau of Higher Education
United States Office of Education
Washington, D.C. 20202

CHAPTER V

FISCAL MANAGEMENT

501. Payment to Institutions

Payment for the Educational Opportunity Grants Program will be made to participating institutions by the National Institutes of Health (NIH), which functions as a disbursing agent. Institutions designated by NIH to use either the letter of credit or the cash demand system may draw EOG funds against their grant letter amounts as these funds are needed for disbursement to students.

The check that is forwarded by NIH will often include disbursements for more than one Federal Program. An enclosure will accompany each check, and the EOG payment listed in the amount column will be preceded by an eight-digit code. The first two digits - 77 - are the EOG program code. The third and fourth digits identify the State, and the remaining four digits are the institution's identification number.

502. Maintenance of Educational Opportunity Grant Funds

Educational Opportunity Grant funds may be deposited in a merged bank account provided there are adequate accounting controls to insure the integrity of the account and to avoid drawing on the EOG balance to support any other activities. It is unlikely that an institution will have sufficient EOG funds on hand for a long enough time to merit placing them in an income-bearing account. Should this occur, however, the interest earned on these funds must be returned to the Office of Education at the end of the fiscal year. Checks should be made payable to the Office of Education and mailed to the following address:

Fiscal Services Section
Finance Branch
U.S. Office of Education
Washington, D.C. 20202

503. Disbursements to Students

The institution may advance grants by checks or by crediting a student's account or by a combination of both. The institution must have a signed acknowledgment from the student that he received the grant. An endorsed check will serve this purpose. For non-check advances, two sample forms are included as Attachments A and B of this chapter. Where accounts are credited, receipts should be issued with duplicate copies being retained as documentation.

Grants are to be made on the basis of an academic year which consists of two semesters, two trimesters, or three quarters falling within a school year of approximately nine months' duration. An exception would be when the remaining eligibility of an EOG recipient is less than a complete academic year. This policy does not preclude a grant being given the student who enters at midyear, but a grant for less than a full academic year would be for the pro rata amount based on a full academic year of eligibility. Payments of grants shall be made in equal installments at least once during each registration period.

Payments for students attending summer session (see Chapter I, Section 103) will be made by the institution from a single fiscal year appropriation, and not prorated out of two fiscal years' appropriations.

Payments shall not be made during any period in which the student is not in full-time attendance at the institution which awarded him the grant, nor during any period when he is otherwise ineligible to receive a grant.

504. Matching Requirement

In awarding an Educational Opportunity Grant an institution must provide an equal amount of financial assistance to the student. Eligible matching financial aid for an EOG is described in Chapter III. There is nothing in the Act which prohibits the institution from providing matching financial assistance in an amount grater than the amount of the Educational Opportunity Grant. The matching requirement, however, pertains to each individual grant, and the institution may not balance out its matching obligation by over-matching one student's grant and under-matching another's.

505. Maintenance of Level Requirement

P. L. 90-577, Title I, sec. 152, provides that "Agreement between the Commissioner and an institution shall provide assurance that the institution will continue to spend in its own scholarship and student-aid program,...not less than the average expenditure per year made for that purpose during the most recent period of three fiscal years preceeding the effective date of the agreement."

As explained in Section 176.12 of the Draft Regulations, an institution shall not be deemed to have failed to meet the maintenance of level requirement if its inability to expend the amount required thereunder is solely attributable to the withdrawal of funds for student aid programs from outside sources.

For further discussion of maintenance of level, see the "Agreement Covering Institutional Participation in Programs of Student Financial Aid" and the FY 1971 Application to Participate in Federal Student Financial Aid Programs.

506. Fiscal Records

All accounting records for EOG funds will need to be maintained in a form permitting report preparation on a July 1 - June 30 fiscal year basis. Transactions should be recorded promptly, and subsidiary records, including the individual student ledgers, should be reconciled with the control accounts quarterly, preferably more often.

When the institution provides part-time institutional employment as all or part of the required EOG matching amount, time and wage cards, signed by student and approved by his supervisor, will need to be kept on file to support the earnings which are used as matching. The gross wages (before Social Security, Income Tax, or other deductions) to the student are to be considered as eligible matching funds.

A written authorization from the institutional representative, EOG, to the fiscal officer, EOG, indicating which students are to receive grants and in what amounts, by dates, is a necessary part of the records to be retained by the fiscal officer.

All records pertaining to program management and fiscal control must be retained by the institution for a period of three years or until audited by the audit staff of the Department of Health, Education, and Welfare (or its designee), whichever is later.

The accounting records and procedures set forth herein may be adapted to the accounting procedures of the institution so long as the records for EOG funds are maintained in accordance with generally accepted accounting principles and provide the necessary information for preparation of financial reports and for proper management. The following General Ledger Control Accounts will be essential to the fully-operational EOG program.

507. Maintaining Individual Student Accounts

Proper maintenance of EOG funds will necessitate the use of a student ledger card (see Attachment C) for each student awarded an Educational Opportunity Grant. The minimum information required will be:

(1) The full name, home address, Social Security number, or other identification of the student. The identification will need to be such as to enable the auditors to correlate the records maintained by the financial aid office, the business office, and the registrar's or other offices maintaining academic records.

(2) A record of the student's estimated cost of attending the institution for each academic year for which he receives an EOG award. This record, together with the application for an EOG award, the determination of need, and the parental contribution, may be maintained by the financial aid office and does not need to be duplicated by the business office.

(3) A record, by academic year, of the institution's EOG fiscal transactions with the student which includes: (a) the amount of the EOG award, identified as to whether it is an initial year award or a first, second, or third year renewal; (b) a notation on the ledger of incoming transfer students as to number and amounts of grants the students had previously received; and (c) a list of disbursements of EOG funds to the student with student's acknowledgment of receipt. The records will need to lend themselves to both fiscal and calendar year reporting of payments of both the EOG and the matching amount, together with a clear indication of the source of the matching amount. Ledger entries will need to indicate the date and nature of the transaction, and to identify the supporting documents by check numbers, the account numbers to which credit entries are made, etc. The information could be recorded as indicated on Attachment C, Individual Student Ledger, or by such other auditable method as the institution may devise.

508. Federal Tax Effect on Student's Income from EOG

Section 117 of the Internal Revenue Code provides in part that, "In the case of an individual, gross income does not include (1) any amount received (A) as a scholarship at an educational institution..." While there are certain limitations on this exclusion, they are unlikely to disqualify the EOG recipient. Tax consequences of an Educational Opportunity Grant are the recipient's responsibility, and he should refer questions concerning his particular situation to his tax counsel or the Internal Revenue Service.

509. Administrative Expenses

It is now permissible for your institution to withdraw from the authorized allocation an amount not greater than three percent of the amount actually spent for EOG awards to students, as a payment in lieu of reimbursement for administrative expenses. Since there is no separate allocation for administrative expenses, institutions may draw funds from the initial or renewal allocation or both. The total amount withdrawn for administrative expenses for the Educational Opportunity Grants, National Defense Student Loan, and College Work-Study programs may not exceed $125,000 per institution in any fiscal year.

EOG GENERAL LEDGER CONTROL ACCOUNTS

Account Number	Account Title
1	EOG Cash-on-Hand and in Depository
2	EOG Funds Receivable from the Federal Government
3	Initial Year EOG Awards Paid
4	Renewal Year EOG Awards Paid
5	Initial Year EOG Awards Capital
6	Renewal Year EOG Awards Capital
7	Interest or other EOG Income

Illustrative Transactions	Debit	Credit
1. RECEIPT OF GRANT LETTER		
EOG Funds Receivable from Federal Government (Account #2)	XXXX	
Initial Year EOG Awards Capital (Account #5)		XXXX
Renewal Year EOG Awards Capital (Account #6)		XXXX
2. RECEIPT OF CHECK FROM FEDERAL GOVERNMENT (NIH)		
EOG Cash-on-Hand and in Depository (Account #1)	XXXX	
EOG Funds Receivable from Federal Government (Account #2)		XXXX
3. PAYMENT OF AWARDS TO STUDENTS		
Initial Year EOG Awards Paid (Account #3)	XXXX	
Renewal Year EOG Awards Paid (Account #4)	XXXX	
EOG Cash-on-Hand and in Depository Account #1)		XXXX

CHAPTER V

ATTACHMENT A

SAMPLE STUDENT ACKNOWLEDGMENT OF
EDUCATIONAL OPPORTUNITY GRANT FOR NON-CHECK PAYMENTS

John R. Doe
Student's Name

Home Address

Social Security Number

EDUCATIONAL OPPORTUNITY GRANT

SCHEDULE OF PAYMENTS

Educational Opportunity Grant			Student Signature	Institutional Matching	
Date.	Amount	Type of Payment		Amount	Type of Payment
9/14/66	$300	Receipt #00147 Acct credited for tuition		$300	NDSL Loan #34254
2/15/67	$300	Receipt #00192 Acct credited for tuition		$300	Hurst Scholarship Credit Memo

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CHAPTER V

ATTACHMENT B

SAMPLE STUDENT ACKNOWLEDGMENT OF EDUCATIONAL OPPORTUNITY GRANT FOR NON-CHECK PAYMENTS

ALTERNATE FORM

College of the Elms
Collegeville, Ohio

I, John R. Doe, hereby acknowledge receipt of $_____ which represents one-half of the Educational Opportunity Grant awarded me for the 1966-67 academic year. This amount has been credited to my account to pay for tuition and fees.

_____
Signature of Student

_____
Date

Record of Matching funds:

$_____ tuition remission first semester

SAMPLE STUDENT LEDGER

EDUCATIONAL OPPORTUNITY GRANT

NAME _____ HOME ADDRESS _____

LOCAL ADDRESS _____ _____

SOCIAL SECURITY NUMBER _____

ACADEMIC YEAR	1966-67	1967-68	19__	19__
EOG AMOUNT	$600	1st renewal $700	2nd renewal $	3rd renewal $

If a transfer from another institution (or re-entry) -- previous EOG's received:

Name of Previous Institution(s)	City and State	Amount Awarded	Term(s) or Semester(s) (by class)	Year Awarded
1.				19
2.				19
3.				19

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UNITED STATES GOVERNMENT

Memorandum

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE
OFFICE OF EDUCATION

TO : Coordinators of Student Financial Aid
EOG Participating Institutions

DATE: October 17, 1969

FROM : Hubert S. Shaw
Chief, Educational Opportunity Grants Branch, SFA

SUBJECT : Eligibility of EOG Recipients and Other Matters

EOG ADMINISTRATIVE MEMORANDUM NO. 1-70

I. Introduction:

This memorandum refines and extends Administrative Memorandum 4-69, February 14, 1969, Sections III and IV and deletes use of the table in Section I for purposes of determining a student's amount of entitlement to an Educational Opportunity Grant. It is effective for the fiscal year beginning July 1, 1970.

Since the issuance of Memorandum 4-69, many questions have been raised by financial aid officers about the criteria for selecting EOG recipients and the need for a clear description of the potential EOG student. The program staff has engaged in a series of exchanges with financial aid officers, culminating in two meetings with officers of the National Council of Student Financial Aid Associations.

This memorandum reflects the ideas of this group and of other financial aid officers and presents criteria, both objective in terms of the family and its financial condition and subjective in describing the potential EOG recipient. Basic eligibility factors previously established are retained, with added flexibility for the financial aid officer in selecting recipients and determining grants. In arriving at these criteria, many variables were considered: rising costs of education, size of appropriations, cost of living and its effect on income levels and on funds for education, new Bureau of Labor Statistics family budget figures, numbers of dependent children and both parents working, to mention only a few items.

The purpose of the program and of these criteria is to assist the most needy students. Therefore, the thrust of our criteria is toward those students from the lowest income levels and with the least contribution toward educational costs. Evidence shows again that approximately 70% of initial year students nationally come from families with incomes under $6,000. Your application should reflect the intent to hold and conceivably increase this proportion of low-income recipients. One new criterion sets an income limit of $9,000, which defines more clearly the group of potential EOG recipients. All recipients must come under this ceiling, with continued emphasis on those under the $6,000 level. Panels will review the applications of institutions showing a percentage under $6,000 of less than 70%.

The second criterion continues to be a $625 limit on parental contribution. Determination of the amount of the grant, however, will be based on calculated need, rather than the stipend table (page 2, Memorandum 4-69) previously used. Since this might result in a student with a zero parental contribution and one with a $600 parental contribution each being considered for $1000 grants, the financial aid officer should, in such cases, ensure the lower contribution case be given priority. Also, an institution should not limit recruiting among students with parental contributions at the $500 - $600 levels, but should aim at the zero end of the scale. The principle of "inverse proportionality" - lowest contribution, highest grant - is still an important consideration in determining the amount of a grant. However, the student's grant should be at a level appropriate to permit him freedom of final choice of which institution he may attend insofar as possible.

There will be circumstances which will offset low parental contributions, such as unusually high student savings, exceptional summer earnings, or such student benefits as social security, vocational rehabilitation, V. A. benefits, etc., and which give reason for lower priority than applicants with higher parental contributions. In essence, the priority should be given to those students with the least family contribution, which would include the students' own resources. There may be other reasons that would cause the financial aid officer to give priority to students with special problems which are not accurately reflected in the need analysis per se. Your goal should be to aid your neediest students first and continue through the eligible group until your allocation is committed. In addition to the philosophy of helping the neediest first, there is the more practical matter that such an order of priority is necessary as long as funding does not meet the national demands for the program.

Priority for freshmen and new transfers (80% or more) in making initial year grants is still essential. We again urge that a student's grant be as near the maximum size (the lesser of $1000 or one-half of calculated need) as possible, recognizing the problem caused by limited funding and the desire to spread grants among as many students as possible.

II. Initial Year Selection Criteria:

Step 1 - Eliminate applicants from families with gross annual incomes over $9000 (for farmers and business "gross" is income after allowance for operating expenses deductible for tax purposes but before income taxes). Family income above this maximum cannot be considered "low", even though financial need may be clearly demonstrated. They are, therefore, beyond the scope and purpose of the EOG program, even though they may be eligible for other forms of aid.

Step 2 - Next eliminate those having an expected parental contribution, based upon an approved system of need analysis, of more than $625 per academic year. This is the same measure of eligibility employed in the past.

Step 3 - Evaluate remaining applicants on the basis of the following description of the type of student for whom the EOG program was intended:

The Intended EOG Recipient

Is:	Is Not:
1. One whose family has historically been unable to provide adequate financial support for typical consumer goods and services. Income is inadequate before, not solely as a result of the additional expense of college. Therefore, the family can contribute little or nothing to the student's education.	1. One whose family has encountered temporary financial loss or strain, preceded and/or followed by adequate resources to provide at least a moderate standard of living.
2. One whose family has been unable to accumulate assets which will provide any element of financial security to the family members. There is little or no cash or property to be used for college expenses or other discretionary purchases.	2. One whose family has been successful in obtaining some degree of financial security through cash or real estate assets to which it can turn for retirement, emergency, or specialized uses, such as education. Business holdings and inventory or farming assets, while used for income production, have such size as to give substantial financial visibility.
3. One whose family operates a business or farm which has small cash turnover to go along with low gross income.	3. One whose family operates a business or farm which has large cash turnover and resulting ability to incorporate family needs into expenses of operation.
4. One whose environment has not allowed concrete plans for higher education to be formed because of the lack of money, family encouragement, proper counseling or any of several other deterrents.	4. One whose post-secondary plans have been supported by the environment to the extent that college was a foregone conclusion.

Is:	Is Not:
5. One who is admissible to the appropriate curriculum according to standards established by the institution. There is evidence of academic or creative promise and the ability to complete the course of study. This evidence, however, may deviate somewhat from standard selection criteria. While greater adjustment may be necessary than required of the average student, there is good reason to believe that the potential EOG recipient will respond favorably, given the available supportive services.	5. One whose potential is incongruous with the demands of the desired curriculum or higher education in general. Completion of the course of study seems doubtful, even with the supportive services available to the student.
6. One whose enrollment in higher education is dependent upon sizeable amounts of financial assistance which could not be provided through the available non-EOG resources without unreasonable quotas of loan and part-time employment.	6. One whose college financing can be provided through family support and the typical scholarship, loan, and part-time employment programs available through the community, State, and institution of enrollment.

Step 4 - From those applicants who fall within the financial and descriptive criteria above, select EOG recipients by proceeding from the most needy to the least needy of the eligible group until funds are exhausted. It is no longer necessary to observe the stipend table on page 2 of Memorandum 4-69 in setting the size of the grant. The EOG award amount will be left to the judgment of the financial aid officer, except that stipend cannot exceed one-half of the student's need or $1000 per academic year, whichever is less. Section 201.05 of the EOG Manual provides guidance for those occasions when less than the maximum grant is thought to be desirable.

Step 5 - Provide the necessary "matching" funds as in past years. Refer to the EOG Manual and Administrative Memo 3-69 for acceptable forms of "matching" aid. It is hoped that each EOG recipient will receive an aid package which meets his financial aid.

III. Renewal Year Awards:

Students receiving grants prior to July 1, 1970, will continue to be eligible for renewal grants, provided the expected parental contribution remains $625 or less per academic year and good standing is maintained according to the academic standards of the institution. However, the $9000 income ceiling set in this Memorandum will not apply to such renewal grants. Although it will not be necessary to use the stipend table in determining the amount of the renewal award, it is strongly recommended that stipends approximate the amounts provided in previous years, all other considerations being equal. Presumably, a satisfactory aid package has been constructed and could be continued. Sizable increases in renewal year grants will reduce the funds available for initial year use and should be avoided where possible.

IV. New Sources of Eligible Matching Funds:

Scholarship and loan funds provided by the Bureau of Indian Affairs are now eligible for matching educational opportunity grants. By arrangement with Bureau of Indian Affairs scholarship program authorities, institutions will control the selection of students, determination of their need, and amount of BIA funds as part of a total financial aid award. Institutions should contact the Bureau of Indian Affairs Scholarship Program, 5301 Central Avenue, N.E., Albuquerque, New Mexico 87108, for advice concerning making awards involving BIA funds. This new source of matching funds should allow institutions to make greater use of educational opportunity grants in meeting the needs of American Indian students.

Also, institutions which become lenders under the Insured Loan Program, and utilize their own funds for making such loans, may use such funds as an additional eligible source for matching educational opportunity grants.

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UNITED STATES GOVERNMENT

Memorandum

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE
OFFICE OF EDUCATION

TO : Coordinators of Student Financial Aid
Chief Fiscal Officers
EOG Participating Institutions

DATE: April, 1970

FROM : Hubert S. Shaw *Hubert S. Shaw*
Chief, Educational Opportunity Grants Branch, SFA

SUBJECT : Instructions concerning Allocation for Fiscal Year [illegible]

EOG ADMINISTRATIVE MEMORANDUM NO. 2-70

Your institution's allocation of Educational Opportunity Grant funds for use during Fiscal Year 1971 (July 1, 1970 - June 30, 1971) is provided on the enclosed allocation letter. A copy of that letter has also been sent directly to the President of your institution. The total allocation has been determined by the Regional panel recommendations for initial and renewal funds and by the required State allotment formula for initial year funds, as modified by the total amount available nationwide.

I. Use of Funds:

We have continued the practice of providing a portion of your renewal requests as approved by the Regional panels in the form of initial year funds, a practice that has been successful in Fiscal Year 1970 in maximizing fund utilization. However, please keep in mind that the authorizing legislation requires that eligible renewal candidates receive priority in the use of funds. Therefore, if your renewal allocation is insufficient to meet the needs of renewal candidates, you should transfer from the initial year funds whatever amount is necessary to meet the needs of renewal recipients. The reverse transfer, from renewal to initial funds, is not permitted. The amounts granted to students must not exceed the amounts indicated on the allocation letter for initial and total allocation.

II. Guidelines in Making Awards:

EOG awards made during Fiscal Year 1971 are to follow the program guidelines provided by EOG Administrative Memorandum 4-69, as modified and extended by EOG Administrative Memorandum 1-70. Please review these two documents before making your awards. Some of the comments we have received concerning Memorandum 1-70 indicate that steps three and four are being overlooked in some quarters. These eligibility standards are no less important than steps one, two, and five, and in fact require a high degree of professional judgment and discretion. Contrary to the suggestion of some observers, the EOG program has not been "loosened up" by the replacement of the $6000 guideline family income figure by an absolute limit of $9000. Actually the reverse is true, since initial year grants no longer may be made to students whose family incomes exceed $9000. Since this income limit must be accompanied by a parental or independent student

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contribution of $625 or less, the effect of steps one through four, if properly employed, will result in a greater utilization of EOG funds for truly disadvantaged students. Giving priority to students with the smallest parental contribution reduces the importance of categories by income level.

A brief summary of the income guidelines in Memorandum 1-70 (steps 1 and 2) is provided here for your convenience:

Initial Year Awards - All students receiving their initial year awards in Fiscal Year 1971 or later must meet the following two criteria:

a. They must come from families with gross annual incomes of $9000 or lower;
b. They must have an expected parental contribution or independent student contribution of $625, or less, per academic year.

All students receiving initial year awards under the above two criteria must continue to meet them in order to receive renewal awards in future years.

Renewal Year Awards - Students who received their first EOG awards prior to Fiscal Year 1971 will be eligible for a renewal year award in FY 1971 and later years so long as their expected parental or independent student contribution remains $625, or less, and they continue to meet all other eligibility requirements which governed their first grant.

III. Payments of EOG Funds to Institutions:

The allocation letter which you have just received constitutes an authorization to spend a certain amount of EOG funds. Payment to your institution, within the limit of the authorization, is made by our disbursing agent, the National Institutes of Health, under either the letter-of-credit or cash-demand system, whichever is designated for your institution's use by NIH. Please note that your institution must take the initiative in requesting funds from NIH. All questions pertaining solely to payment of EOG funds should be directed to Mr. James Bouvet, Financial Management Branch, National Institutes of Health, Room 548, Westwood Building, Bethesda, Maryland 20014, telephone: 301-496-7239. Please include the NIH vendor number printed on your allocation letter in any correspondence with NIH.

IV. Carryover of Funds Not Permitted:

Please note that the total authorization printed on the allocation letter is the maximum amount that your institution may spend for Educational Opportunity Grants during Fiscal Year 1971. EOG funds are awarded for use during one fiscal year only; any authorized amount not spent by the end of the fiscal year lapses.

V. Administrative Expenses:

It is permissible for your institution to withdraw from the authorized allocation an amount not greater than three percent of the amount actually spent for EOG awards to students in FY 1971, as a payment in lieu of reimbursement for administrative expenses. Since there is no separate allocation for administrative expenses, any amounts so withdrawn must be taken from the initial or renewal allocation or both. Remember that the total amount withdrawn for administrative expenses for the Educational Opportunity Grants, National Defense Student Loan, and College Work-Study programs may not exceed $125,000 per institution in any fiscal year.

VI. DSFA Terms of Agreement:

Institutions which are participating in the Division of Student Financial Aid's college-based programs for the first time in Fiscal Year 1971 must have on file a signed Terms of Agreement with the Commissioner of Education before any program funds may be spent. A form for the execution of this Agreement will be sent to new participants later in the spring.

The 1970 fiscal-operations report will contain a section providing for the extension of the Agreement for Fiscal Year 1971, to be signed by an authorized officer of all institutions which executed the combined Terms of Agreement in FY 1970.

VII. Possible Reallocation in January 1971:

In Fiscal Year 1970 it was possible to reallocate about $3,000,000 primarily in initial year funds. These funds were used to make initial year awards to students who did not receive EOG assistance originally because of insufficient funds.

We encourage you to maintain a record of students who are eligible for EOG assistance but for whom you are unable to provide grants from this allocation. During the late fall we may again investigate the need for supplemental funds and reallocation. CAUTION: Do not make commitments now based on the hope that supplemental funds will be forthcoming next January. Any supplements depend on the release of uncommitted funds from other participating institutions. As additional experience in estimating needs and recruiting exceptionally needy students is gained, institutions have reduced greatly the availability of supplemental funds by more effective use of their allocated funds.

VIII. Summary:

1. Meet renewal commitments first, transferring funds, if needed, from the initial year funds.

VIII. Summary: (Cont.)

2. Do not exceed the initial year authorization indicated on the enclosed allocation letter.

3. Do not exceed the total authorization indicated on the enclosed allocation letter.

4. Observe all selection criteria in Memorandum 1-70 for initial year awards.

5. Keep a record of those eligible students whom you are unable to assist because of insufficient funds.

10302 - SPECIAL ACADEMIC QUALIFICATIONS

The Act provides that in the selection of students to receive National Defense Student Loans, "special consideration" shall be given to students "with a superior academic background". This means that, when the total loan funds available at a given time are insufficient to assist all qualified applicants in the amounts needed, the applications of those who indicate high academic achievement must receive first consideration. Each institution has stated the policies and procedures which it will follow in administering the "special consideration" provision, and these policies and procedures have been made a part of the institution's Agreement with the Commissioner.

10303 - GENERAL ACADEMIC QUALIFICATIONS

In order to be eligible to receive a loan, a needy student applicant must meet two academic criteria specified in the Act.

a. He must be a student carrying at least one-half the full-time academic workload, as determined by the institution, on either the undergraduate or graduate level.

A "full-time academic workload" is measured in terms of the course work and other activities that the institution requires of its students.

A student who is gradually acquiring credits toward a degree by part-time study (less than half-time) in regular or evening sessions, and/or by full-time, half-time or part-time study in summer sessions only, may not be considered an eligible borrower. However, a loan may properly be made for the purpose of full-time or half-time study in a summer session, if the applicant was enrolled in the lending institution during the preceding regular term, or can show evidence of his intention to be so enrolled in the following regular term.

b. He must be capable, in the opinion of the institution, of maintaining good standing.

A student is in "good standing" when he is eligible to continue in attendance at the institution in which he is enrolled, in accordance with the institution's standards and practices. It is the responsibility of the Institutional Representative to become informed when a student borrower ceases to be in good standing and thereby becomes ineligible to receive further advances on his loan. Academic probation when a student is permitted to continue in attendance at the institution, is not necessarily to be considered evidence of a failure to maintain good standing as required by the Act.

10304 - REQUIREMENT OF FINANCIAL NEED

The primary and most essential condition of an applicant's eligibility for a National Defense Student Loan is that he is in need of the requested loan in order to pursue his course of study during the period for which the application is made.

a. Determination of Need

In determining need, the institution must evaluate the financial circumstances of both the applicant and his family. Such an evaluation should be repeated at least annually for as long as the student continues to borrow. The most effective method of securing the information necessary for this evaluation is through the application form which the student submits when requesting a loan. A recommended application form is included as Appendix 7 of this Manual, and institutions are free to use it in its entirety or to make appropriate adaptations of it. In many institutions complete data concerning the applicant's family and personal resources will already be available in applications previously submitted for scholarships or other financial assistance.

The student loan application form used by the institution must provide for at least the following basic financial data:

1. the contribution which may be expected from the student's family in the light of its income, assets, and financial responsibilities;

2. the amount of savings of the student himself;

3. the earnings which may be anticipated from the student's part-time and summer employment (including payment in kind, e.g., board and/or room);

4. other available funds from scholarships, non-Federal loans, etc.

Against the total of such resources available to the student, the following college-related expenses should be compared:

1. tuition and required fees;

2. the cost of room and board; or, for the commuting student, the cost of transportation to and from the institution, and lunches;

3. cost of books, instructional materials, and equipment;

4. other educationally related expenses.

b. Cases Requiring Special Treatment

In the typical case, the difference between the total estimated resources and the total estimated college-related expenses will indicate the approximate amount of assistance which the applicant needs to see him through the period under review. Experience indicates, however, that there will be a variety of worthy cases which differ from the norm and which will require special attention and treatment.

1. It is recognized that special circumstances may exist in which an applicant may be considered an "independent student" and that it would not be reasonable to expect any contribution from a student's parents or other members of the family no matter what their financial ability may be. In making such a determination, however, the basis for the determination must be carefully documented by the institution. As a minimum, the institution should seek to determine that:

(a) for the previous college year, the parents (or other persons in loco parentis) have provided no financial support to cover the student's cost of education;

(b) for such year, the applicant has not been claimed by his parents (or others) as a tax exemption for Federal Income Tax purposes; and

(c) the applicant is not or has not during the preceding twelve months resided with his parents (or others in loco parentis).

2. Some applicants are married and have children. In those cases the basic living expenses such as food and housing may be considered legitimate items for inclusion in the list of college-related expenses. In evaluating need in the case of a married student, the institution should also obtain information concerning the possible earnings or other income available from the spouse. Both husband and wife may be needy full-time students, each of whom may properly be considered as eligible to borrow.

3. It has been determined that an applicant who is a member of a religious community, society, or order and who receives support and maintenance from the community, society, or order and is pursuing a course of study required by the supporting group, does not meet the test of demonstrated financial need.

c. Purposes for Which Loan is Granted

A National Defense Student Loan application ordinarily should be approved only for such college-related expenses as have been listed in Subsection "a" above. It may not be granted to repay prior obligations, unless such repayment is clearly necessary to enable the student to remain in college. A National Defense Student Loan should not ordinarily be made in order to enable a borrower to pay installments on an automobile. The ownership of an automobile, however, should not necessarily disqualify an applicant for a loan if, for example, he requires it in his part-time employment (income from which is indicated in his application) or for commuting to and from the institution. On the other hand, the payment of a prior medical bill might be deemed a proper use of the loan. In any case, at the loan approval stage, applicants should be made fully aware of the purposes for which the loan is made and the expectation that the proceeds will be used only for such purposes.

Each institution has stated the policies and procedures which it will follow in determining "need", and these policies and procedures have been made a part of the institution's Agreement with the Commissioner.

10305 - STUDENT LOAN APPLICATION

Institutional announcements of the Loan Program should be made known annually to the student body and to prospective students, with sufficient notice being given as to any deadline for filing applications.

Applications may not be accepted for periods covering more than 1 academic year. Although its use is not mandatory, a recommended student application form has been prepared by the Office of Education and is included as appendix 7. As previously indicated, this form may be copied or adapted according to the needs of the particular institution. Whatever application form is used, it must contain a space in which the Institutional Representative shall indicate the reasons for granting or denying all or any part of the loan. Each loan application shall be signed by the appropriate institutional official. Copies of all student applications, approved and disapproved, should be filed at the institution.

APPENDIX 2

(b) Application for Federal Institutional Loan.

(1) Each application for a Federal institutional loan shall include a statement of supporting data on which there shall be provided such information as the Commissioner may require (including information relative to the terms and conditions under which such funds are available from non-Federal sources) in order to make the necessary determinations under section 207(a) of the Act.

(2) The amount requested in each application for a Federal institutional loan shall be reviewed and approved by the Commissioner in the light of the requirements of section 207(a) of the Act and the amount of the Federal capital contribution that has been reviewed and approved in accordance with paragraph (a)(3) of this section.

(c) Agreement for Federal Capital Contributions.

(1) The institutional application to participate in the National Defense Student Loan Program shall also include a proposed agreement, signed by an authorized representative of the applicant institution, which shall be submitted for consideration and concurrence by the Commissioner.

(2) No application for a Federal capital contribution or for a Federal institutional loan shall be approved unless there is in effect an agreement between the Commissioner and the applicant institution for Federal capital contributions pursuant to section 204 of the Act.

(3) The agreement shall provide for the following items: (a) establishment of a Student Loan Fund by the institution; (b) deposit in the Fund of (i) the Federal capital contributions, (ii) the institutional capital contributions, equal to not less than one-ninth of the Federal contributions, (iii) collections of principal and interest on student loans made from the Fund, (iv) charges collected pursuant to section 205(c) of the Act, and (v) other earnings of the Fund; (c) that the Fund be used only for (i) loans to students in accordance with the agreement, (ii) capital distributions as provided in section 206 of the Act, (iii) routine expenses incurred by the institution in administering the Fund, not exceeding the lesser of either one-half of the routine expenses as estimated for that year by the Commissioner or one per centum of the aggregate of the outstanding loans made from the fund as of the close of that year, and (iv) costs of litigation, and other collection costs agreed to by the Commissioner arising in connection with the collection of a loan, the interest thereon or a charge assessed with respect to the loan pursuant to section 205(c) of the Act; (d) that in the selection of students to receive loans from such student loan fund special consideration shall be given to students with a superior academic background; and (e) include such other provisions as may be necessary to protect the financial interest of the United States and promote the purpose of this Part and as are agreed to by the Commissioner and the institution.

Sec. 144.5 Federal Institutional Loan Agreements.

Federal Institutional Loans shall be made subject to the terms of a note which shall be executed by an official who is duly authorized to execute such notes on behalf of the borrowing institution. Such loans shall be used only for institutional capital contributions to the borrower's National Defense Student Loan Fund. Each such note shall include such terms with respect to the payment of interest and repayment of capital as are not inconsistent with section 207(a) of the Act and shall include such other terms which the Commissioner finds necessary to protect the financial interest of the United States and to promote the purposes of the Act.

Sec. 144.6 Allocation and Payment of Federal Capital Contributions and Federal Institutional Loans.

(a) Allocation of Federal Capital Contributions to Institutions.

(1) Federal capital contributions will be offered to institutions within a State in relation to the amount of the requests for Federal capital contributions that have been reviewed and approved in accordance with section 144.4(a)(3). In the event that the total of such requested amounts in all the applications for the Federal capital contributions from a State exceeds that State's current allotment therefor, the amount of the Federal capital contribution that can be made available to

any applicant institution from that allotment shall bear the same ratio to such requested amount as the amount of the State's allotment bears to the total of such requested amounts within the State.

(2) In the event that an institution which has applied for a Federal institutional loan is unable to secure the necessary amount of loan funds from the Commissioner or otherwise to secure such funds as may be required in order to make the necessary institutional capital contribution, the amount of the Federal capital contribution which could have been offered to such institution pursuant to subparagraph (1) of this paragraph shall be reduced to an amount equal to not more than nine times the amount of such institutional capital contribution as the institution is able to make to the Fund.

(3) If an institution fails to accept all of the Federal capital contributions that have been offered to it, the amount represented by, such unaccepted offer shall be restored as part of the State's allotment.

(4) When funds that have been restored as a part of a State's allotment are sufficient to increase significantly the amount of the Federal capital contribution that can be made available to other institutions within the State, they shall be offered to such institutions whose requests for Federal capital contributions were reduced pursuant to subparagraph (1) and (2) of this paragraph.

(b) Allocation of Federal Institutional Loans.

(1) Federal institutional loans shall be made by the Commissioner upon the basis of his review of the data that are provided to him in the application for a Federal institutional loan.

(2) In the event that the funds available for the purpose of making Federal institutional loans are insufficient to satisfy the requests to which institutions would otherwise be entitled in accordance with section 144.4(b)(2), the Commissioner shall allocate such available funds among all of such requests therefor in the same ratio as the amount of each such request bears to the sums of the amounts of all such requests.

(3) If an institution fails to accept all of the funds that would otherwise be loaned to it, the Commissioner shall reallocate such unaccepted funds to other institutions if the amount of such funds is sufficient to increase significantly the size of the loans to such other institutions.

(c) Payments of Federal Capital Contributions and Institutional Loans.

Payment of the Federal capital contributions and institutional loans shall be made in such amounts and at such times as the Commissioner shall designate.

Sec. 144.7 Eligibility and Selection of Loan Recipients.

(a) Eligibility — In General. Loans shall be made only to a student who (1) is a national of the United States or is in the United States for other than a temporary purpose and intends to become a permanent resident thereof; (2) is in need of the amount of the loan to pursue a course of study on at least a half-time basis as a graduate, professional, or undergraduate student at the institution; (3) is capable, in the opinion of the institution, of maintaining good standing in such course of study; and (4) has been accepted for enrollment as at least a half-time student at such institution or, in the case of a student already attending such institution, is in good standing and is enrolled on at least a half-time basis at such institution.

(b) Determination of Need. In determining a student's need for a loan from the Fund, the institution shall where appropriate take into consideration (1) the income, assets, and resources of the applicant, (2) the income, assets, and resources of the applicant's family, and (3) the cost reasonably necessary for the student's attendance at the institution, including any special needs and obligations which directly affect the student's financial ability to attend such institution. All determination of need shall be made in accordance with the policies and procedures established by the institution and made a part of the agreement for Federal capital contributions.

(c) Limitations Governing Maximum Amount of Loans. In accordance with section 205(a) of the Act (1) the loans advanced from any Fund or Funds

CHAPTER IV DOCUMENTATION AND DETERMINATION OF THE COLLEGE WORK-STUDY AWARD

401 Documentation of Student Need

A determination of a student's financial need must be made before he can be placed in a College Work-Study position. It is the responsibility of the financial aid officer to calculate the amount of each student's need. He should utilize a systematic need analysis procedure in order to treat all applicants as fairly as possible. Once need is determined, financial assistance may be made available to the student in the form of a College Work-Study award, usually combined with other forms of financial aid.

Although there are certain standards to be considered in calculating a student's need, the financial aid officer must, of necessity, use his own judgment in applying these standards to specific cases. Whatever need analysis system is adopted, each student's need for assistance must be clearly demonstrable as indicated in the College Work-Study Regulations.

A. The Student's Application

It is important that the data required for determination of a student's eligibility and financial need be gathered in a uniform manner from each applicant for employment under the College Work-Study Program. The required data includes:

1. the student's budget, including both his expenses and his available resources (see Exhibit 4.1, Section 404), and

2. other eligibility data, including the applicant's citizenship status and his full-time student status. (See Section 302.)

To facilitate collection of this data, the institution may choose to adopt an application form or forms containing space for entry of the above data. Completed applications, whether approved or disapproved, should be kept on file for three years or until audited, whichever is later. Appendix 6 illustrates the type of information normally requested in a student application form.

B. Parents' Financial Statement

A parents' financial statement must be filed as part of the application procedure, unless the student can demonstrate that he is an independent student, as discussed below. The institution may use a standard form such as the Parents' Confidential Statement of the

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College Scholarship Service or the Family Financial Statement of the American College Testing Program. Whatever form is utilized for this purpose, however, the institution must ensure that the following information is included:

1. the parents' gross annual income,
2. net assets of the parents,
3. any other resources of the parents,
4. the number of dependent children in the family (including the applicant), and
5. the expenses currently payable by the parents.

C. Independent Students

In some instances, institutions have found that it is appropriate to exclude parental income as a source of support. The most common situation is that of the older or married student, who is and has been independent of parental support.

When, in the judgment of the financial aid officer, the facts surrounding a given application warrant exempting parental income and/or assets as a source of support, the institution may disregard the income of parents or other persons in loco parentis provided that (1) for the previous year, the parents (or other persons in loco parentis) provided no financial support to the student (see Sections 402 and 407); and (2) for the previous calendar year, the applicant was not claimed by his parents as a tax exemption for Federal income tax purposes. The financial aid officer is expected to satisfy himself that the foregoing conditions have been met, and to require such evidence as he deems necessary to support and document his findings.

It is important to note that the fact that a student is enrolled at the graduate level does not, in and of itself, classify him as an independent student. Unless the institution has classified the graduate or professional student as independent based upon the above criteria, the resources of the student's parents must be taken into consideration when determining the student's financial need.

D. Notation of Action by Institution

The following notations should also be made either on the student application form or elsewhere in the student's financial aid file:

1. entry of the amount of the College Work-Study award, if approved;

2. a brief statement of the reason for disapproval, if the award is not approved; and

3. signature of the financial aid officer.

The data mentioned in this section must be updated and reviewed at least once every 12 months.

402 Student Expenses

The student budget, like any other budget, shows the balance between expenses and available resources. This section is concerned with the expenses incurred by the student; the following section deals with his available resources.

The first step to be taken by the financial aid officer when calculating individual financial need is to establish as precisely as possible the educational costs to be incurred by the student during the academic year concerned.

A. Usual Kinds of Expenses

1. Tuition.

2. Fees payable to the institution.

3. Books, supplies, instruments, etc.

4. Housing: Residence hall costs, apartment rent, room rent.

5. Board or subsistence.

6. Personal expenses (such as a minimum basic wardrobe, where necessary, laundry, cleaning, grooming, attendance at social and cultural events, etc.).

7. Travel costs.

8. Student health insurance.

B. Other Expenses

Some students may have other expenses related to their attendance at the institution. In making allowances for any unusual expenses borne by the student, the financial aid officer must exercise considerable discretion. Whatever allowances are made, each item of expense must be clearly set forth in the record.

1. Dependents. A student may have persons dependent upon him for financial support. In the case of a married student, his spouse may either be dependent, or be a source of income. There may be children dependent upon the student for support. There are also cases in which the student may feel that he will have to drop out of school unless he may make a contribution toward the support of parents who are either aged, indigent, or in poor health or other family members who need his help. In all such cases, an allowance may be justified but should be clearly recorded with a specific statement on or attached to the student application.

2. Unusual Expenses. In some cases, a student may have necessary expenses which are not common to most students, such as unreimbursed medical costs due to an operation, allergy, or other chronic condition. Allowances in these cases may also be justified, but again must be clearly recorded.

3. Unforeseen Expenses. Since no system of need analysis can do more than closely approximate an individual student's need for financial assistance at a given point in time, the financial aid officer may wish to include a small extra amount to permit the student to meet unexpected educational costs (such as additional required textbooks, field trips, etc.) which may arise. When this procedure is followed, the student should be advised that, under ordinary circumstances, his financial need will not be reassessed for such reasons.

403 Student Resources

After identifying the applicant's educational expenses, the financial aid officer should determine what resources are currently available to the student to assist him in meeting these expenses. This information should be in the student's application and the parents' financial statement. The difference between the student's total educational expenses for the year and the financial resources currently available to him will indicate his need for assistance and will serve as a guide for the proper placement of the student in a job. Of course, the award must not exceed the student's actual need.

The financial resources available to students applying for assistance under the College Work-Study Program are contributions from parents and the student's other resources.

A. Contribution from Parents

Since it is accepted that parents have the primary responsibility for providing for the education of their children, parental contributions will usually form a portion of the student's resources. The amount which a given student's parents may reasonably be expected to contribute toward his educational costs will vary in size according to their income, assets, and the number of dependent children in the family. Determination of the parental contribution is central to the analysis of an individual student's need. The four need analysis systems most commonly used are

1. Federal Income Tax System.

2. Income System.

3. College Scholarship Service System.

4. American College Testing Program System.

For a complete description of the first two methods listed above, the institution should obtain a copy of the booklet, Determining Awards under Federal Student Aid Programs, from the appropriate Office of Education Regional Office. Information concerning the College Scholarship Service system may be obtained by writing to the College Scholarship Service, Box 176, Princeton, New Jersey 08540; Box 188, Evanston, Illinois 60201; or Box 1025, Berkeley, California 94701. For more information concerning the American College Testing Program System, write to American College Testing Program, Financial Aid Services, P.O. Box 767, Iowa City, Iowa 52240.

The institution may use any of these need analysis systems or it may develop its own method, provided each individual need computation is appropriately documented. If the institution chooses to develop its own need analysis system, there are two basic categories that must be considered in computing the parental contribution.

1. Contributions from Income. It is assumed that a student's parents should contribute a reasonable portion of their annual income toward the cost of his education. Therefore, the financial aid officer analyzes the resources currently available to the student by establishing the parents' current gross income (including the value of any noncash receipts). This gross income is then reduced by major unavoidable expenses incurred by the parents. The resulting net income, if any, is deemed to be available to meet important expenses such as the student's educational costs.

   It should be noted that while it is permissible to make allowances against income for all reasonable expenses indicated by the parents, care must be taken to distinguish between allowable and nonallowable types of expense. Some of the valid types of allowances against income are

   (a) unreimbursed medical and dental expenses (including the cost of the parents' health insurance premiums),

   (b) cost to parents of educating other children,

   (c) housekeeping expenses incurred by working parents,

   (d) cost to parents of maintaining dependents other than children,

   (e) business expenses,

   (f) income taxes paid currently, and

   (g) other expenses of an emergency nature.

   Expenses which are more or less discretionary in nature (such as vacation travel, major home improvements, or the purchase of a second automobile or "luxury" appliance) should not be treated as allowances against income, since they are clearly the product of a choice exercised by the parents. In other words, the institution should not assist in producing an artificially high standard of living for a family.

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2. Contribution from Assets. Each of the four systems of need analysis listed above provides a formula for determining what portion, if any, of their unencumbered net assets it is reasonable to expect the parents to contribute toward the student's expenses for the academic year concerned. If the financial aid officer adopts a system other than one of these four, he should generally assume that at least one percent of the net cash value of parental assets in excess of $10,000 should be contributed each year toward the student's educational costs.

B. Contribution from the Student's Own Resources

In calculating the student's own resources, the financial aid officer should be aware that the resources available to a married or independent student may be different from those available to a single student living at home. Again, in such cases, the financial aid officer must exercise considerable discretion.

The student's own resources may consist of

1. Savings accumulated prior to attendance at the institution, derived from gifts, odd jobs, etc. It is reasonable to expect that the student will contribute a portion of such previously accumulated assets during each academic year in which he may be expected to be in attendance at the institution.

2. Net earnings from employment during the summer previous to the academic year concerned. The student may reasonably be expected to contribute the entire net amount of such earnings (after taxes and reasonable living expenses) toward his educational costs. (See Section 407 for a discussion of the appropriate treatment of summer earnings under the College Work-Study Program.)

3. Earnings from part-time employment during the school year (other than provided under the College Work-Study Program).

4. (Married Students) The income and other resources of his spouse.

5. (Where Applicable) Veterans' benefits, Social Security benefits, Vocational Rehabilitation grants, or other forms of assistance which may be available through Federal, State, or local government agencies.

6. Other forms of student financial aid which may already have been awarded to the student for a given academic year.

7. Other (estates, gifts, etc.).

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404 Determination of Need

Once the student's expenses and the financial resources available to him have been determined, it is possible to calculate his need for assistance by subtracting the total resources available from his total expenses. This need may be satisfied by a College Work-Study award alone or in combination with other forms of financial aid.

The following example illustrates the procedure by which the amount of need and the College Work-Study award are determined:

Exhibit 4.1
Determination of Student A's Need
for Assistance, Academic Year 19__ - 19__

Expenses		Resources	
Tuition	$ 850	Parents' Contribution	$ 500
Room and Board	800	Portion of Student's Previous Savings	100
Books and Supplies	150	Savings from Summer Work	300
Personal Expenses	400	Civic Club Scholarship	200
Travel Expenses	50	TOTAL	$1,100
Other Expenses	100		
TOTAL	$2,350		

* * * * * * * * * *

Expenses minus Resources = NEED: $2,350 - $1,100 = $1,250

Student Financial Aid Provided = $1,250
CWS - $600; EOG - $300; NDSL - $200;
Other (institutional scholarship) - $150

In the above example, the student's need is satisfied by a financial aid package. In each case, the financial aid officer must decide what portion of the student's need would best be filled by a College Work-Study award and what portion, if any, should be satisfied by other forms of financial aid, such as an Educational Opportunity Grant, a National Defense Student Loan, institutional scholarship, loans, or grants, etc.

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405 Amount of Need in Relation to Gross Earnings

The maximum amount, net of taxes, which a student may be permitted to earn under the College Work-Study Program is the difference between his calculated financial need and the other financial aids made available to him.

In order to assure that a student's net earnings (i.e., after taxes) are sufficient to meet his needs, the financial aid officer may place the student in a job yielding potential gross earnings of a slightly larger amount. The amount of such excess earnings should be based on the approximate amount of taxes the student will be required to pay on his earnings under the program.

For purposes of computing the actual amount of taxes to be withheld from the earnings of students, the financial aid officer should consult Internal Revenue Service Circular E - Employer's Tax Guide, copies of which are available from the local office of the District Director of the Internal Revenue Service.

406 Classification of Positions in Terms of Approximate Gross Earnings

As discussed in Section 502, the potential amount of earnings possible in a given job is a function of three factors: (1) the hourly wage rate assigned to the job, (2) the number of hours per week of employment possible under the job, and (3) the number of weeks the job is expected to last. Before assigning any student to a given job under the program, the institution must establish the relationship between the amount of the student's need and the potential maximum net earnings in the job. These two items should be as nearly equal as it is possible to make them.

If a student earns the maximum amount to which he is entitled before the completion of his job assignment, for example before the end of a semester, and is suddenly removed from a College Work-Study position, the action is distressing both to the student and to the employer or supervisor concerned.

To facilitate the placement of a student in a position yielding net earnings which are suitable in relation to his calculated College Work-Study award, it might be useful for the financial aid officer to classify, in advance, all job openings available under the program (both during the academic year and during the summer) in terms of the approximate gross earnings applicable to each job. The following is an illustration of this procedure:

Exhibit 4.2

Classification of Jobs in Terms of Approximate Gross Earnings

Job X = Laboratory Assistant
$1.80 per hour
14 hours per week (average) (Average may not exceed 15 hours per week)
30 weeks during the academic year

Approximate Gross Earnings (Job X= $1.80 x 14 x 30 = $756)

407 Summer College Work-Study Awards

As discussed in Sections 303 and 510, a student may be found eligible for 40-hour per week employment under the College Work-Study Program during his summer vacation. The sole purpose of such employment under the program is to enable the student to meet his educational expenses. Summer employment which does not further this purpose is not permissible under the program.

A. Summer Living Costs

It is recognized that students working under the College Work-Study Program during vacations have certain expenses which they must pay from their earnings. However, the amount of such expenses must be kept to a minimum, since they are not directly related to the educational budget. The student financial aid officer who assigns a student to a summer job under the College Work-Study Program must inform the student of the maximum amount of allowable expenditures from his earnings under the program. All the remainder (net of taxes) is the student's summer saving expectation. For students living at home, the summer savings expectation should typically represent at least 80 percent of net earnings; for students living away from home, at least 60 percent. The higher the wage rate at which the student will be paid, the higher this percentage should be, since it may be assumed that a student's living expenses will be the same regardless of the wage rate at which he is paid.

The following items of cost are considered permissible:

1. When the student lives at home, as would normally be expected, expenses for room and board should be absolutely minimal; minor personal items, laundry and cleaning, carfare, lunches, and a reasonable amount for leisure activities are allowable.

2. When the student lives away from home, which should happen only in unusual circumstances, he may have to pay for room and board in addition to other expenses.

B. Travel

Each student's budget normally includes funds for two round trips per year between home and institution. No additional travel allowance above this amount should be incorporated into any student's budget in order to assign him to a summer job under the College Work-Study Program. Reasonable daily commutation cost is allowable.

C. Use of Summer Earnings to Purchase Clothing

A student sometimes uses a substantial portion of his summer earnings to purchase clothing. The student financial aid officer may allow for this by shifting all or a part of the allowance for clothing expenditures during the academic year over to the student's summer budget. The student should be made aware that this adjustment is being made. Clothing purchases in excess of the amount of the clothing allowance must come from some other part of the budget, such as the student's personal allowance. Both the

amount of the student's clothing purchases and the amount of his cash savings may be considered part of his savings from summer employment if this procedure is adopted by the college.

D. Cooperative Education Programs

The full-time work period of an organized cooperative education program, for purposes of the College Work-Study Program, is to be treated exactly the same as a summer vacation period. All of the guidelines spelled out above are applicable.

E. Audit of Summer Awards

When an institution's College Work-Study Program is audited, its adherence to the guidelines discussed above will be reviewed. When the financial aid officer has established a contribution from summer earnings lower than would normally be expected, the reasons for this should be made a specific part of the student's financial aid records.

D. Calculation of Summer College Work-Study Awards

If the student, after consultation with the financial aid officer, is awarded a College Work-Study position during the summer or other vacation period, as the source from which he will provide his expected summer earnings contribution, he should be placed in a job yielding net earnings (after taxes and living expenses) approximately equal to his expected contribution. As in the case with all College Work-Study awards, the summer award must be accurately documented.

To illustrate this process, assume that Student A, whose budget for the academic year appears in Exhibit 4.1, is single and claims one tax exemption. He plans to live at home during the summer and wishes to earn enough so that he can contribute $350 of his summer earnings and underwrite the following summer living expenses:

Personal Expenses	- $175
Carfare and Lunches	- 75
	$250

In this example, he should be given a summer job under the program in which net earnings of $600 ($350 + 250) are possible. Since approximately 14 percent of his gross earnings will be withheld for income taxes, he should be assigned to a position yielding approximate gross earnings of $700 in order to realize net earnings of $600.

[From the Federal Register, Vol. 34, No. 91—Tuesday, May 13, 1969]

RULES AND REGULATIONS

§ 175.5 Eligibility and selection of student participants.

(a) *Eligibility.* A student is eligible for part-time employment under the Work-Study Program only during periods in which he meets all of the following conditions:

(1) Is a national of the United States, or is in the United States for other than a temporary purpose and intends to become a permanent resident thereof, or become a permanent resident of the Trust Territory of the Pacific Islands;

(2) Is in need of the earnings from such employment in order to pursue a course of study at the institution;

(3) Is capable, in the opinion of the institution, of maintaining good standing in such course of study while employed under this program; and

(4) Has been accepted for enrollment as a full-time student at the institution or, in the case of a student already enrolled in and attending the institution, is in good standing and in full-time attendance there, either as an undergraduate, graduate or professional student.

(b) *Eligibility of students attending area vocational schools.* A student enrolled in an area vocational school is eligible for employment under the College Work-Study Program only if he meets the following conditions in addition to the provisions described in paragraph (a) of this section:

(1) Has a certificate of graduation from a school providing secondary education or the recognized equivalent of such a certificate, and

(2) Is pursuing a program of education or training which requires at least 6 months to complete and is designed to prepare the student for gainful employment in a recognized occupation.

(c) *Determination of need.* In determining whether, and to what extent, a resident is in need of the earnings from employment, the institution shall, at least annually, (1) determine what income, assets, and other resources (including other forms of aid) are available to the student for the time period under consideration; (2) calculate according to standards published from time to time by the Commissioner what portion of the income, assets, and resources of the student's family may reasonably be expected to be made available to the student; and (3) determine the cost reasonably necessary for the student's attendance at the institution, including any special needs and obligations which directly affect the student's financial ability to attend the institution on a full-time basis. A student shall be considered to be in need to the extent that such costs of attendance exceed the sum of the amounts determined to be available to the student and the amounts, if any, which may reasonably be expected to be made available to him by his family.

(d) *Selection of students.* In the selection of students for employment under the Work-Study Program, an institution shall give preference to students from low-income families.

(e) *Availability of student employment.* Each institution shall make employment under the Work-Study Program, or equivalent employment offered or arranged for by the institution, reasonably available (to the extent of available funds) to all eligible students in the institution in need thereof.

(f) *Record of approval or disapproval.* Each institution shall maintain records which reflect the approval or disapproval of all or part of each student's application for employment under the program and which identify the institutional officer who made each such determination.

§ 175.6 Limitations on the number of hours of employment.

(a) During periods of regular enrollment, when classes in which a student is enrolled are in session, he shall be limited to working no more than an average of 15 hours per week under the program, averaged over the semester or other time period on the basis of which the institution in which he is enrolled awards academic credits. Work performed during any week when the student is on vacation shall not exceed 40 hours and shall not be counted as contributing toward the average of 15 hours per week established in the preceding sentence.

(b) During periods of nonregular enrollment, when classes in which a student is enrolled are in session he may be employed under the program for as many as 40 hours per week or such lesser number of hours per week as the institution may determine in accordance with its own standards and practices and con-

sidering (1) the extent of the student's financial need and (2) the harm or potential harm of a particular combination of hours of work and hours of study on a given student's health or academic progress.

(c) During periods not covered under paragraphs (a) and (b) of this section, a student may work up to 40 hours per week under the program.

§ 175.7 Use of funds.

(a) Federal funds made available on the basis of an approved application submitted pursuant to this part may be used only (1) to pay the Federal share of compensation to eligible students employed in eligible Work-Study Programs, and (2) to meet administrative expenses, as defined in § 175.2(b). The amount for such administrative expenses may not exceed 5 percent of that portion of the Federal payments used for compensation of students in work for public or private nonprofit organizations other than the institution itself.

(b) Interest, if any, earned on Federal funds shall be remitted to the Commissioner in accordance with instructions issued by him.

§ 175.8 Limitations on Federal share of student compensation.

(a) The Federal share of the compensation of students employed in any Work-Study Program under an institutional agreement shall not exceed 80 percent of such compensation for part-time employment, except that in unusual cases a Federal share in excess of 80 percent may be approved by the Commissioner, but only and to the extent that he determines, pursuant to such objective criteria as may be established in regulations, that a Federal share in excess of 80 percent is required to achieve the purposes of this part.

(b) The Federal share of compensation for part-time employment shall be calculated on the basis of the hourly rate paid the student for actual time on the job but such calculation shall not include any compensation paid which is in excess of such maximum hourly wage rate as may from time to time be set by the Commissioner, or any costs of the employer's contribution to Social Security, workmen's compensation, retirement, or any other welfare or insurance programs which may be paid by the employer on account of a student employed under the Work-Study Program.

§ 175.9 Minimum wage rate.

The minimum rate of compensation for a student employed under the Work-Study Program shall be

(a) $1.15 an hour for work performed through January 31, 1969;

(b) $1.30 an hour for work performed from February 1, 1969, through January 31, 1970;

(c) $1.45 an hour for work performed from February 1, 1970, through January 31, 1971; and

(d) $1.60 an hour for work performed thereafter;

(e) Or such higher minimum wage as may be required under any applicable Federal, State, or local legislation; except that the Commissioner may approve a lower rate of compensation in cases (1) where a lower minimum wage for such employees has beeen established by the Secretary of Labor, under the provisions of the Fair Labor Standards Act, or (2) where exceptional circumstances warrant a lower rate and where the approval of a lower rate is not precluded by law and is consistent with and promotive of the purposes of this part.

§ 175.10 Nature and source of instiutional share of student compensation.

(a) An institution may use any source available to it pay its share of the compensation paid to students employed under the Work-Study Program.

(b) No institution shall solicit or permit any public or private nonprofit organization with which it has an arrangement pursuant to § 175.4(c) to solicit from a student or any other person any fee, commission, or compensation of any kind, or the granting of a gift or gratuity of any kind, as a consideration or a prerequisite for the employment of any particular student under the program.

§ 175.11 Maintenance of level of expenditures.

In each fiscal year during which the institutional agreement remains in effect, the Institution shall expend (from sources other than payments of Federal grants under this part) for the employment of its students (whether or not in employment eligible for assistance under this part) an amount that is not less than the institution's average annual expenditures for such employment during the three fiscal years preceding the fiscal year for which the institutional agreement is in effect.

§ 175.12 Coordination of student financial aid programs.

In order to carry out the purpose of the Work-Study Program, the institution shall provide for the coordination of this program with other programs of student financial aid, including the National Defense Student Loan and Educational Opportunity Grants Programs where the institution also participates in such programs. Responsibility for the general conduct of the operation of the Work-Study Program shall be assigned to an institutional official who has other student financial aid responsibility.

§ 175.13 Institutional agreement and application for funds.

(a) Applications for Federal funds under this part shall be approved only if there is in effect an institutional agreement. Such agreement shall be executed by an official of the institution who is legally authorized to commit the institution.

(b) Applications for Federal funds must be submitted to the Commissioner by an authorized official of the institution in such form and at such time as the Commissioner may prescribe.

§ 175.14 Criteria for approval of institutional applications.

In order to achieve equitable distribution of assistance as required by section 446 of the Act, institutional applications for the allocation of funds under this program shall be reviewed and approved, in whole or in part, on the basis of, but not limited, to the following criteria:

(a) Whether the institution employs under the program a large proportion of students from low-income families in relation to the total number of needy students employed under the program;

(b) Whether provision has been made for effective administration of the program, including effective coordination with institutional and other Federal programs of student financial aid;

(c) Whether public and private nonprofit organizations, especially those engaged in health, education, welfare, and related public service activities have been included;

(d) Whether the institution has demonstrated a strong commitment to enroll students from low-income famililes, as evidenced by (1) specialized recruitment and admission, such as that provided through the programs of Talent Search or Upward Bound, (2) remedial instruction, (3) specialized counseling, and (4) any other relevant factors;

(e) The anticipated number of students to be employed under this program as compared to the institution's anticipated enrollment;

(f) The anticipated average compensation of Work-Study students in relation to the institution's average educational costs;

(g) The institution's utilization of Work-Study Program funds, if any, allocated in previous years; and

(h) The institution's total request for Federal student financial aid funds (including Educational Opportunity Grants and National Defense Student Loans) in relation to the average cost of education at the institution and the institution's anticipated enrollment.

§ 175.15 Payment and reallocation of grant funds.

(a) *Payment of funds.* Funds will be made available in advance on the basis of substantiated need and periodic fiscal reports submitted by the institution.

(b) *Reallocation of unused Federal funds.* Any funds which are available to an institution but not used, or which the institution agrees will not be used, by the end of the period for which such funds were made available shall, in the discretion of the Commissioner, either remain available for use by the institution during a subsequent grant period or be made available for use by other eligible institutions.

(c) *No waiver.* Neither approval of any application nor any payment of funds to an institution shall be deemed to waive the right or duty of the Commissioner to withhold funds by reason of failure of the institution to observe, before or after such administrative action, any Federal requirement.

§ 175.16 Fiscal procedures, records, and reports.

(a) *Fiscal procedures.* (1) The institution shall administer the Work-Study Program in such a manner as to provide for an adequate system of internal controls. Wherever practical, the various administrative responsibilities shall be divided so as to prevent the handling of all aspects of the program by a single individual.

(2) If a fiscal agent is utilized by the institution, its function must be limited solely to the performance of ministerial acts. The responsibilities of the institution to make determinations relations the eligibility of students for employment under the program cannot be delegated.

(3) Payments to students shall be made at least once a month. The institution is responsible for ensuring that students are paid the full amount of wages earned under the program, whether the work is for the institution itself or for a public or private nonprofit organization.

(b) *Records.* The institution shall maintain, on a current basis, adequate records which reflect all transactions with respect to the program, and shall establish and maintain such general ledger control accounts and related subsidiary accounts as are prescribed by the Commissioner. Such records shall:

(1) Meet at least the minimum standards prescribed by the Commissioner as set forth in the most recent official College Work-Study Manual and other official guidelines that may be issued from time to time;

(2) Be maintained in such a manner as to separately identify all program transactions from other institutional funds and activities; and

(3) Be maintained in such a manner as to be readily auditable. All records pertaining to activity during a given fiscal year, including applications of students for employment under the Work-Study Program during that fiscal year, shall be retained for a period of 5 years following the end of the fiscal year and until audited by a representative of the Commissioner, whichever is earlier. Records involved in any claim or expenditure questioned by the Commissioner, or on audit, shall be retained until necessary adjustments have been reviewed and approved by the Commissioner.

(c) *Reports.* Institutions shall submit such reports and information as the Commissioner may reasonably require in connection with the administration of the Work-Study Program and shall comply with such procedures as he may find necessary to ensure the correctness and verification of such reports.

§ 175.17 Preceding provisions not exhaustive of jurisdiction of the Commissioner.

No provision of this part now or hereafter promulgated shall be deemed exhaustive of the jurisdiction of the Commissioner under the Act. The provisions of this part may be modified or further regulations may be issued hereafter as circumstances may warrant.

Dated: April 10, 1969.

PETER P. MUIRHEAD,
U.S. Commissioner of Education

Approved: May 7, 1969.
ROBERT H. FINCH,
Secretary of Health, Education, and Welfare.

[FR Doc.69-5667; Filed, May12,1969;8:45 a.m.]

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE
OFFICE OF EDUCATION
BUREAU OF HIGHER EDUCATION
DIVISION OF STUDENT FINANCIAL AID

AGREEMENT COVERING INSTITUTIONAL PARTICIPATION IN PROGRAMS OF STUDENT FINANCIAL AID

Pursuant to and subject to the provisions of parts A and C of Title IV of the Higher Education Act of 1965 (P.L. 89-329), as amended, and Title II of the National Defense Education Act of 1958 (P.L. 85-864), as amended, and the Regulations issued pursuant thereto

_____
Name and Location of Institution

(hereinafter referred to as the "Institution") and the Commissioner of Education, U.S. Department of Health, Education, and Welfare (hereinafter referred to as the "Commissioner") in order to provide for the conduct of each of the programs of student financial aid identified in Article I hereof (hereinafter referred to as the "Programs") hereby agree to the terms of Articles I, II, and VII, and so much of the remaining Articles of this Agreement as are applicable to each program identified in Article I hereof.

ARTICLE I. SCOPE OF COVERAGE

This Agreement covers the Institution's participation in each of the following checked programs:

/__/ EDUCATIONAL OPPORTUNITY GRANTS PROGRAM (EOGP)
Part A, Title IV of the Higher Education Act of 1965

/__/ COLLEGE WORK-STUDY PROGRAM (CWSP)
Part C, Title IV of the Higher Education Act of 1965

/__/ NATIONAL DEFENSE STUDENT LOAN PROGRAM (NDSLP)
Title II of the National Defense Education Act of 1958

and becomes effective on the date executed by the Commissioner.

(7-70)

ARTICLE II. GENERAL PROVISIONS APPLICABLE TO ALL PROGRAMS

1. The Institution shall use the funds which may be granted to it from time to time pursuant to applications submitted under this Agreement to the extent specified in such grant award for making deposits into its National Defense Student Loan Fund, for making payments to students who have received Educational Opportunity Grants, or for compensating students who are employed under the Institution's College Work-Study Program. An amount not in excess of 3% per fiscal year of:

(a) The Institution's expenditures from its allocation of Federal funds for such year for Educational Opportunity Grants,
(b) its total expenditures for such year for compensation (including the non-Federal share of such compensation) of students under its College Work-Study Program,
(c) the principal amount of loans made from its National Defense Student Loan Fund during such year

may, in the case of the College Work-Study and Educational Opportunity Grants programs, be withdrawn from their respective allocations or, in the case of the National Defense Student Loan Program, from its Fund, by the Institution as a payment in lieu of reimbursement for administrative expenses: Provided, however, that the total of the amounts so withdrawn for a particular fiscal year may not exceed $125,000.

2. The Institution shall: (a) maintain adequate records reflecting the transactions under each of the Programs, including withdrawals for administrative expenses, which records shall include sufficient information to indicate the basis of approval or disapproval of each student application for assistance; (b) retain such records for such periods of time as may be prescribed by the Commissioner; (c) submit such reports and information as the Commissioner may reasonably require in connection with the administration of the Programs; and (d) comply with such procedures as he may find necessary to insure the accuracy of such records and reports.

3. The institution shall use systematic methods for determining the financial need of applicants under the Programs, as indicated in Schedule A.

4. The Institution shall establish procedures for making loans from the Fund, Educational Opportunity Grants and employment under the College Work-Study Program (or equivalent employment offered or arranged for by the Institution) reasonably available (to the extent of available funds) to all students eligible for each particular type of assistance. The Institution shall, to the extent feasible, make

every effort to coordinate such of the Programs for which it has received an allocation of funds and its other financial aid programs.

5. To be eligible for assistance under any of the Programs the student must, among other things, (a) have been accepted for enrollment or in the case of a student already attending an Institution, be in good standing, (b) be capable in the opinion of the Institution of maintaining good standing and (c) be in need of such assistance to pursue his course of study. In addition, in selecting students for employment under its College Work-Study Program, the Institution shall give preference to students from low-income families. Students awarded Educational Opportunity Grants must have exceptional financial need, as determined by the Institution in accordance with criteria and schedules prescribed by the Commissioner, and but for an Educational Opportunity Grant, not financially able to pursue his course of study at such Institution.

6. In addition, in order to be eligible for any assistance provided hereunder, the student must: (a) be a citizen or national of the United States, or in the United States for other than a temporary purpose and intend to become a permanent resident thereof, or a permanent resident of the Trust Territory of the Pacific Islands, and (b) meet the particular program requirements regarding enrollment, good standing, and level of study, as set forth below.

7. The assistance made available pursuant to this Agreement is subject to the Regulations in 45 CFR, Part 80, issued by the Secretary of the Department of Health, Education and Welfare and approved by the President to effectuate the provision of Section 601 of the Civil Rights Act of 1964.

8. The Institution shall take such steps as are necessary and appropriate to assure that the financial assistance provided for under this agreement is not made available to students where prohibited by Section 504 of the Higher Education Amendments of 1968 (P.L. 90-575), or Section 411 of the DHEW Appropriation Act of 1969 (P.L. 90-557).

ARTICLE III. MAINTENANCE OF EFFORT

1. For each fiscal year for which it receives an allocation of funds under either the College Work-Study Program or Educational Opportunity Grants Program, or both, the Institution shall continue to expend, in its other student aid programs from sources other than funds received under this Agreement (or agreements superseded by this Agreement), an amount which is not less than the average expenditure per year made for that purpose during the three fiscal years preceding (a) the effective

date of this Agreement, or (b) the fiscal year for which the Institution receives its first allocation of funds under either the College Work-Study Program, or (c) the fiscal year for which the Institution receives its first allocation of funds under the Educational Opportunity Grants Program, whichever is latest.

2. The Institution shall not be deemed to have failed to meet the requirements of paragraph 1 of this Article if its inability to expend the amount required thereunder is solely attributable to the withdrawal of funds for student aid programs from outside sources.

ARTICLE IV. SPECIAL TERMS APPLICABLE TO THE EDUCATIONAL OPPORTUNITY GRANTS PROGRAM

1. The Institution shall make Grants available only to those full-time undergraduate students who meet the eligibility criteria stated in Article II, paragraphs 5 and 6.

2. The amount of the Grant and its duration shall be determined and payments thereunder shall be made in accordance with such policies and procedures as the Commissioner may prescribe.

3. The Institution shall make vigorous effort to identify youths of exceptional need and encourage them to continue their education beyond secondary school through such methods as:

(a) Establishing or strengthening close working relationships with other institutions of higher education, secondary school principals, guidance and counseling personnel, and community action agencies with a view toward motivating students to complete secondary school and pursue post-secondary school education opportunities; and

(b) Making, to the extent feasible, conditional commitments for Educational Opportunity Grants to secondary school students with special emphasis on students enrolled in grade 11 or lower who show evidences of academic or creative promise.

ARTICLE V. SPECIAL TERMS APPLICABLE TO THE COLLEGE WORK-STUDY PROGRAM

1. The Institution will conduct a program of part-time employment of eligible students in work for the Institution itself, except in the case of proprietary institution of higher education, or work in the public interest for a public or private non-profit organization, other than the Institution, under a written arrangement between the Institution and such organization.

2. Any such work:

a. Must not result in the displacement of employed workers or impair existing contracts for services;

b. Must be governed by such conditions of employment as will be appropriate and reasonable in light of such factors as type of work performed, geographical region, and proficiency of the employee:

c. Must not involve the construction, operation, or maintenance of so much of any facility as is used or is to be used for sectarian instruction or as a place for religious worship; and

d. Must not involve any partisan or nonpartisan political activity associated with a candidate, or contending faction or group in an election for public or party office.

3. The Institution shall be responsible for ensuring that any public or private nonprofit organization with which it enters into an arrangement is a reliable organization with professional direction and staff, and that the work to be performed by the student is in the public interest, properly supervised, and consistent with the purpose of the program. In no event shall work be considered to be in the public interest where (a) it is work for which the political support or affiliation of the student is a prerequisite or consideration for employment, (b) it is work to be performed for an elected official other than as part of the regular administration of Federal, State or local government, or (c) it is work which is primarily for the benefit of members of a limited membership organization (such as a credit union, fraternal order or a cooperative) rather than the public.

4. In making employment available under the College Work-Study Program, the Institution shall give preference to students from low-income families and shall make such employment available only to (a) students who meet the eligibility requirements stated in Article II, paragraphs 5 and 6 and (b) students who (i) are full-time undergraduate, graduate or professional students or (ii) in cases where the Institution is an area vocational school, have a certificate of graduation from a secondary school or the recognized equivalent thereof and are full-time students pursuing a program of education and training which requires at least six months to complete and is designed to prepare them for gainful employment in a recognized occupation.

5. The Institution shall provide that the hours of employment of a student under the College Work-Study Program shall not exceed an average of fifteen per week during periods of regular enrollment during which the student is enrolled in classes. Employment during periods of non-regular enrollment during which classes in which the student is enrolled are in session and during all other periods shall be in accordance with program regulations.

6. The Federal share of the compensation of students employed in a College Work-Study Program covered by this Agreement shall not exceed 80 percent of such compensation for part-time employment, except in unusual cases as may be approved by the Commissioner pursuant to program regulations.

ARTICLE VI. SPECIAL TERMS APPLICABLE TO NATIONAL DEFENSE STUDENT LOAN PROGRAM

1. The Institution shall establish a National Defense Student Loan Fund for the purpose of making loans to eligible students. There shall be deposited promptly in such Fund:

(a) Federal Capital Contributions received by the Institution pursuant to Section 203 of the Act;

(b) An amount, equal to not less than one-ninth of such Federal contributions, to be provided by the Institution;

(c) Collections of principal and interest on student loans made from the Fund;

(d) Charges collected pursuant to Section 205(c) of the Act; and

(e) Any other earnings of the Fund.

2. The Fund shall be used only for loans to students in accordance with this Agreement; for capital distributions as provided in Section 206 of the Act; for withdrawals pursuant to Article II, paragraph I, of this Agreement; and for costs of litigation, and other collection costs as agreed to by the Commissioner arising in connection with the collection of any loan from the Fund or interest thereon, or any charges assessed pursuant to Section 205(c) of the Act.

3. The Fund shall be deposited and carried in a special account of the Institution.

4. No payments shall be made from the Fund to any student unless such student has taken and subscribed to the oath or affirmation specified in section 1001 (f) (I) of the Act.

5. The Institution shall accept responsibility for and use due diligence in effecting the collection of the principal and interest due and payable on loans made from the Fund.

6. Proprietary Institutions shall meet such terms and conditions as the Commissioner determines to be necessary to insure that the availability of assistance under this program to students has not, and will not, increase the tuition, fees or other charges of the Institution.

7. The Institution shall make loans under this program available only to those full-or half-time undergraduate, graduate or professional students who meet the eligibility requirements stated in Article II, paragraph 5 and 6.

ARTICLE VII. TERMINATION AND SUSPENSION OF AGREEMENT

1. This Agreement shall terminate on the first anniversary of its effective date. It is the intention of the parties either to extend this Agreement or to enter into a new Agreement for subsequent years. This Agreement, however, may be terminated by either party upon 90-days notice to the other party. Termination shall not effect obligations previously incurred by either party under the Agreement. In the event of termination the Commissioner will advise the Institution as to what procedures are to be employed in terminating the Institution's operations hereunder.

2. If the Commissioner finds that any of the assurances or representations made in connection with this Agreement or any application for funds hereunder to be incomplete or incorrect in any material respect or that there has been a failure to comply with any of the provisions of the Agreement, he may after notice of and an opportunity afforded for a hearing take such action as

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may be necessary and appropriate to protect the interests of the United States.

For the Commissioner	For the Institution
Date	Title *
	Date

*An officer legally authorized to execute this Agreement for and on behalf of the Institution.

This agreement covers participation of

_____
Name and Location of Institution

in each of the following checked programs:

- ☐ Educational Opportunity Grants Program (P.L. 89-329) as amended
- ☐ College Work-Study Program (P.L. 89-329) as amended
- ☐ National Defense Student Loan Program (P.L. 85-864) as amended

Schedule A

The following method(s) of student financial need assessment will be in use during the period covered by this agreement. Check the appropriate box(s).

- ☐ American College Testing Program - Financial Need Analysis
- ☐ College Scholarship Service
- ☐ Income Tax Method
- ☐ Alternate Income System
- ☐ Other (Specify major elements in the system if this entry checked). Attach additional sheet if necessary.

BUDGET BUREAU NO. 51-R0649

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE
Office of Education
WASHINGTON, D.C. 20202

FOR OE USE ONLY

LOAN INSURANCE COMMITMENT EXPIRES ON:

STUDENT APPLICATION FOR FEDERALLY INSURED LOAN

Print in ink or type — Be sure to read the instructions on the reverse side

PART A.—IDENTIFICATION DATA (*To be completed by student*)

1. Last name — First name — Middle initial
2. Social Security No.
3. Birth date (*Use figures*) — Month — Day — Year 19
4. Sex ("X" one) — [1] Male [2] Female
5. Race ("X" one) — [1] American Negro [2] American Indian [3] Oriental American [4] Spanish Surnamed American [5] All others
6. U.S. citizen or national — [1] Yes [2] No — If no, see reverse
7. Marital status ("X" one) — [1] Never Married [2] Married [3] Other
8. Permanent street address (*Number or RFD*)
9. City or town
10. State
11. ZIP Code
12. Congressional district
13. Area code and telephone no.
14. Major course of study
15. Name of nearest relative with whom not living
16. Permanent address of this relative (*Street, City, State, ZIP*)
17. Financial aid for this year (*in dollars*) (*Exclusive of family contributions*). If none, place "0" in total box.

A	College work-study program	$
B	Other campus employment	
C	Educational opportunity grant	
D	Scholarships and grants	
E	NDEA fellowship	
F	National defense student loan	
G	Other educational loans	
H	TOTAL →	$

PART B.—EDUCATIONAL DATA (*To be completed by school*)

The financial need of the student is not a relevant factor in completing this PART B. No assessment of the ability of the student or his parent to meet the costs of education is to be made.

18. Name and address of educational institution
19. Institution code no.
20. Student status ("X" one) — [1] Half-time [2] Full-time
21. Anticipated graduation date (*Use figures*) — Month — Year 19
22. Academic year ("X" one) — [1] 1st [2] 2d [3] 3d [4] 4th or 5th [5] Graduate
23. Educational costs for this year (*Est. where necessary*)

A	Tuition and fees	$
B	Room and board	
C	Books and supplies	
D	Personal expenses	
E	Transportation	
F	TOTAL →	$

24. Educational costs less financial aid (*Item 23f less item 17h*) $

The above-named student is enrolled and in good standing or has been accepted for enrollment. The student's statement of financial aid for this year is correct to the best of my knowledge.

25. Financial aid officer or registrar (*Signature*) — (*Typed name*)
26. Date

PART C.—FINANCIAL DATA (*To be completed by student*)

27. I hereby apply for a loan under the Federally Insured Student Loan Program to help pay my expenses while attending school.

Amount of Loan $ _____

For school period Beginning _____

Ending _____

28. Have you any other applications for a guaranteed or insured student loan pending at this time? — [1] Yes [2] No

29. List all indebtedness of $100 or more, including student loans

Name of creditor	Date Incurred	Amount	Unpaid Balance	Monthly Payment
		$	$	$
		$	$	$
		$	$	$

STATEMENT OF ADJUSTED FAMILY INCOME *(To be completed by the student, spouse, and parents as applicable: See reverse side for instructions.)*

Have you during the preceding 12 months (a) resided with, (b) been claimed as a dependent for Federal Income Tax purposes by, or (c) been the recipient of an amount in excess of $600 from one (or both) of your parents?

[1] Yes [2] No ("X" one)

If the answer to the above question is "Yes" (in whole or part) your parent or both of your parents, if they are living together, must complete and sign this statement of adjusted family income.

If married, are you legally separated, or have you for the preceding 12 months been living apart from your spouse?

[1] Yes [2] No ("X" one)

If the answer is "No," your spouse must complete and sign the Statement of Adjusted Family Income.

30	Adjusted gross income (*From Federal tax return or estimates*)				
A	Father $	Mother $	Joint $	$	
B	Student $	Spouse $	Joint $	$	
C	Total adjusted gross income (*Add lines 30a and 30b*)				$
D	Enter 10 percent of line 30c			$	
E	Multiply the number of exemptions claimed on tax return by $600			$	
F	Enter total of lines 30d and 30e				$
G	Adjusted family income (*Subtract line 30f from line 30c*)				$

IF THE AMOUNT SHOWN ON LINE 30G ABOVE IS LESS THAN $15,000, THE STUDENT IS ELIGIBLE FOR FEDERAL INTEREST BENEFITS.

I, each of us, certify that the information contained in this statement is true, complete, and correct to the best of my knowledge and belief, and is made in good faith; and I, each of us, authorize the U.S. Commissioner of Education to obtain from the District Director of Internal Revenue with whom it was filed, a copy of my Federal Income Tax Return or estimate for the tax year upon which this computation of adjusted family income is based, in order to verify the foregoing statement. **Signatures are required for all persons whose income is reported on this form. The student borrower must sign even though he has no income.**

31. Signature of applicant	33. Signature of spouse
32. Date:	34. Social security number:
35. Signature of father	37. Signature of mother
36. Social Security number:	38. Social Security number:

PART D *(To be completed and signed only after application is approved by lender)*

39. Name and mailing address of lending institution		40. Loan amount (*Omit cents*) $
		41. Lender ID number
42. Authorized official (*Signature*)	(*Typed name and title*)	43. Date (*Use figures*) Month / Day / Year

WARNING

Any person who knowingly makes a false statement or a misrepresentation on this form shall be subject to a fine of not more than $10,000 or to imprisonment for not more than 5 years, or both, under provision of the United States Criminal Code.

Lender's copy

INSTRUCTIONS FOR COMPLETING STUDENT APPLICATION FOR FEDERALLY INSURED LOAN

IMPORTANT.—THIS APPLICATION FORM SHOULD BE COMPLETED IN QUADRUPLICATE. PLEASE DO NOT SEPARATE COPIES OR ENTER LENDER IDENTIFICATION DATA UNTIL LOAN IS APPROVED BY LENDER. IF APPLICATION IS REJECTED BY LENDER, IT IS REQUESTED THAT THE ORIGINAL AND ALL COPIES OF THE FORM BE RETURNED TO THE STUDENT.

Part A.—STUDENT IDENTIFICATION DATA

Student completes Part A and submits this form to the educational institution. A foreign national who is in the United States for other than a temporary purpose and intends to become a permanent resident thereof may be eligible for a loan. Therefore, due to their inherently temporary nature, persons who are in this country on an "F" student visa or a visitors visa are not eligible for a loan.

The information on the student's race is requested in order to determine if minority groups are receiving the benefits of the act. No loan will be denied if this item is not completed.

Part B.—EDUCATIONAL DATA

The Financial Aid Officer or Registrar completes and signs Part B and returns all copies of the application form to the student.

Under the provisions of the Higher Education Act of 1965, the function of the educational institution in connection with a student's application for a loan under either program is to determine: (*a*) That the student applicant is enrolled or accepted for enrollment in the institution, (*b*) that he is in good standing, and (*c*) the estimated costs for educational expenses. Consideration should be given to marital status in determining a student's total educational costs. The Financial Aid Officer or Registrar should also review the student's statements of financial aid available before completing item 24 (educational costs less financial aid). The financial need of the student is not a relevant factor in making the foregoing statement, and no assessment of the ability of the student or his parents to meet the costs of education is to be made. The school's average cost for all students may be used in lieu of individual estimates.

Part C.—STUDENT FINANCIAL DATA

The student and applicable family members complete and sign Part C and then submit the application form to the lending institution.

1. The Statement of Adjusted Family Income must be completed to establish the student borrower's eligibility for Federal Interest Benefits on a loan made under the provisions of the Higher Education Act of 1965. A student is entitled to interest benefits only when the adjusted family income is less than $15,000 per year. However, all student borrowers—regardless of family income—are eligible for loan insurance coverage under either act.

2. If the Federal income tax return for the immediately preceding tax year has not yet been filed for any income reported on this statement, the computation on this statement and any Federal interest benefits received are subject to adjustment on the basis of the income figures that are actually reported. The student borrower must immediately report to the lender any differences in such later reported figures which produce amounts in excess of those reported on this form.

3. The adjusted gross income is the amount referred to as "Adjusted Gross Income" on line 15(c) of Form 1040 (U.S. Individual Income Tax Return). The amount to be shown in item 30, lines A, B, and C shall be based on the amount reported, or to be reported for the Immediately Preceding Tax Year for each family member whose income is required to be included in the determination of the adjusted family income.

4. Income earned abroad by any individual whose income is not subject to taxation under the Internal Revenue Code due to the fact that such individuals are U.S. citizens living abroad, shall be computed in the same manner as though it were taxable. Income of nonresident aliens shall be treated as provided for in instructions made available through the lender.

Part D.—LENDER APPROVAL

The lender reviews Parts A, B, and C for completeness.

1. If the lender approves the application, the lender completes and signs Part D.

2. The disbursement of funds should be withheld until the original of the application is returned with the insurance commitment. Disbursements will be reported to the U.S. Office of Education on the Federal Insured Student Loan Manifest (OE 1151).

ECONOMIC MAKEUP OF COLLEGE POPULATION

Senator PELL. Now another question of fact. In my reading upon taking on this chairmanship, I came across the statistics somewhere that the highest economic quarter of the population provide seven times the number of students as does the lowest economic quarter. Is this still correct?

Secretary RICHARDSON. It is certainly my impression but I would like to ask Commissioner Marland to respond.

Dr. MARLAND. This is generally true, Mr. Chairman, and indeed, in the materials we submit to your committee we can describe in charts, and indeed we could describe now in charts, if you wish, a more concrete answer to that question. But the quick and general answer is yes, a child from a family of $15,000 and over represents 85 percent likelihood of entry into college, whereas at $3,000 and under, about 19 percent of the likelihood of entry into college, under the present circumstances.

Senator PELL. That works out to the same 7-to-1 ratio.

Dr. MARLAND. About the same ratio.

EFFECT OF S. 659

Senator PELL. Approximately. Now why would my proposals—actually, all the majority members of the full subcommittee cosponsored it—why would our bill be regressive, for it would assist the students from the lowest economic quarter?

Secretary RICHARDSON. I would like to comment on that, Mr. Chairman. Perhaps the Commissioner will want to supplement my observations.

The basic point, I think, is that a family's income tax return, or the amount of the tax it pays, does not as sensitively reflect the family's capacity to support the cost of higher education for a child as we believe the approach that we have described in our legislation, and which I testified to a little while ago.

For example, the tax return or the tax paid by a family does not reflect the costs of supporting other children in college. It doesn't reflect any contributions the family have for support of children more than half the support of whom is not provided, or the support of relatives who may be living in the home. All of these things can be taken into account, and would be, under the form of determining the capacity of the family to contribute to a child's cost of education, under the approach that is set forth in our legislation.

I would like to stress, by the way, and I note your request for the supply of material, the committee did reflect its awareness that these determinations would be made by the college or the university, in determining the eligibility of a student for assistance, and the amount of assistance to be provided, not by the Federal Government. And so in short, we think that as between the use of the amount of taxes paid by a family and a determination of the family's ability to contribute to the cost of education, by the approach we have urged, that the latter is a more sensitive measure.

Senator PELL. Commissioner Marland?

Dr. MARLAND. No further comment, Mr. Chairman.

Senator PELL. I think you are undoubtedly right, that it may be more sensitive and more specific. There is another drawback, in our proposal; the family which has all its invested income in municipal bonds, such income would not be reflected in the income tax that they pay. But these, I think, would be exceptional cases. What I was looking for was a general rule of thumb that would be simple. But more important is the fact that the grant would be a matter of right. A student would not have to bare his soul, his family's economic soul. The university would receive a certificate or a thermofax, at the time he pays his income tax of the amount of money that is paid.

As to the point you made, Mr. Secretary, with regard to your allegation that your approach would help those families with more than one child who is going through college; such a family would also be covered by our bill, because the same grant would be accorded to each child of a family that carries them as a dependent. So actually, the family would come out, I would think, a tiny bit better than it would under yours.

In general, I would not agree that it is retrogressive, in that what I was looking for was some way of helping those families who pay little or no income tax, and in my part of the country, where there are large families and low incomes—you find families which pay no income tax. My bill would give them an automatic way of helping their children through college.

A $1,200 grant, as a matter of right, would mean that youngster could pay all his tuition, all his costs. The bill also provides a cost of instruction allowance following the student to help the colleges in their efforts.

I would like to ask you what in your view would be the specific costs on the enactment of my bill and, also, what the cost of the enactment of my bill would be if it did not include the cost of instruction factor.

Secretary RICHARDSON. We have an analysis of these prospective costs, Mr. Chairman, which we would be glad to supply for the record.

Senator PELL. Perhaps you could give us those two figures now, to the nearest billion.

Secretary RICHARDSON. Well, this is a tabulation with respect to the whole bill.

The cost of instruction allowances, we anticipate the cost for the academic year 1971, would be about $1.3 billion.

Senator PELL. That is the cost of instruction?

Secretary RICHARDSON. And the total cost of all of your proposed student aid provisions we estimate to be about $3.7 billion.

SUPPORT AS A MATTER OF RIGHT

Senator PELL. I wonder if that would not be a simpler way of going at this problem. I guess the difference in viewpoint that we have is that I am saying that the time will be coming soon, in my view, when college will be as much a matter of right, as high school has become a matter of right, although it was never expected to be, 80 years ago. Today not every youngster has a right to attend Phillips-Exeter Academy but he does have the right to go to a high school, and get a good education. And what I am trying to do, with my approach, is to make sure that

every youngster, as a matter of right, has the option of the post-secondary education that he can achieve, with no debts afterwards. However, if a student wants to borrow money, then he, too, can go to a more expensive college using the basic grant.

What concerns me is the idea of a youngster starting out in life with loans hanging over his head, when in fact, I think we would all agree, that because a youngster has finished high school, he should not start out in life with a loan from having finished high school. I am sure a hundred years ago if you and I had been facing each other up here, the view would have been expressed that for a kid to go to high school and get that added four years of education he ought to pay for it himself, and gradually we have changed our thinking.

What I am seeking and have sought to do for some years now, is to move ahead in this direction. If we continue the loan approach, I believe we are just postponing the day, and I would like to ask the general philosophical question; would it not be a correct statement that the objective of American education, and the objective of all of us, is to achieve this floor of college education as a matter of right. Or do you think that that is too ambitious, as an objective?

Secretary RICHARDSON. No; I think we can agree, Mr. Chairman, on the objective. Indeed, the President's message on higher education last year stated as the specific goal of the administration's recommendations the assurance that a lack of ability to pay should not be a barrier to education for any American, and I think it should be emphasized that the administration recognizes the importance, the necessity of grant assistance for many students. And, in fact, our proposals would provide a thousand dollars in grant assistance including work-study programs, with the proportion between grants and work-study determined by the college, for students in families in which it was determined that the family could not be reasonably expected to contribute to the cost of the student's education. And we would determine that in the way I referred to earlier, rather than simply by reliance on income tax returns.

In addition, a student would be able to borrow, with ultimate potential federally subsidized assistance, including grants, of $2,900.

I thought I would ask, Mr. Chairman, if Mr. Muirhead could at this point describe exactly what our proposals would do, because I think that as you go into the question of which route to take, it is perhaps helpful to have clearly, or more clearly in mind than just a written statement can make it, exactly what the financial impact of these proposals is.

May I just make one brief comment further while the easel is being set up: that is, that we are concerned by the thought that income taxes paid would be available to institutions as the measure of financial assistance. I would have thought that as a former U.S. Attorney, having been exposed to the sensitivity with which people regard their income tax returns, that they would rather follow the practice which is now well established, of dealing with a financial aid officer in the Student Assistance Office of the college or university, and go over with him the family's ability to pay, than to lay bare the results of their dealings with the Internal Revenue Service.

Senator PELL. I would interrupt here to say that the people who are sensitive in this matter are not usually those who pay less than $1,200

a year in income tax. If there is a man with a hundred thousand dollars a year income, who has worked out a way of paying less than $1,200 of income tax, I think he would be sensitive about it, and might be so sensitive he wouldn't take advantage of this program, and that is exactly what we intend.

Secretary RICHARDSON. Could we ask Mr. Muirhead to proceed?

Mr. MUIRHEAD. All right. I think, Mr. Chairman, that in order to put the program into focus that we should bring to the attention of the committee what the present situation is with regard to the college-going plans of young people with varying incomes.

This chart illustrates that if a young person comes from a family earning less than $3,000, his chances of going to college are about 18 per cent of that group of high school graduates; while if, by the good fortune of genetics, he comes from a family in the $15,000 bracket——

Senator PELL. Not because of genetics; because of luck, I would say.

Mr. MUIRHEAD. All right, yes. Suppose he comes from a family earning more money. The chances of that youngster going to college are about five times greater, and this bill, the whole thrust of the bill, as both the Commissioner and the Secretary have pointed out, is to bring some quality to the youngster from the low-income family. Basically this is accomplished, and I think this point should be emphasized as both the Secretary and the Commissioner have mentioned by increasing very dramatically the amount of money that will be made available in grants.

Now here, I think this chart shows this very well, that we are now providing $343 million in grants for young people.

This proposal that is before you would increase that to $575 million, in the first year, and to $635 million in the second year. And the net effect of that, or the other thing that is being done, is to increase what we have all come to admire, the NDEA student loan program. The NDEA student plan program at the present time is providing a great service——

RETENTION OF NDEA LOAN PROGRAM

Senator PELL. I must interrupt here to point out that there are those in the administration who did not admire it, and almost eliminated the NDEA program. However, there was such a squawk from around the country and the Congress, that the administration's presentation changed. I am delighted that this is the present view.

Mr. MUIRHEAD. Yes; I am delighted, too, and we have the principal architect of the NDEA as the Secretary of HEW; and it probably is no surprise, then, that we are increasing the NDEA program. Basically, the NDEA program at the present time provides $369 million through a combination of sources: from the Federal Government, the Federal capital contribution to the revolving fund that is now an established part of the NDEA student loan program; and from the institutions' own contributions.

This proposal would increase fourfold, from $369 million to $1.2 billion, the amount of money available to young people under NDEA terms.

Now it is done in a different way, but that doesn't make much difference to the students, and doesn't make much difference to the col-

lege. The money will be provided through the establishment of a secondary market. What we have chosen to call basic foundation loans to young people from the revolving fund and the NDEA will continue, and next year will be at the level of $140 million. We have changed the administration's bill from last year to put $250 million more of NDEA funds into the bill, to permit young people to have more freedom of choice in the institution that they might select.

The net effect of the legislation, Mr. Chairman, members of the committee, is just this: That we are presently assisting 1.6 million young people through the programs that are now in place. This bill would extend that, would expand that, to 2.5 million students, all of them in financial need. One million additional students would receive assistance under this bill. It would also provide, as has been pointed out, an opportunity for those who are not in financial need to have available to them credit, which is not now available to them, under long terms, and to increase the maximum line which they might have, with a Federal guarantee. Our best judgment is that this would provide insured loan assistance to about a million additional students.

Now, probably the best way to explain the point the Secretary was developing is to show this chart. This chart is intended to point out that the whole thrust of this bill is to say that the young person comes from a family earning about $10,000, with two children, under established procedures, is normally expected to provide about $1,400 toward the cost of education of their children. This bill says it is now time that families that have lower incomes have an opportunity to get some financial aid that will close the gap between that $1,400 of family contribution at the $10,000 level and the lesser amounts that families are able to pay at lower family income. And so it is graduated. The other interesting thing about it, as you will see here, is that the table is graduated in such a way that the grant provisions are targeted on students from families with the lowest incomes. Here is our best estimate of what the combination of grants and loans would be under this bill to young people coming from varying levels of family contribution.

I will show you in a moment what our best judgment is as to the family income that would produce this family contribution; but, addressing ourselves to the concept that we are trying to equalize family contribution, here we have a family contribution of zero, probably a family of $4,500 or less. That student would be eligible for a $1,000 grant, and a $400 loan. If that were not enough to pay for the cost of education at the college of his choice, then he would have available to him up to $1,500 additional subsidized loans, so that he could then have subsidized help up to the level of $2,900.

Secretary RICHARDSON. Those, I might interject, would be loans on NDEA terms.

Mr. MUIRHEAD. Yes.

Senator PELL. I was struck by the fact that you had originally started this program. Was that when you were an Assistant Secretary, under President Eisenhower, in the late 1950's?

Secretary RICHARDSON. Yes, the loan title, in fact, was actually drafted in my office.

Senator PELL. I congratulate you.

Mr. MUIRHEAD. As you will observe here, as we climb the contribution ladder the amount of grant support does decrease; the amount of loan support continues at the same level, except when we get to the top. In each instance the student can supplement the family contribution, the grant, and the loan with an additional NDEA loan. taking him to the level of $2,900.

The program is directed at saying that young people from low income families should have the same opportunity as young people from middle and higher than middle families. The best way to accomplish that is to provide them with some substitute for family contribution.

AVAILABILITY OF LOAN

Senator JAVITS. If I might ask you a question, do you take into account in any of that presentation of the ability to get the loan?

Mr. MUIRHEAD. I have not mentioned that, Senator Javits.

Senator JAVITS. That is all right. I am not questioning it. I just want to be sure that we all understand that before that program can be made good the individual student has to obtain the loan.

Mr. MUIRHEAD. Yes, sir.

Senator JAVITS. O.K.

Mr. MUIRHEAD. And the NSLA, which is an important part of the administration's proposal, is directed at that very problem.

Now here is what it would look like in terms of family income. I think sometimes a sort of first action to this program is to say that no assistance goes to middle or upper income families. And that is just not so. This chart shows that obviously the young people coming from the lowest income will, of course, get the largest assistance under the program. But we are saying that even at the $11,000 level the amount of assistance that would be available to this family, let us say earning $11,000, their family contribution is less than the $1,400, that young person would have available to him up to $1,500 in an NDEA-type loan.

We can look at a family earning $12,000, and having three or four children, and here is an instance of a family earning $12,000, that would benefit under this program, not only in terms of getting an NDEA-type loan, but also a basic loan. So that the benefits of the program extend to a very wide distribution of income, and include, as the Secretary pointed out in his testimony, a very substantial part of that community that we call the middle income group.

Secretary RICHARDSON. May I interrupt just a second?

I think that many of the people in this room, particularly our visitors from the community colleges, are interested in that chart, and that is the one chart, the lower lines of which were not very visible on that easel, Peter, and it might be good for them to see it.

Mr. MUIRHEAD. Oh, I am sorry. All right, this chart is designed to show that the benefits of the program extend over a very wide range of income. And as you will note, it is measured by the amount of family contribution. This chart is designed to illustrate that a family in the upper income brackets, $12,000 and over, a family, let us say, with four children, would be a beneficiary under this program, and would be a beneficiary under the subsidized portion of this program.

I think it is important to point out that in each instance, when the family is eligible for aid, and they have more than one child in college, that that assistance is available to each child in college.

Perhaps it would be helpful, Mr. Chairman, for us to show a chart in which it would be related to the colleges. The program is designed in part, to make it possible for young people from low income families to have freedom of choice in the selection of their institutions. These institutions have just been selected to indicate how a young person from a low income family who wishes to go to a private high cost institution can build the type of assistance that is in the President's program. I have selected here an institution where the costs would run as high as $3,200, and the program would make it possible for a young person whose family is not able to provide any contribution to have a $1,000 grant, to be able to get a $400 basic loan, and up to $1,500 NDEA loan. By earning $300 in the summertime, that young person would be able to meet the costs at a high-priced private institution. A similar example, or another example, would be in a public institution, where the average costs might be $2,000. Such a student could build a $1,000 grant, a $400 basic loan, a $300 NDEA-type loan, and, by earning $300 in the summertime, be able to meet the costs at a public institution charging $2,000, and have a total loan investment of about $700.

Senator JAVITS. Could I ask you a question?

Mr. MUIRHEAD. Yes, sir.

STATE GRANTS TO STUDENTS

Senator JAVITS. States like New York and Ohio give a student grant. How do you take that into account?

Mr. MUIRHEAD. We would propose that that would be on top of whatever basic assistance he received from the Federal Government, with the obvious limitation that the total of the benefits would not exceed the cost of education of the school he is attending.

Senator JAVITS. How does the Administration's bill, cover that contingency?

Mr. MUIRHEAD. The Administration's bill does not spell that out, Mr. Javits.

Senator JAVITS. It is put in the foundation bill.

Mr. MUIRHEAD. No, but the Secretary referred to it in his testimony today.

Senator JAVITS. Mr. Secretary, would you be kind enough to think that one through? I have put in a bill, S. 1074, for Federal matching, in order to give an inducement in the States for their own student aid programs, I think it would be more economical for the Federal Government. I know you have received a lot of sentiment from the educational community as to the desirability of some such approach. So whenever you can, I am not trying to push you, I would greatly appreciate it if you could submit for the record a reply to that question. How shall we accommodate and encourage States which do give a grant to the pupil, and encourage others to do the same thing?

Secretary RICHARDSON. We would like to do that, Senator Javits. We were aware of your bill, and in fact the question has come up in at least two of the meetings I have had with what we have been calling the higher education group, a group of representatives of the major organizations in the field of higher education, including the

community colleges and the President of the American Council of Education at the present time. We will give it further thought. One of the problems inherent in it is the problem of cost, insofar as we feel that there is also needed a program which does have uniform national applicability. But at any rate we will be glad to pursue it further.

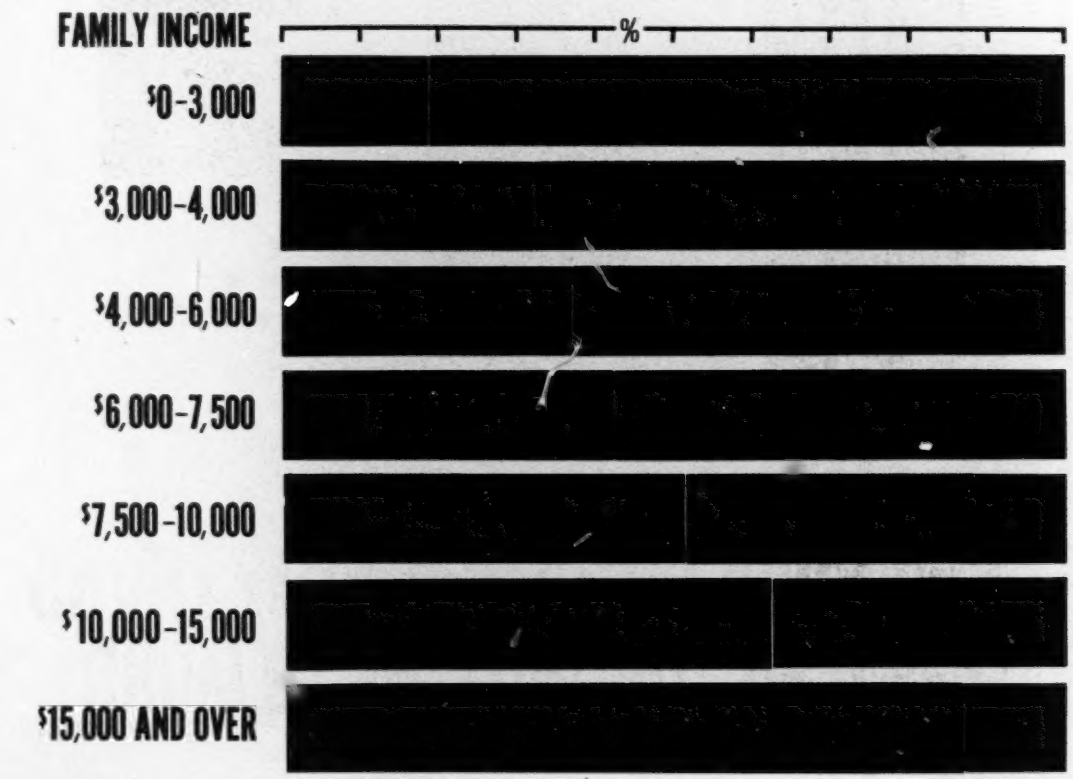
Senator JAVITS. I might just call your attention to one other factor, Mr. Secretary. In this particular field, there happens to be considerable State pride, and I see no reason why that is not a legitimate incentive, of which the Federal Government can take advantage. I think State legislatures and governors rather like the idea that they have got a check on the college student, just like the Federal Government. This is a big inducement, notwithstanding this is a big money factor for States, so I don't think we should overlook that very important State pride factor, which can be very helpful to us in the Federal establishment.

Senator PELL. Some of these charts were not included in the testimony. Some were. I would also ask unanimous consent that all the charts that were submitted be included in the record of these hearings.

(The charts referred to follow:)

FEBRUARY 26, 1971

UNEQUAL EDUCATIONAL OPPORTUNITY
COLLEGE ENTRANCE RATES*



ENTERING COLLEGE NOT ENTERING COLLEGE

* 1966 HIGH SCHOOL SENIORS BY FAMILY INCOME - 1967 CENSUS DATA.

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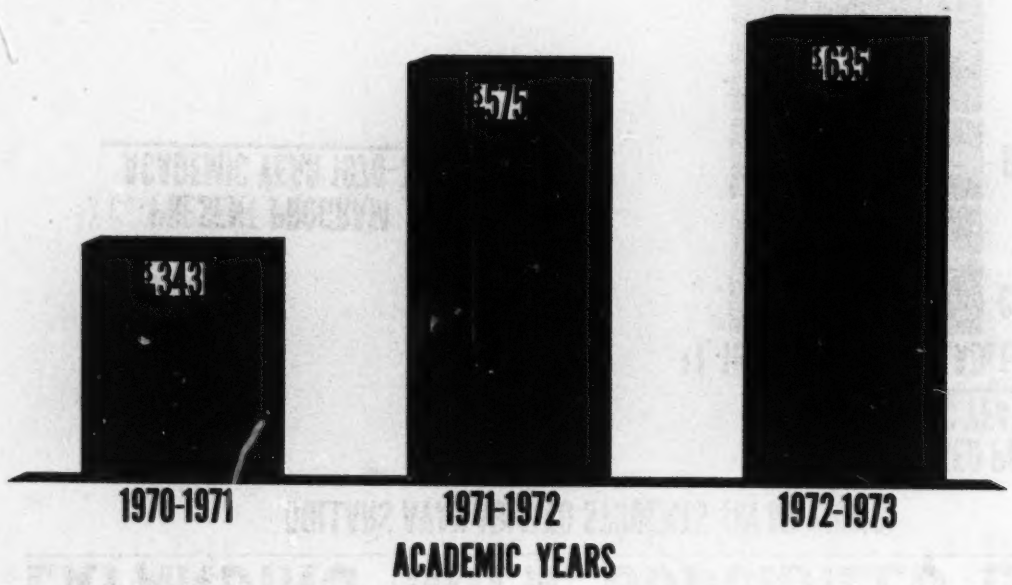
GROWTH IN FUNDING OF THE GRANT/WORK-STUDY PROGRAMS

(DOLLARS IN MILLIONS)



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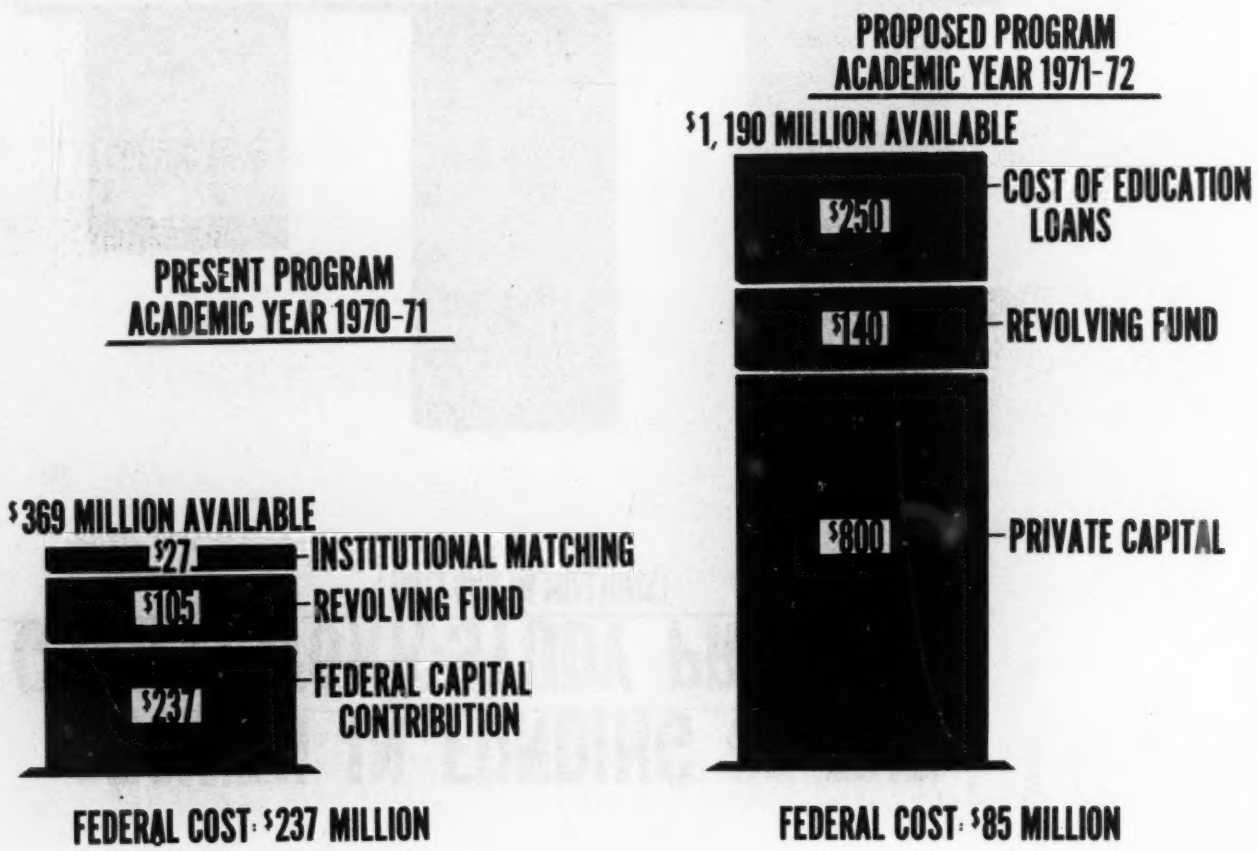
EXPANDING (NDEA) SUBSIDIZED LOANS

DOLLARS AVAILABLE TO STUDENTS (IN MILLIONS)



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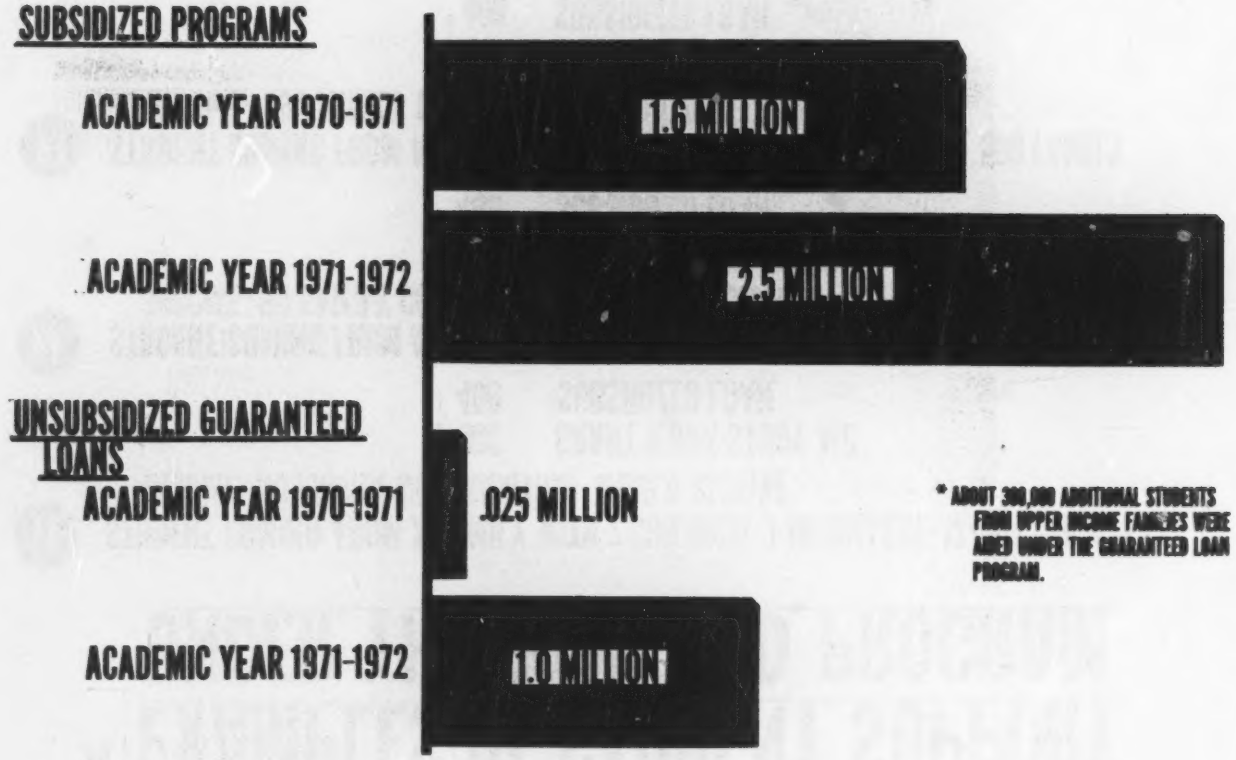
NUMBER OF STUDENTS BENEFITTED



* ABOUT 300,000 ADDITIONAL STUDENTS FROM UPPER INCOME FAMILIES WERE AIDED UNDER THE GUARANTEED LOAN PROGRAM.

EXAMPLES OF STUDENT SUPPORT UNDER THE PROPOSED PROGRAM

1. STUDENT COMING FROM A FAMILY WITH 2 CHILDREN-1 IN COLLEGE-$3,500 FAMILY INCOME-NO FAMILY CONTRIBUTION-WOULD RECEIVE

$1,000	GRANT WORK/STUDY AID
$ 400	SUBSIDIZED LOAN

2. STUDENT COMING FROM A FAMILY WITH 4 CHILDREN-1 IN COLLEGE-$5,000 FAMILY INCOME-NO FAMILY CONTRIBUTION-WOULD RECEIVE

$1,000	GRANT WORK/STUDY AID
$ 400	SUBSIDIZED LOAN

3. STUDENT COMING FROM A FAMILY WITH 5 CHILDREN-2 IN COLLEGE-$7,500 FAMILY INCOME-$195 FAMILY CONTRIBUTION-WOULD RECEIVE

$ 805	GRANT WORK/STUDY AID
$ 400	SUBSIDIZED LOAN

4. STUDENT COMING FROM A FAMILY WITH 5 CHILDREN-2 IN COLLEGE-$12,500 FAMILY INCOME-$580 FAMILY CONTRIBUTION-WOULD RECEIVE

$420	GRANT WORK/STUDY AID
$ 400	SUBSIDIZED LOAN

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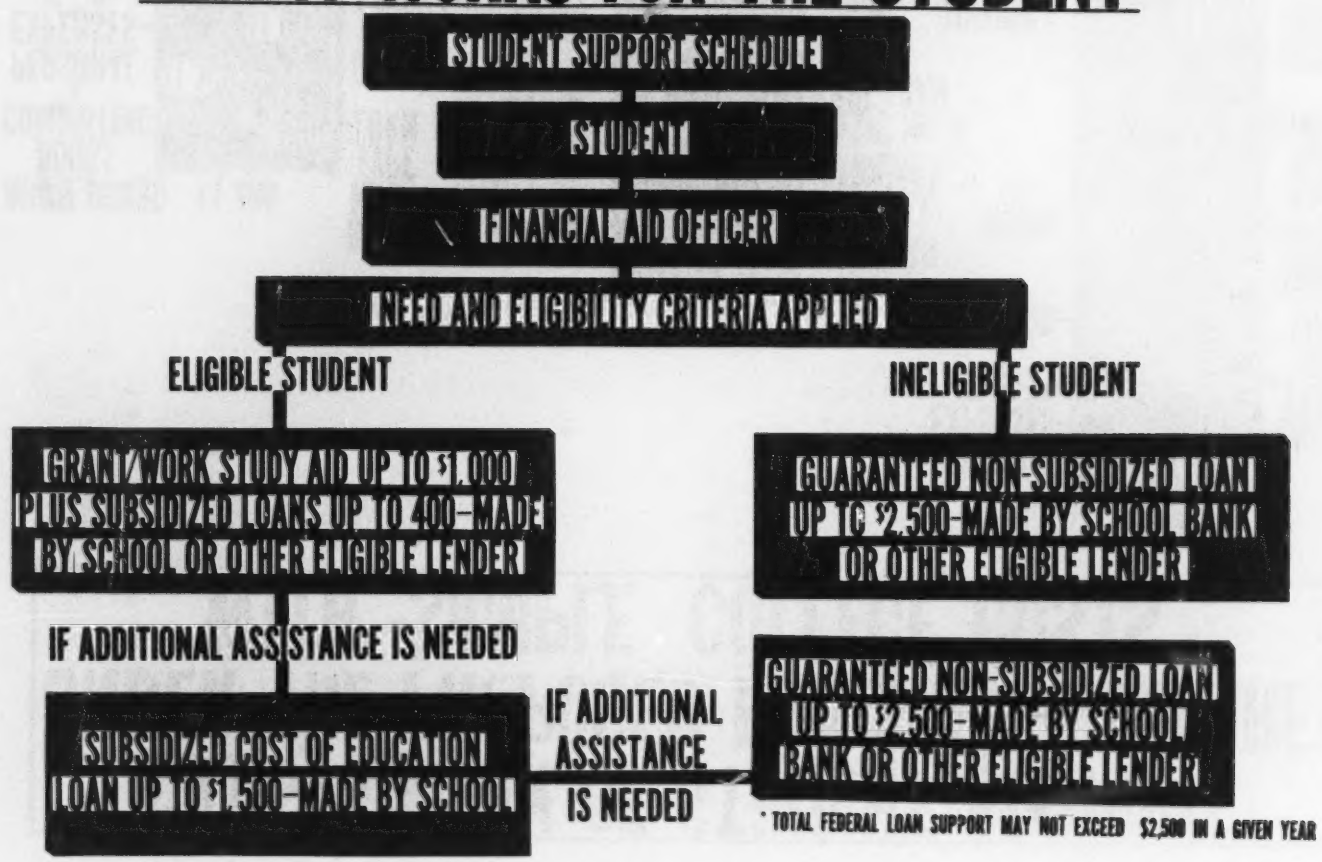
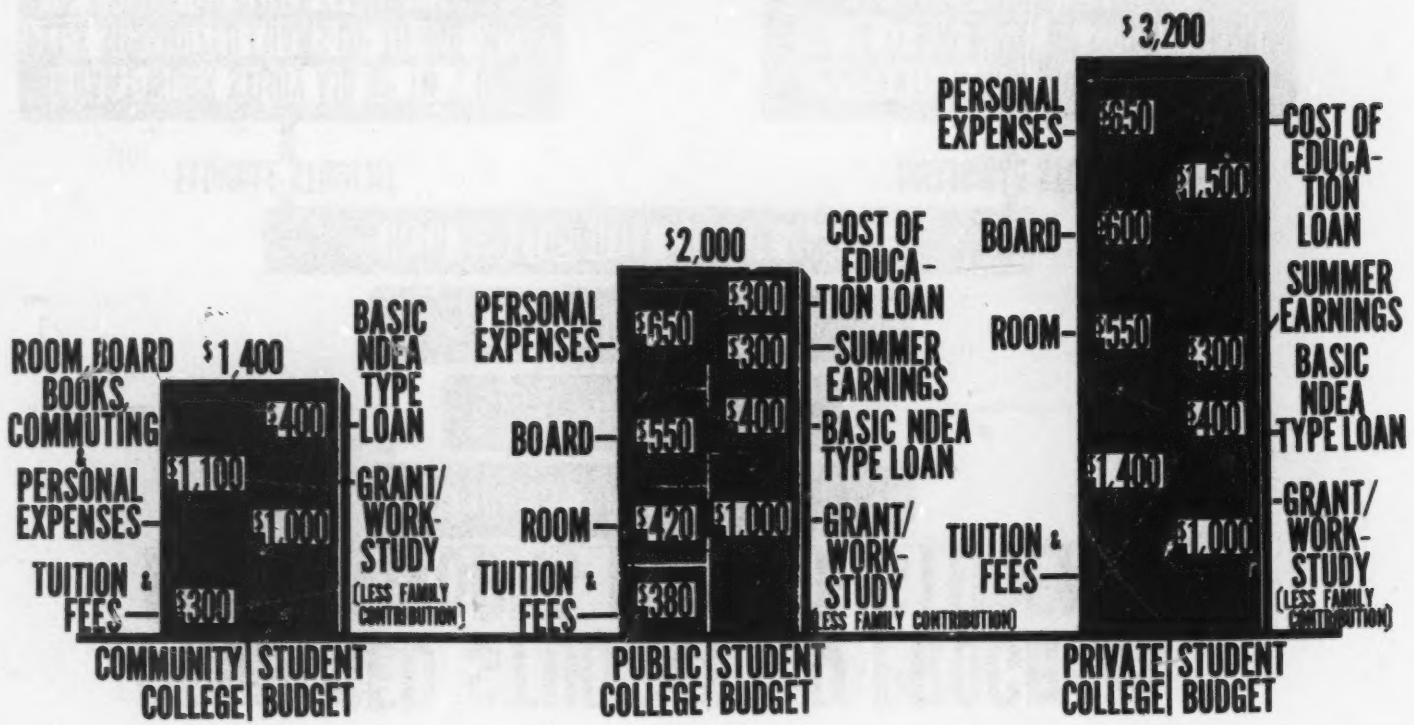
PROPOSED STUDENT AID PROGRAM
HOW IT WORKS FOR THE STUDENT



* TOTAL FEDERAL LOAN SUPPORT MAY NOT EXCEED $2,500 IN A GIVEN YEAR

ILLUSTRATION OF STUDENT SUPPORT UNDER THE PROPOSED PROGRAM COMPARED WITH SAMPLE COLLEGE COSTS



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BENEFITS AVAILABLE TO STUDENTS BY THEIR EXPECTED FAMILY CONTRIBUTION

FAMILY CONTRIBUTION	GRANT/WORK-STUDY SUPPORT	SUBSIDIZED LOANS	COST OF EDUCATION LOANS	TOTAL
$ 0	$1,000	$400	$1,500	$2,900
200	800	400	1,500	2,900
400	600	400	1,500	2,900
600	400	400	1,500	2,900
800	200	400	1,500	2,900
1,000	0	400	1,500	2,900
1,200	0	200	1,500	2,900

THESE FEDERAL SUPPORT LEVELS CAN BE SUPPLEMENTED BY:

1. INSTITUTIONAL STUDENT ASSISTANCE;
2. STUDENTS SUMMER EARNINGS;
3. STATE AND PRIVATE STUDENT ASSISTANCE;
4. FEDERALLY GUARANTEED LOANS.

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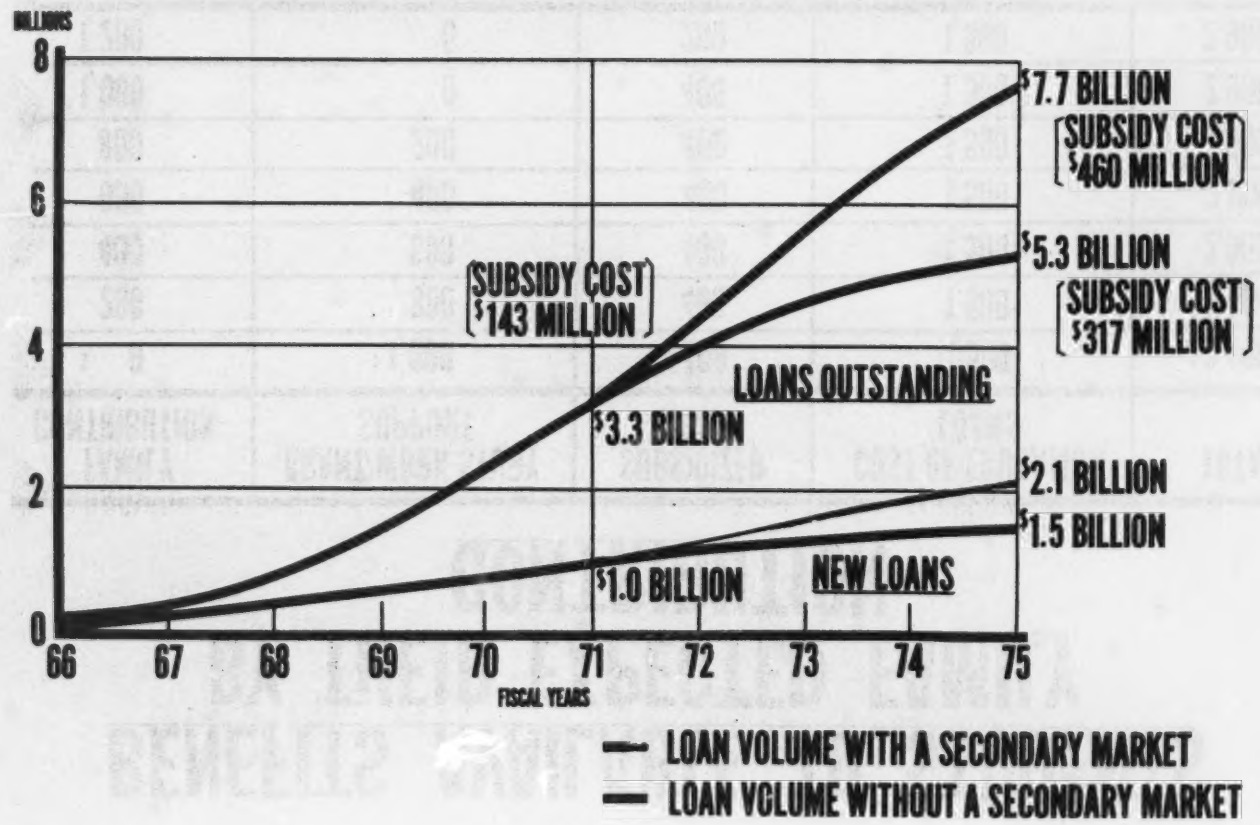
PROJECTION OF COSTS OF THE GUARANTEED LOAN PROGRAM



MAJOR OBJECTIVES OF THE PROPOSED PROGRAM

- PROVIDE SUFFICIENT GRANT, WORK, AND LOAN SUPPORT TO ALLOW EVERY LOW-INCOME STUDENT TO ATTEND POSTSECONDARY EDUCATION
- PROVIDE ADDITIONAL SUBSIDIZED AID TO HELP STUDENT ATTENDING HIGHER COST INSTITUTIONS
- HELP INSTITUTIONS OF HIGHER EDUCATION EQUALIZE THE DISTRIBUTION OF FEDERAL STUDENT AID
- REDUCE, REFINE, AND REDIRECT INTEREST SUBSIDIES IN THE GUARANTEED STUDENT LOAN PROGRAM
- TAP PRIVATE CAPITAL MARKET FOR SUPPORT OF STUDENT LOAN PROGRAM
- CREATE SECONDARY MARKET MECHANISM TO BUY AND SELL BLOCKS OF STUDENT LOAN NOTES AND INCREASE THE AVAILABILITY OF LOAN CAPITAL

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Secretary RICHARDSON. Have we now given you a set of these?

Senator PELL. We now have them all. They will be put in the record.

Secretary RICHARDSON. I thank you very much, Mr. Chairman, for giving Mr. Muirhead an opportunity to make this chart presentation. I think it would at least help to make more vivid the interrelationship between grants and loans that we visualize, and to dramatize the significance of the family contribution, as the starting point for determining what combination of grants and loans is adequate to meet the student's needs, and finally, to underscore the point that this combination, with allowance for an opportunity to earn $300 in the summer, does permit the student to attend an institution where total costs are as high as $3,200.

One of the things that we have been concerned about is that the Federal student assistance program should be designed in a way that is capable of providing assistance in attending nontax-supported institutions.

Senator PELL. I would like to defer at this time to the ranking minority member of the full committee, and then I will come back to my line of questioning.

AVAILABILITY OF FUNDS FOR STUDENT AID

Senator JAVITS. Mr. Secretary, I would like to pursue this question of raising the money. It is one thing to give assurances that we are going to see a pupil through college, and it is another thing to find the funds.

Now as to the problem of appropriations, you can't do anything about it but just be hopeful that Congress will appropriate the money you need to make good on your grants. But is this going to be a situation where the United States will utilize its position on a full faith and credit basis, as it does, for example, in public housing, or will it be a situation where you are going to tailor the amount of grants you can give to either by number of students or by the size of the grant, depending upon what Congress appropriates?

I am sure you are sophisticated enough to understand what I mean by the full faith and credit operation. In other words, that the United States will undertake to make a grant to every student, and that it will post facto seek an appropriation to cover the grants made, which is what we do in public housing. We seek an appropriation to cover the annual deficit.

Now in public housing, that promise is considered good enough so that people will buy bonds at relatively low-interest rates, considering the full faith and credit to be a Government guaranty, which it is not. Now I just wonder how you intend to approach the grant business.

Secretary RICHARDSON. Well, I think, Senator Javits, it is important to distinguish between the three forms of funding or financial assistance that are proposed by the administration.

So far as the combination of equal educational opportunity grants and work study are concerned, the amount of student assistance that could be provided in any year in that form would be dependent upon appropriations. And we have proposed the budget, it is in 1972 budget, a 70-percent increase in funds under those programs.

In future years, as Mr. Muirhead said, we contemplate increasing the administration requests for funds for this, but it is fair to say that the amount available would be dependent upon the appropriations process.

BASIC GRANT AS AN ENTITLEMENT

Senator PELL. If I might interrupt for a moment. One of the virtues of my bill is that it is written as an entitlement, and so it is not dependent upon the vagaries of either the Appropriations Committees or the administration in withholding the funds.

Senator JAVITS. Well, Mr. Chairman, I like that concept very much, and I am going to ask the Secretary if he wouldn't be kind enough to consider it, and give us his judgment on it. I really think that in the student field, we ought to do something like that. I think that the moderating factor should be the number or students accepted, et cetera, a different income levels. We should do that first. In this particular field, you are not dealing with roads or rivers and harbors, or even defense. The student is entitled to know that if he undertakes this course in pursuing an education, that we are going to see him through it, and if I have anything to do with writing the legislation in this subcommittee, that is the way I am going to write it. The United States can handle it by setting student quotas, if it wishes, though I hope we never do that. I think that is one of our really high priority expenses.

But I do not believe that we ought to cut out a student who has legitimately undertaken a college course on the faith and credit of the fact that he is going to get this support, and then because some Appropriations Committee around here gets chinchy he doesn't get it and is left high and dry.

Secretary RICHARDSON. Well, I think there is, of course, a basic commitment on the part of the Government to the student. The issue really is only as to the manner in which this is carried out. I don't believe that any administration or any Congress would fail to provide the necessary funds by appropriations. The only question is whether to try to make the process of appropriations in some sense controllable.

Senator JAVITS. No, Mr. Secretary. We don't do that, sir. If you will allow me, I would like to submit it to you, because we do want your opinion, based upon a fact, not a theory. The fact is that the U.S. Government may fix any quota it pleases for the number of students for which it will be responsible, in any college or university. I am all for that. There is nothing uncontrollable about that. But having fixed that number, for the 4 years, whether the student goes, if he qualifies and if he has received passing grades, and remains, then we will see that he gets it. Now the only way you can do that, as I say, is by an analogy to the public housing, as Senator Pell has just said, the entitlement analogy. So I am not, sir, recommending something open ended. We had disastrous experiences with that, for example, in medicaid. So I am not going for that. But I say the controls should not be the appropriation process, which is post facto. The controls should be before the fact. That is, the student should not be admitted with U.S. backing, as it were, unless we go through with it. Don't tell him he can go to college with this backing if it is uncertain. "We are sorry, we can't undertake this commitment to you," just like we do in public housing.

After all, we have 6 or 7,000 public housing units in the country. That's all. You may be a poor person, but you still can't get into it.

I would much rather do that, because I think the idea of aborting a student because we won't appropriate in the second, third, or fourth year is really a shocking breach of good faith to that student.

That is all, Mr. Secretary. I suggest this to you. I hope the thoughtful people, like the Commissioner and others who are with you would help us with that, because this is a most important thing.

PRESIDENTIAL VETO

Senator PELL. I don't want to submit a jarring note here, either, but the question is, even if the appropriation is made, will it be vetoed? People get even more upset, when that occurs. This is one of the problems we in the Congress face, within the complexity of the authorizing and appropriating process. Indeed, this is one of the reasons some of us like the idea of an entitlement for then neither the uncertain kindnesses of the Appropriations Committees nor the administration will have an effect. An entitlement is automatic and the youngster can count on it, no matter what happens, unless the authorizing act is changed. Those are my reasons for supporting this approach.

Secretary RICHARDSON. Well, I don't think there is any difference between us in respect to the objective of nailing down the commitment of the United States to the student. And we can certainly work with the committee and committee staff to make sure that this is made good. I was glad to have the clarification by Senator Javits just now with respect to how he views that. And of course—well, I think that covers it quite well, at the moment.

CALCULATION OF NEED

Senator JAVITS. Mr. Secretary, I will just have another question or two. I am very troubled by one sentence in your presentation, which I didn't hear you deliver, sir, so if you omitted it, please correct me.

The sentence reads in your prepared statement. It says:

> The College or university would calculate each student's eligibility for aid by determining the expected family contribution toward his educational costs.

Now this immediately raises all kinds of questions about how you will determine that fact. It is has a big analogy in welfare. The Secretary certainly is clearly as familiar as I am with the whole conflict between the affidavit and the social worker.

Now has the Department thought about this particular matter? From the point of view of one, administrative burden, and, two, of technique? It is very important, and there are millions of people involved.

Secretary RICHARDSON. Yes; we have thought about it, Senator. Let me go back to the period in which the National Defense Education Act student loan program developed, since we touched on that earlier. At that time we sought advice from colleges and universities that had developed forward-looking student assistance programs, and we were impressed by the people speaking for those programs who sought to develop for each student a combination of grant assistance and work that were best adapted to his particular situation.

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Now such student assistance offices have always sought to determine what the student's needs are, in the light of the family's capacity to contribute to the cost of his education. And we think that this is, barring a transition to a situation in which all higher education becomes free, or most of it, the way elementary and secondary education is, that there must be retained in the meanwhile some means of determining the student's need. And all we are saying here is that the student assistance office of the college or university should determine what the family's ability to contribute to their son's costs of education is, and that in so doing the student assistance office should ask the family questions like "Are you paying for or contributing to the cost of the education of any other student in higher education?" "What is your situation with respect to the support, for example, of elderly parents?" And so on.

This is the process that student assistance offices carry out now, and all we are saying is that this is the process we believe they should carry out in determining this combination of loans, grants, subsidized loans, or guaranteed loans that we described earlier.

Senator JAVITS. Has your experience with leaving the finding to the individual educational institution been satisfactory?

Secretary RICHARDSON. Yes, it was specifically provided for in the NDEA, in which we wanted to avoid a governmental determination of the student's need for a loan, or whether it was appropriate for him to borrow at all, as distinguished from receiving outright grant assistance, and I thought that our most innovative contribution at that time was a proposal whereby all loan funds should be institutionally administered. The concept was that the Federal Government would appropriate money, it would negotiate with the institution an amount proportional to the size of the student body, and so on, which the Federal Government would contribute to the institutional loan fund with a matching percentage in the form of a contribution of the institution's own funds, because the institution would be administering the loans, and we thought that it should therefore have some money in the pot, and since it would be administering the whole, as if the whole were all its own funds. We thought this was a sound approach, both because the institution could more sensitively judge the student's need, or the appropriateness for a loan at all, as well as because it permitted the institution to draw upon people in its employ who were dealing with the subject of student assistance anyway, even before the Federal NDEA loan program came along, thus enabling us to avoid the necessity of setting up the Federal bureaucracy designed to administer direct Federal loans.

Senator JAVITS. Now does this new plan in any way change the circumstances under which the institution itself made that determination?

Secretary RICHARDSON. No. Not to my knowledge. I might ask Mr. Muirhead, who was the first Administrator of the NDEA loan program, to comment on this, or clarify or correct anything I may have said.

Mr. MUIRHEAD. It seems to me that the Secretary has underscored a very important point here, that as a result of the 12 years of experience with the NDEA, there has been built up a fine competence in the colleges and universities, in dealing with this whole question of assessing fixed need. This program which we have before you would inject

one other point into it, as you will note in the language when it does come before you, that the Secretary will be asked to consult with a student financial aid council and, presumably, that will represent such well-established counselors as the college scholarship service, the American College Testing people, and representative people from financial aid, who will advise him upon what does represent a fair family contribution from the family in the normal circumstances, and the whole question of determining family contributions has been rather carefully developed over the 12 years, so that we can rely upon it.

The Secretary would provide to the colleges some guidelines as to under normal circumstances: A family earning this amount of money, with this number of children, should be expected to make this family contribution.

At the same time, the Secretary would say these would be cases that are not complicated, and those cases which are complicated, using the reference that the Secretary has used, where there is illness in the family, or whether they have had a loss in a previous year, or any number of situations that make them less than normal, then the student financial aid officer would counsel with the student at that time. But the very important point about this program, it seems to me, is that it says that, by and large, a young person, no matter where he is, will be treated evenhandedly in terms of the assistance that he will receive. And that evenhandedness will come from the guidelines that the Secretary provides.

ATTRACTING INVESTORS TO NSLA

Senator JAVITS. I have just two other questions, Mr. Secretary. I hope we can have them briefly, because my colleagues have questions. One is this: How do you sweeten up the National Student Loan Association to attract investors?

Secretary RICHARDSON. We have provided for an initial available appropriation of $400 million, to help it get started, or at least to bring the transition from direct loans to the NSLA, and there would be recourse, should expectations with respect to the administration of the program not be realized, to a kind of backup reserve of $250 million in the U.S. Treasury.

Senator JAVITS. So you think it would be advantageous because it will be safe?

Secretary RICHARDSON. Yes.

Senator JAVITS. They will be attracted to it because it is safe.

Secretary RICHARDSON. Yes. I think the precedent of housing loans, guaranteed loans, the operation of FNMA, is a fair precedent.

I used to work for a group of savings banks who couldn't get used to the idea at first that a guaranteed loan, that the note evidencing the loan, was for all practical purposes Government paper. After a while they became aware of this and dealt with FHA loans on that basis. This FNMA, in effect, thus became a means of facilitating the purchase and sale of them. And this is essentially what we visualize here.

COLLEGES' ABILITY TO ADMIT STUDENTS

Senator JAVITS. Now my last question is this: The Carnegie Commission says of course it costs the college or university much more to educate a student than he pays in fees. Now unless our colleges and

universities are going to raise their fees very considerably, don't you have to think about some matching basis for taking up the slack to induce colleges and universities to take in a lot of these low-income students?

Secretary RICHARDSON. It is true, Senator Javits, that the proposals we described here today do not address the problem of the cost of educating the student over and above the tuition and fees that he pays, or that it is made possible for him to pay, through the student assistance being proposed. We have given, and are giving, a lot of thought to the question of what ought to be the Federal role in support of higher education. We are not satisfied with the adequacy of a cost-of-education grant in effect attached to student assistance as a means of doing this. It is not, we think, sufficiently discriminating as between needs, costs of institutions, and beyond that, we think that its effect at this stage would be unduly to perpetuate status quo. We believe that there is urgent need for the development of new and much more flexible forms of higher education.

I hope to be back here tomorrow talking about this, as it relates to our proposal for a national foundation. So, in short, while we are aware of and sympathetic to the financial squeeze in which institutions of higher education find themselves at the moment, we are not convinced that the answer to that is a flat cost-of-education grant.

Senator JAVITS. But you realize there is a problem over, above and beyond the problem you are dealing with when you finance the student?

Secretary RICHARDSON. Yes, we do.

Senator JAVITS. Thank you, Mr. Chairman.

Senator PELL. Thank you for that line of questions, very much indeed. Do you have any more?

VARIATIONS DUE TO COST OF LIVING

Senator BEALL. One question with regard to the student aid proposals.

I notice in the formula for determining the amount of student aid, there is no mention of cost of living. It appears to me the cost of living does vary rather dramatically at various geographical locations around the country. I wonder if this isn't a legitimate matter for consideration when you are trying to determine the amount of aid that a student in a certain area might deserve.

Secretary RICHARDSON. Well, this is a valid point, certainly, Senator. I think the short answer is that the determination of the total amount that would be provided for him would in effect tend to take this into account, because it is designed to be enough money to enable him to pay the costs of attending the institution he is going to, including the costs of living in that area.

In other words, the cost of living is in itself a factor in determining what he needs.

DIRECT INSTITUTIONAL AID FOR OPERATING EXPENSES

Senator BEALL. Second, following what Senator Javits mentioned, do I understand you to say that you are studying methods of providing direct institutional aid for operating expenses?

Secretary RICHARDSON. Yes, we are. I can't speak for the administration as to any commitment to do this, or how to do it, but we are very acutely aware of the financial needs in the institutions of higher education. We think that we are at a critical turning point in potential redefinition in the Federal role toward higher education. The NDEA contained various categorical programs, in support of particular needs in higher education, that were clear and identifiable at that time.

We developed a program, for example, for the expansion of the training and teaching of Ph. D's for college educational needs, which has been so successful that, according to many people, we are now or have lately educated a surplus of Ph. D.'s. We had a program, which still exists, for the encouragement of area studies, various parts of the world, the language and cultures of various areas. And there have been a number of other such programs that were developed then, which still constitute the basic core of institutional support so far provided by the Federal Government. We think that we need to be thinking of the needs of the next decade, with a fresh eye on the opportunities for higher education to adapt itself to a situation in which a larger proportion of all high school graduates is seeking education beyond the high school than ever before. They are seeking varied forms of education to meet their needs because the system in effect is no longer a system that selects out a relatively small group seeking a 4-year education. We are trying to think how the Federal Government can best contribute not only to meeting financial needs, but to encouraging the kinds of flexibility and adaptation to new needs that we think is necessary.

Dr. MARLAND. May I add a little to that statement in response to Senator Beall.

I think it should be clear that we are not unmindful at all of the need for institutional help. There are some improvements. For example, in the funds to support construction, we have increased the budget from $470 million this year to $520 million, to provide subsidized loans for the construction of college facilities. We have also increased the resources for developing institutions, 60 percent of which will go to black colleges. We are also increasing the resources available for development and planning in community colleges, so that these are essentially institutional aid components, without the sweeping aid that you may be implying in your question.

Senator BEALL. Thank you, sir.

Mr. Chairman, at the request of Senator Prouty, I would like to ask unanimous consent to include at the appropriate place in the record a copy of the bill to amend the Higher Education Act of 1965, and a section-by-section analysis, and other——

Senator JAVITS. Would the Senator yield to me before he does that?

Senator BEALL. Yes, sir.

Senator JAVITS. Mr. Secretary, off the record.

(Discussion off the record.)

Senator PELL. Back on the record.

In other words, by unanimous consent, the text of the proposed bill is incorporated in the committee's record at the beginning of this hearing.

Senator JAVITS. Right.

Now, reserving the right to object, Mr. Chairman, I shall not object, but I would like to ask the Secretary a question.

Mr. Secretary, is this the bill, as presented by Senator Beall, for Senator Prouty, for introduction in the record, which is the administration bill, and which you have asked Senator Prouty as ranking member of this subcommittee, to introduce?

Secretary RICHARDSON. Yes, it is.

Senator PELL. Thank you very much.

Frankly, if there are any changes before tomorrow they can be made; I am sure we won't get it printed by then, anyway.

Senator JAVITS. That's what I was worried about, you see.

Secretary RICHARDSON. I appreciate that very much.

COST OF S. 659

Senator PELL. I want to return to your estimate of the costs of S. 659. It is my understanding of what you said, that the total cost of the bill would be $3.6 billion, of which $1.6 billion would be for the cost of instruction?

Secretary RICHARDSON. No; no; I didn't cover the—I was adressing only the costs of the student assistance provisions, which we estimate as $4,153 million.

Senator PELL. It has gone up.

Secretary RICHARDSON. The total costs of the bill, no, I said $4,153 million, I think, last time. The total costs of all the provisions we estimate to be for fiscal 1972 $8,748,520,000.

Mr. Muirhead?

Mr. MUIRHEAD. That is the total cost of the bill, but, Senator Pell, the figure which we are sharing with you as to the costs concerning student aid, which is——

Senator PELL. Right; you are quite right. What I was concerned with, was the total. The direct question asked was what is the cost of the basic education opportunity grant? The cost of those grants is estimated by the Department to be how much?

Mr. MUIRHEAD. The total cost of those basic opportunity grants is estimated to be 1.7 billion.

The Secretary reported to you the total cost of the student aid provision, including the cost of instruction allowance that would go with it.

Senator PELL. So, in other words, the enactment of our approach, to the effect that the student would receive the difference between $1,200 and the income tax paid by the student or the family that carries that student as a dependent, as a matter of entitlement, would be—could you repeat the figure again, Dr. Muirhead?

Mr. MUIRHEAD. Well, let me be precise on this, if I may. The total cost, as we have estimated it, for your basic opportunity grants, would be $1.7 billion.

Senator PELL. $1.7 billion?

Mr. MUIRHEAD. That is right. In addition to that Senator Pell, you are also providing a program of supplemental grants.

Senator PELL. To the institutions?

Mr. MUIRHEAD. No. supplemental grants to students in addition to the basic grants.

Senator PELL. Right.

Mr. MUIRHEAD. To very poor students.

Senator PELL. These are the present programs, in other words?

Mr. MUIRHEAD. No, the present programs go on from there. Your bill, as we read it, Senator Pell would provide basic opportunity grants of $1,200 less the tax paid, making $1.7 billion. The bill would also provide supplemental grants of a thousand, or one-half the costs of other financial aid to students.

And our estimate there is $266 million.

Your bill would also seek to extend other student financial aid programs which are now on the books. And our estimate there is $785 million.

In addition, we include this under the cost: Under the student aid provisions, you had a cost of instruction allowance which was to go with each student who was receiving aid, and the total cost of that was $1.4 billion, giving a total cost as the Secretary reported earlier of $4.1 billion.

Now, you can extract from any one of those—Excuse me. $3.7.

Senator JAVITS. Is that 1 year?

Mr. MUIRHEAD. That is a 1-year cost.

Senator JAVITS. What is his program? How many years?

Mr. MUIRHEAD. The program is authorized for 5 years.

Senator JAVITS. All right.

Mr. MUIRHEAD. Senator Pell, if it would be helpful, we would be pleased to submit this for the record, if it would be helpful.

Senator PELL. It would be helpful.

(The information subsequently supplied follows:)

COST COMPARISON OF THE PROVISIONS
CONTAINED IN S. 659
(EDUCATION AMENDMENTS OF 1971 INTRODUCED BY SENATOR PELL)
AND THE
HIGHER EDUCATION OPPORTUNITY ACT OF 1971)
(Dollars in Thousands)

	Administration Proposal[1/]	S. 659[2/]
Student Assistance (students aided)	$1, 628,100 (2,500,000)	$2,730,000 (3,700,000)
Cost of Instruction Allowance	0	1,423,000
Special Programs for the Disadvantaged	50,100	96,000
Developing Institutions Program	38,850	100,000
Higher Education Construction	34,407	1,470,500
Language Training & Area Studies	15,300	38,500
University Community Services	9,500	60,000
College Personnel Development	36,945	53,410
College Library Assistance	7,000	145,000
Higher Education Facilities Loan Fund	4,610	4,610
Networks for Knowledge	0	15,000
Graduate Programs, HEA IX and X	0	100,000
Law Schools Clinical Experience	0	7,500
International Education	0	90,000
Education Professions Development	135,000	600,000
SUB-TOTALS	$1,960,612	$6,933,520

The following programs would be authorized by S. 659 but are not included in the Higher Education Opportunity Act of 1971.

	Administration Proposal[1/]	S. 659[2/]
Vocational Education	$420,173	$975,000
National Foundation for Higher Education	100,000	200,000
National Institute of Education	3,000	500,000
Equipment and Minor Remodeling	0	140,000
TOTALS	$2,483,785 (FY 1972 Appropriation Request)	$8,748,520 (Proposed Authorization)

1/ FY 1972 appropriation request.

2/ Estimates based on enrollment projections and student family income data, or on the authorizations specified in the proposal.

Senator JAVITS. Mr. Chairman, now could you compare that to the administration's bill? I don't mean right here, but give us a chart, so we can take a look, as Senator Pell says, at relevant comparisons.

Mr. MUIRHEAD. Yes.

Senator PELL. That is right. Give us a comparison of the costs of the administration's approach, and of our approach, lined on a basic column basis. One other factor I wish you would add into it is how many additional students you think each bill would cover—this obviously can only be estimated.

Mr. MUIRHEAD. Yes; we would be pleased to.

COST-BENEFIT RATIOS

Senator PELL. Now to another subject. What is the cost-benefit ratio of tax dollars spent on education? In other words, how much will be the return, to put it very crudely, to the Federal Government, in the long haul, in tax dollars, for every dollar spent in improving education?

I have heard a variety of figures advanced. One of my colleagues used the term, I think it was $13 to $1. That seemed generous, and while I hope it is correct, I would like to know what the figure is.

Mr. MARLAND. My earlier testimony, Mr. Chairman, did offer some evidence on that; namely, that over the course of a lifetime, a college graduate, as distinct from a high school graduate, will earn $213,000 on top of the base of the high school level, from which we can project the tax revenues therefrom.

Senator PELL. I know these figures, and I use them in every high school graduation speech I make. I wonder if you couldn't extend it a little bit further, and generate a cost-benefit ratio and submit it for the record. The figure I alluded to is used quite loosely, but I believe it is correct that for every dollar that is spent on education, the return to the Federal Government is substantially more.

I know that experience under the GI bill indicates that the Federal Government came out far better, by that investment, which was a matter of right. What we need is your best estimate as to what the return in tax dollars is to the Federal Government for tax dollars spent in upgrading education?

Mr. MUIRHEAD. I would prefer not to speak for the record now, but we will do our best to respond to your question, and submit the material for the record.

Senator PELL. Right. I think it would be a very, very interesting figure, and one that would help us all, and of course we would appreciate the grounds for your estimate, too.

Mr. MUIRHEAD. Yes, sir.

Senator PELL. Thank you very much.

(The information subsequently supplied follows:)

COMPARISON OF ADDITIONAL FEDERAL INCOME TAX PAYMENTS MADE BY PERSONS COMPLETING FOUR YEARS OF COLLEGE

The Bureau of the Census reports that in 1968 the mean income of male full-time workers was approximately $8,000 for those workers who had completed four years of high school and approximately $13,000 for the workers completing four or more years of college.[1/] Using the College Scholarship Service estimates for Federal Income Tax payments [2/] by net income for three-child family it is found that at the 1971 tax rates a family earning $13,000 per year pays $865 more per year in Federal income taxes than a similar family earning $8,000 per year.

Assuming an average working life of 30 years per worker and that workers with college degrees pay $865 per year more in taxes, it can be estimated that a person completing four or more years of college pays approximately $25,950 more in taxes during his career than a person completing four years of high school. This estimate may be somewhat generous since it is based on the mean annual income of males. However, it can safely be stated that the higher earnings of college graduates contribute substantially to the Federal income tax revenues.

1/ Current Population Reports, Consumer Income, Series P-60, No. 74, October 30, 1970.

2/ College Scholarship Service, Manual for Financial Aid Officers, 1970; College Entrance Examination Board, New York.

Senator PELL. Now I have some specific questions to ask.

Secretary RICHARDSON. May I just interrupt a moment, Mr. Chairman, to say that we can furnish right away, for the record, cost estimates under your bill, under our bills, and a comparison of the two bills in vertical columns. These are all available. And we can supplement these comparisons with a comparison of costs by more or less comparable headings.

Senator PELL. And also as I said, the increased number of students who would be produced by the enactment of each bill.

Secretary RICHARDSON. That, of course, is somewhat conjectural, as I am sure you know.

COST OF INSTRUCTION

Senator PELL. I realize that. Just your best estimate. What is the average cost of instruction at this time on a broad basis for undergraduate students in colleges? Could you give us the rough range?

Secretary RICHARDSON. Yes; and here we could again submit a small tabulation, on the basis of current academic year student charges, including tuition fees, room and board, the basic costs of public universities is $1,460; public 4-year colleges, $1,175; public 2-year colleges, $867; with an average for all public institutions of $1,248.

For private universities, the figure is $3,168; private 4-year colleges, $2,558; private 2-year colleges, $2,267; the average charges in all private institutions, $2,722.

Senator PELL. What is the reason for the fact that the average tuition in proprietary institutions is less than that figure? Does that indicate that they are doing the job more efficiently, or what is the reason?

Secretary RICHARDSON. Where is the figure? Well, I think that proprietary institutions ordinarily focus on a fairly narrow function, and they don't have to maintain the resources of laboratory facilities, libraries, a range of curriculum offerings, and so on, that nonproprietary institutions do.

Senator PELL. Right. Tuition, of course, is not the same thing as the cost of instruction. What we are talking about here is cost of instruction. Is that correct?

Secretary RICHARDSON. No, the figures I gave up were the cost for the student of attending these various forms of institutions, including tuition fees and room and board.

Senator PELL. No, no, forgive me; I may have mis-expressed my question. I want to know the average cost of instruction. What you supplied is what is loosely termed-cost of education.

Secretary RICHARDSON. Do we have any such figures with us?

Mr. MUIRHEAD. We do not have such figures with us, Mr. Chairman, but we would be pleased to submit them for the record, if we may do so.

Senator PELL. I would appreciate it if you would, and would you include proprietary colleges as well, on an average?

Secretary RICHARDSON. We certainly will. We will include a whole variety of institutions.

(The information subsequently supplied follows:)

PER STUDENT EDUCATIONAL AND GENERAL EXPENDITURES BY TYPE AND CONTROL OF INSTITUTION

The Office of Education's National Center for Educational Statistics shows the following average educational and general expenditures per student in academic year 1967-68:

PER STUDENT EDUCATIONAL & GENERAL EXPENDITURES--1967-68 1/

All Institutions	$1,905
Public Institutions	1,702
Universities	2,814
Other 4-Year	1,252
Two-Year	677
Private Institutions	2,370
Universities	3,771
Other 4-Year	1,725
Two-Year	1,020

These educational expenditures have been projected to academic year 1970-71 by using a growth rate based on past increases in educational expenditures and in enrollments within each of the various types of institutions:

ESTIMATED PER STUDENT EDUCATIONAL & GENERAL EXPENDITURES--1970-71

All Institutions	$2,197
Public Institutions	1,920
Universities	3,220
Other 4-Year	1,424
Two-Year	794
Private Institutions	2,871
Universities	4,645
Other 4-Year	2,077
Two-Year	1,125

1/ Educational and general expenditures include expenditures for instruction and departmental research, extension and public service, libraries, plant maintenance and operation, general administration, organized activities related to educational departments organized research, other sponsored programs. Excluded are expenditures for student aid, auxiliary enterprises, and current funds expended for physical plant assets.

For purposes of comparison, the following table shows the estimated average student charges per full-time, resident degree credit students in the various types of institutions:

ESTIMATED AVERAGE CHARGES PER FULL-TIME, RESIDENT DEGREE CREDIT STUDENT

Public Institutions	$1,248
Universities	1,460
Other 4-Year	1,175
Two-Year	867
Private Institutions	2,722
Universities	3,168
Other 4-Year	2,558
Two-Year	2,267

It should be noted that a strict comparison between the educational expenditures and the student charges shown in the tables is not possible since the educational expenditures shown above include all students enrolled while the student charges are for full-time, resident, degree-credit students. Such a comparison would be particularly invalid for those institutions enrolling large numbers of part-time, commuting or vocational students. However, the tables do illustrate that in many cases, the full cost of education is not directly borne by the students or their parents.

Secretary RICHARDSON. Of course, Mr. Chairman, again I am sure you appreciate that such figures are subject to the inherent difficulty in allocating costs. For example, just to take my own college, or university, Harvard University maintains an enormous library, and this is a resources of the scholarly world. How much of the costs of maintaining that library are allocable to the education of any student, whether undergraduate or graduate, and how much of the costs should be regarded in effect as being devoted to the maintenance of an institution that has value not simply to the students of the university, but to a great many other people?

And that, of course, is an inherent problem in determining what amount of the costs of any institution of higher education are chargeable to, in effect, the cost of educating a student, specifically an undergraduate student.

Senator PELL. Right. Well, then, I realize the difficulty here, but if you could just do your best.

Secretary RICHARDSON. Oh, we will; I just wanted to make the point that these figuress are subject to considerable interpretation.

Senator PELL. Right.

The committee may decide to enact a cost of instruction allowance proposal for the benefit of the colleges. One that would pay solely the cost of instruction, and yet would stop an increase in tuition fees, which is the danger here?

Secretary RICHARDSON. We have no definitive views on this. This really involves the whole issue I touched on earlier, of what ought to be the Federal role in contributing to the costs of higher education, recognizing the great variety among institutions and so on.

And while, as I said earlier, we are acutely conscious of the seriousness of this problem, and the urgency that is felt with regard to coming up with better solutions on the part of many institutions of higher education, nonetheless, we think that it needs to be thought through carefully, lest the Federal Government, for the decade or more ahead, find that it has simply underwritten the status quo.

PHILOSOPHY OF FEDERAL ASSISTANCE

Senator PELL. Your general testimony indicates that what the administration is proposing is a long-range, perhaps a permanent, program of student assistance in which loans from the private sector would be the major form of assistance. And this view is reflected in the President's messages.

Moreover, there is no indication of any recognition of the need for assistance to the institutions, although you personally obviously do.

The air of permanency about the administration proposal requires us to examine the philosophy of student assistance as a national policy. And if a proposal, such as the one suggested by the administration, becomes law, it is only natural to assume that college tuitions are going to continue to increase, with the result that higher education will be almost completely financed by tuition.

Students will pay that increased tuition by borrowing large sums, which will then be repaid in the period after they graduate.

To my mind, we should be seeking tuition-free higher education as a floor, but that does not seem to be a goal of the program the administration offers.

Now the question I have is a specific one. Do you really believe that we want to adopt a policy for the time being, based on a philosophy of tuition-financed higher education, or do we want to go to this concept eventually of the floor, without tuition loans, tuition through loans?

Secretary RICHARDSON. I would say, Mr. Chairman, that the administration's philosophy, in advancing its proposals for student assistance, is that we would like to assure that the approach taken by the Federal Government toward the provision of student assistance does not unduly influence the process of the determination of tuition, or the process whereby choices are made by students as between public tax-supported institutions and private or independent institutions.

We would, in other words, like to so design, and believe we have fairly well succeeded in designing, a program that is in this respect. Pending a better opportunity to think through the philosophical issues you have touched on.

I, for one, don't feel prepared to say that we should be moving toward a period in which all higher education is, in effect, tuition free. I see no way, in the short range at least, whereby this can be made true for the independent institutions, and while I think that it would be desirable to find ways whereby the trend toward the assumption of a larger and larger share of the whole load of educating students beyond the high school, by tax-supported institutions, might be slowed down, I don't feel, speaking for myself at least, that we yet have any really good answers on how to do this.

(Further information subsequently received from Secretary Richardson follows:)

ADMINISTRATION POSITION ON GRANTS VS. LOANS

In any case, Mr. Chairman, you have suggested that enactment of the Administration's proposals for student assistance would establish a long-range permanent program emphasizing loans rather than grants. I would respectfully disagree, and make just the oposite point: that the Administration's proposals place heavy emphasis on the provision of more substantial grant funds more equitably distributed, and that establishment of the National Student Loan Association would not, in fact, set future patterns of student assistance in concrete.

No matter what the directions of future national policy with respect to the portion of higher education costs to be borne by the student, students throughout the scale of family income will continue to need loans of convenience and necessity to help meet the costs of their education. We say that such loans should be readily available to all students who need them, and that the National Student Loan Association would provide a mechanism for accomplishing this.

Our proposed legislation takes no position on the degree to which college costs should be met by grant assistance. Our budget proposal would increase grant and work-study funds by almost 70 percent for Fiscal 1972, but the legislation does not specify any family income ceiling on eligibility for these grants. The amount of assistance and the number of students eligible for it could be significantly increased in future years through the appropriations route, without any change in the legislation. Therefore, I would argue that our proposals are characterized by their flexibility with respect to future directions for national policy, and do not permanently lock in any particular mix of grants or loans. Their primary thrust is to make significantly increased federal funds available for student assistance, targeted more effectively on those students most in need.

Senator PELL. I agree with you, that I don't think all higher education should be tuition free. But what I am saying is that I be-

lieve we should move toward provision of a floor, the concept I gave earlier, of primary and secondary schooling, where there is public education available for every youngster through the 12th grade, without paying tuition, and I am saying that I think we should try and achieve that same goal before the century is out, at least, and I hope a lot sooner, with colleges.

Secretary RICHARDSON. Well, I think we are moving in the same direction on that score, as I hope Mr. Muirhead's exposition made clear. We don't believe that we are in anything we have proposed accelerating a process of reliance on tuition, or stimulating an increase in tuition charges.

Senator PELL. No, I would use your earlier word "neutral." I think it is a neutral approach, and we are trying to make it a "less neutral" approach. I guess that's the difference.

Secretary RICHARDSON. I am not sure that I would agree that this is the necessary consequence of what you are proposing, however.

PAYEE PLAN

Senator PELL. I recognize we have a difference of view in that. What is your thought with regard to your alma mater's rival, Yale under which money is lent to the students and then they will pay back .04 percent for each thousand dollars, for about 28 years or 30 years, no matter what your income is?

Secretary RICHARDSON. Well, as I stated publicly, Mr. Chairman, at the time when Yale announced this experiment, I feel that it is a potentially valuable contribution to the knowledge and experience of a lot of other institutions to see how this works.

As you know, the concept depends basically on the idea that the students who in their future careers are high earners should repay larger amounts to the institution than students whose careers turn out to be ones that do not produce much income.

And the theory, I take it, is therefore that a student is going to be willing to borrow to pay the costs of education, because he won't worry that if he chooses a career that does not produce substantial income, he will be carrying a debt load that he won't be able to manage.

And so we think that it can be helpful to other institutions, particularly to independent institutions, to see how Yale makes out in this. It is a difficult program to design. The determination of what rates of repayment are appropriate for particular income levels, and so on, is almost impossible to figure out satisfactorily in advance.

Senator PELL. But it has one point, I think, in the right direction, over the Zacharias proposal, which is that it gets away from the reverse dowry inherent in that proposal, as I understand it. Would this be correct or not?

Secretary RICHARDSON. Well, there the degree of obligation that you face is a function, really, of what you earn. And in that sense, I think it is basically similar to the Zacharias approach.

CAMPUS UNREST

Senator PELL. Another question, off of today's subject. One of the political reasons attributed to the fact that we didn't move ahead on a higher education bill last year was concern about violence on campuses. I think the record should be straightened out.

My understanding is that there are about 2,800 public institutions of higher learning, and about 700 proprietary institutions, and that the numbers of instances where violence occurred, in the last year, were less than 150. Would that be a correct statement?

Mr. MUIRHEAD. May I respond to that, Mr. Secretary?

That would be a correct statement, and also I should report to you, Senator Pell, that we were operating under a provision in the Higher Education Act that required all institutions to stop financial aid for those students who had been found guilty of violence and disruption. We have made a survey, as you would expect us to, and a report from those institutions shows that nationwide—nationwide—the total number of students who were found, after due process, were found guilty of violence or disruption, according to the provisions of the law, and whose student assistance was removed, totaled about 400. I think this underscores the point that I believe was the thrust of your question, and that is that the student violence and student disruption really occurs only in a small number of institutions, and is participated in only by a very small number of students.

Senator PELL. In the last calendar year, or fiscal year, which are we talking about?

Mr. MUIRHEAD. I am talking now about the last college year, ending last June.

Senator PELL. During the last college year, in the whole United States, there were 400 students who were convicted of acts of violence or impropriety.

Mr. MUIRHEAD. About 400 students who were receiving financial assistance whose financial assistance was removed as a result of being found guilty of violence and disruption.

Senator PELL. And how many incidents of violence were there in the country as a whole?

Mr. MUIRHEAD. I can't recall that figure, but we do have a report which I will be very pleased to share with you for the record, but the total number of instances are much less than most people imagined.

Senator PELL. This is what my belief is, too. Do you have any idea of what the total cost of damage of vandalism, breaking of windows and paint, and things of that sort, including that dreadful bombing incident in the University of Wisconsin would be?

Mr. MUIRHEAD. We do not have that information, Mr. Chairman.

Senator PELL. I think it would be of interest if you gave, again, a rough estimate of the total dollar damage, which I believe is less than people would think. I think many people in the country as a whole have visions of mayhem and violence occurring on every college campus, this is just not so.

Mr. MUIRHEAD. We would be very pleased to provide a report on that, and as much information on that point as we can find.

(The information subsequently supplied follows:)

EDUCATIONAL INSTITUTIONS ACTION

FISCAL YEAR 1969

On the FY 1969 Fiscal Operations Report which covers educational institutions actions under the NDSL, CWS and EOG Programs through June 30, 1969, the following was reported:

1. Three institutions reported action against 63 convicted students under the Higher Education Amendments of 1968, Section 504(a). They were:

   Harvard University
   Wisconsin State University - Oshkosh
   San Bernardino Valley College - California

2. Three institutions reported action against three convicted students under the appropriation act, Section 411. They were:

   Columbia University - N. Y.
   Bluefield State College - W. Va.
   University of California - Davis

3. Five institutions reported 26 actions against students found to have violated college regulations or officials orders under Section 504(b). They were:

   Columbia University
   Cheyncy State College - Pa.
   Belmont Abbey College - N. C.
   Alabama State University
   Wisconsin State University - Oshkosh

4. Another 584 students receiving Federal funds were suspended or expelled by 110 institutions under actions taken in accordance with the institutions' own rules and regulations.

5. Totals: 676 students out of 771,385
   117 colleges and universities out of 2,200 partipating

All participating institutions are required to sign a Terms of Agreement. This terms stipulates that "the Institution shall take such steps as are necessary and appropriate to assure that the financial assistance provided for . . . is not made available to students where prohibited..."

EDUCATIONAL INSTITUTIONS ACTION

FISCAL YEAR 1970

On the FY 1970 Fiscal Operations Report which covers educational institutions actions under the NDSL, CWS, and EOG Programs through June 30, 1970, the following was reported:

1. Two institutions reported action against 17 students under Section 407 of the fiscal year 1970 Appropriations Act for the Department of Health, Education, and Welfare (P.L. 91-204). They were:

   Northeastern University-Mass.
   Virginia Polytechnic Inst. & State Univ.

2. Two institutions reported action against 7 students under Section 411 of the fiscal year 1969 Appropriations Act for the Department of Health, Education, and Welfare (P.L. 90-557). They were:

   Mesa County Jr. College-Colo.
   Va. Polytechnic Inst. & State Univ.

3. Five institutions reported action against 5 students under the Higher Education Amendment of 1968, Section 504(a). They were:

   California State Poly. College-Kellogg-Voorhis
   San Fernando Valley State College
   University of Maryland
   University of Arkon-Ohio
   Wisconsin State University-River Falls

4. Three institutions reported action against 11 students under Section 504(b) of the Higher Education Amendments of 1968. They were:

   Western Michigan University
   Southwest Missouri State College
   Miami University-Ohio

5. Another 315 students receiving Federal funds were suspended or expelled by 72 institutions under actions taken in accordance with the institutions' own rules and regulations.

A total of 355 students had their financial assistance terminated because of Student Unrest.

The U.S. Office of Education does not have information concerning the dollar value of college disorders.

PRINCETON PLAN

Senator PELL. Now, there is one other question, somewhat related to this subject, not directly related to the testimony today, but I would be interested in your views.

You may recall the Princeton plan, which provided the opportunity for students to have 2 or 3 weeks off prior to the election to participate in a campaign. Last year, the students were very excited about this. They came down in droves, and seemed very concerned. And yet, the activity of students in the last election was really a dismal failure. The Princeton plan itself was rather unsuccessful. About 80 percent of the students did not use the time off for political activity, but used it as a vacation, and only half of the 20 percent spent their full time in this form of political activity.

Does the Office of Education have any statistics with regard to the extent of political activity of young people?

Mr. MUIRHEAD. We do not, Mr. Chairman. But we do have, through our regional offices, and through the reports that are made to us from the campuses, some rather, I think, extensive information on the amount of violence and disruption. But, in general, what you have just said, that what started to be a movement that many people thought would become quite popular, turned out to be a movement that was not engaged in very much on university campuses, and on those campuses where it was engaged in, really wasn't directed at the main thrust of involvement in the political campaign.

Senator PELL. I would emphasize the point that when I point out the failure of this plan, I do not reflect on the establishment of it, or the institution. What is reflected upon is the young people themselves, who failed miserably when given the opportunity to participate more fully in our elective process.

Do you have any figures with regard to college programs for getting students registered? Are the colleges making any efforts in this direction? Is there any voter registration section or man working in this field in the Office of Education?

Mr. MUIRHEAD. We do not have anyone assigned in the Office of Education to that particular field, and I don't think that in the records that we do have, the information we have from universities, that we would be able to report whether or not people on campus are engaged in that particular activity.

Senator PELL. I know in my own State, I am very disappointed, because there seems to be no effort as yet to get the many thousands of young people who are there to participate in elections. On the national level, in those States where they can vote between 18 and 21, the record again is dismal.

No reflection on the States, or the establishment. It is a reflection on the young people.

My recollection is that less than a third of those eligible between 21 and 30 take the bother to register and vote.

THEORY OF PROPOSAL

Going back to the direct subject in hand, your statements indicate a very strong emphasis on keeping the cost of education off the national budget. I realize that. This is one of the advantages of a loan program, because you don't have the figures appearing in the budget as you would in a grant program.

Do these budgetary factors play a role in your emphasis on loans over grants?

Secretary RICHARDSON. Yes. It undoubtedly plays some part. In general, though, we think that, so far as loans are concerned, that it is appropriate, and effective, to call upon the private sector.

I could supply here for the record a tabulation showing the extraordinary increase, or extraordinary volume increasing year by year, in guaranteed loans, under the program that started just about 5 years ago. And this tends to indicate that the private capital market is as prepared, given security of principal, to lend to students or to anybody else, and so our answer, in effect, is why not use it?

Mr. MARLAND. May I supplement that, Mr. Secretary?

I think, recalling the chairman's question as to the implications that this proposal tends to lean on loans as distinct from budget items, it should be noted in the record that our budget in 1971 is about point $9 billion. That is, $900 million. Our budget for 1972 will request more than double that, $1.9 billion for higher educational loans.

Now that, I must quickly add, that $1.9 billion will include forward funding, but nonetheless, allowing for the forward funding, there will be a 70-percent increase in the higher education budget line items, which does include, of course, the funding of the student loan association.

NATIONAL STUDENT LOAN ASSOCIATION

Senator PELL. As you know, I have had a somewhat dim view of the idea of this National Student Loan Association. One of the points here is that ultimately the association will be controlled by a board of directors elected by stockholders. There is no real control by either the executive branch of Government or by the Congress, and I am wondering if, as a matter of national policy, there is an argument to be made to the effect that it is a mistake to put such a public trust in an independent board.

Secretary RICHARDSON. Well, this association, Mr. Chairman, would have no authority over who gets loans or in what amount. Its only function is to operate a secondary market. Or to carry on the function of warehousing loans.

As we visualize the operation of the proposed student aid program, it would rely, as I think I tried to emphasize earlier, upon the student assistance office of the college or university itself to determine which students should get loans, versus grants, and what the combination of loans and grants should be.

Beyond that, insofar as it does have responsibilities for polices affecting the operation of the secondary market itself, the proposed National Student Loan Association would be a publicly responsible body, with appointment by the President of seven public members of its board, which would amount to one-third of the board.

Senator PELL. Right. Actually, who would set the interest rates?

Secretary RICHARDSON. The Secretary of the Treasury, Secretary of HEW, and the Director of the NSLA.

Senator PELL. The three of them, so two out of the three could decide what the rate would be. That decision would have an effect in and of itself.

Secretary RICHARDSON. Yes. Well, that is, of course, the ultimate, most fundamental policy decision to be made.

LENDER OF LAST RECOURSE

Senator PELL. Right. In how many of the States is there a lender of last recourse, where, if a student finds that the banks won't take him because his family does not have an account there, or he doesn't look like a good risk, he can turn to.

In many States is there an institution of last recourse?

Secretary RICHARDSON. I do not know. Mr. Muirhead may know.

Mr. MUIRHEAD. But let me respond to your question, first of all, by saying that the proposal that we have before you is directed at making sure that the student would have a loan available. At the present time. under the guaranteed loan program, as you know, Mr. Chairman, a number of States, 35 States, participate in the Federal program, because they have not set up their own guaranteed loan agency.

And this proposal would say, in effect, that there would be funds available, because not only would the lending institutions include the banks, but they would also include the colleges and universities.

And the Secretary, in consultation with the Secretary of the Treasury and the Director of NSLA, would set the volume of loans. So that. once and for all, we would have available credit for providing both the subsidized loans that the Secretary has explained and the guaranteed loans which are intended for those of upper income level.

WAREHOUSING

Senator PELL. If we go ahead and enact our approach, which is the warehousing provision but do not go ahead with the incorporated association, what would be the disadvantage of our approach?

Mr. MUIRHEAD. I think it would be very unfortunate, Mr. Chairman, if we were to have only a warehousing proposal. And now having said that, I think a warehousing proposal is very important. But the warehousing proposal would be more to the advantage of a banking, commercial banker, than it would to a college.

The warehouse, as you know, makes it possible for a commercial lender to put aside for a while loans which he has, with the clear understanding that he will purchase them at a later date.

We are saying that the colleges and universities should be involved in making these loans, and they can't have that difference of saying that they will turn over their capital to a warehouse for a while, and then repurchase at a later date. They don't have that type of resource.

So it seems to me that the warehouse is a very important part of this proposal, to benefit the commercial banks, but the other part of the proposal is crucial to make it possible for NSLA to purchase the loans in order for the colleges and universities to become effective lenders in this program.

Senator PELL. Well, the money is just as green, and worth just as much or just as little, no matter where it is borrowed from. Or how it is borrowed. And I would think the warehousing provision would meet the requirements of the students.

Secretary RICHARDSON. May I add a point to that, Mr. Chairman, Which goes back to discussion we had earlier of the NDEA student loans.

Generally speaking, while we think it is helpful for banks to stand ready to make guaranteed loans to students, on the other hand, we

also think that it makes sense for a college or a university to be able to administer a student assistance program as a whole, looking at the situation of the student, his opportunity to work parttime, if any, his family situation, and to work out with him an appropriate combination of work, grant, and loan. The institution really isn't in a position to do that unless it has loanable funds, and the great contribution of the NDEA student loan program has been that it has put loanable funds into the hands of the institution.

And what we are trying to do here is in effect to assure that the institution will continue to be in that position. And so the opportunity of the institution to unload its own paper on the NSLA is a vital ingredient in this combined approach.

ADMINISTRATION PROGRAM

Senator PELL. In your chart which showed the number of students to be benefitted, you indicated that your proposal would benefit 2½ million youngsters with subsidized programs.

How many of these students in that projection will be receiving loans as opposed to grants?

I think this turned out on the charts that you showed us, but I was wondering if you could translate it into numerical terms for us.

Mr. MUIRHEAD. Yes, the chart which we showed shows that we would increase the number of students from 1.6 to 2.5 million, and the 2.5 million students would receive a combination of loans and grants.

We have, for example, at the present time, a total program for equal opportunity grants, that is, proposed, of 559 million and 760.

Basically, the answer to your question, I think, Mr. Chairman, is that for all students coming from below—and again, I have to say it has to do with the size of the family—for all students coming from below about $8,000 family income, they would be the recipients of a combination of grants and loans.

For students who are eligible for support above the $8,000 and again I am speaking of a family with one child, and it might very well be $9,000 or $10,000, they would basically be supported under the subsidized loan program.

The whole essence of the proposal we have before you is to target the grant funds on low-income students.

Senator PELL. Looking at this chart, one of the effects I dislike is that a student from a poor family, with no family contribution, will still have to start out life with a loan hanging over his head. A small loan, but still a loan.

Mr. MUIRHEAD. I have now before me some figures which I can say with more precision than I did before what the distribution would be of students assisted under the grant provision, and students assisted under the subsidized loans.

We would expect that of the 2.5 million students assisted as a whole, that about 1.1 million would be receiving grants. And that about 2.5 million would be receiving subsidized loans, because all students would be eligible for subsidized loans.

Senator PELL. Right. I think this is a very important point to be emphasized, that all students would, no matter from what financial circumstances they came, would, when they finished college, if this

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program of yours was enacted, have a loan hanging over them. Would that be a correct statement?

Mr. MUIRHEAD. That is a fair statement, but I think it is quite fair to point out that the student from the lowest income family would have the assistance which he received would be predominantly from grants rather than loans.

EFFECT OF PRESENT PROGRAMS

Senator PELL. Now if the presently authorized programs, were fully funded, how many students would be helped? 2.5 million would be helped under your proposals, if fully funded. How many would be helped under present programs, fully funded?

Mr. MUIRHEAD. Well, we are now supporting 1.6 under the program. But they are not funded at the authorized level. We have not computed the figures as to how many students would be assisted, if they were funded at the authorized level.

Senator PELL. Would you do that, just run through it through the computer and send us that figure?

Mr. MUIRHEAD. We would be very pleased to do so.

(The information subsequently supplied follows:)

STUDENT AID

The following table illustrates the estimated number of students who would be aided under existing student aid programs if such programs were funded at the FY 71 authorization levels:

	Authorization (Dollars in millions)	Number of Students Aided
National Defense Student Loan	$375	781,000
Educational Opportunity Grant	273	456,000
College Work-Study	320	749,000
Guaranteed Student Loan	---	1,246,000 1/

The above table reflects duplicated benefits; i.e., a student may be receiving both a EOG and Work-Study payments and would be included in the totals for both of these programs. It is estimated that the unduplicated total for all of these programs would be approximately 2,370,000 students.

1/ No authorization level in the law--number of students based on demand.

GUARANTEED LOAN PROGRAM

Senator PELL. Thank you.

Now in one of these charts, you predicted that the number of persons receiving unsubsidized guaranteed loans would increase from 25,000, 40-fold to a million. Isn't the reason for this increase the result of dropping the subsidy?

Mr. MUIRHEAD. I am not quite sure that I understand the question.

Senator PELL. In other words, the reason it goes up from 25,000 to a million is because you have dropped the subsidy that you had before?

Mr. MUIRHEAD. Yes; but we are not dropping the subsidy for the subsidized loans. We are—if I understand your question correctly—we are providing NDEA loans at four times the level.

BUDGET FIGURES

Senator PELL. Right. Now I understand that none of the figures that you have been using are in the bill that you submitted.

To put it another way, the bill that you submitted does not contain the figures that we have been using in this discussion. The bill simply asks Congress to give HEW the authority to carry out a grant program, and you are now telling us the policy you will use if we passed the bill, in the 1971–72 years.

Since you are asking for this open-ended, discretionary authority for 5 years, will you give us a comparable policy with numbers of students involved and cost estimates for the succeeding 4 years?

Because we have just been talking about 1 year here.

Mr. MUIRHEAD. Yes; we will provide you a 5-year projection for the proposed legislation.

Senator PELL. Right.

And if we should for some reason adopt the philosophy of your proposal, with the emphasis on loans, I suspect that some members of our committee will want to study the dollar figures and will want to write those figures into the legislation, as a matter or policy, rather than leaving it up entirely to the Department.

This is up to us to thrash out in executive session.

I have a couple more questions that I will submit for the record, and we would hope that you will furnish replies for the record.

(The information to be supplied follows:)

ADDITIONAL QUESTIONS SUBMITTED TO PETER MUIRHEAD OF THE U.S. OFFICE OF EDUCATION WITH RESPONSES

Question:

Section 404(b) of the General Education Provisions Act requires that HEW submit to the Legislative Committees and the Appropriations Committees a comprehensive and detailed review and evaluation of education programs. The report is to be submitted in the year prior to the expiration of the authorization of the appropriations for the program concerned. This report was intended to serve as the basis for the Administration's legislative proposal. In the case of higher education, the report was due last year. Has that report been submitted?

Since the Administration is proposing a major revision of the College Library Program and the Higher Education Facilities Act, and the repeal of many others, it would be helpful if the evaluation report were submitted to the Committee even if they are late. The evaluations must be the basis upon which the Administration rests its proposals.

Answer:

Separate reports on Title II, HEA and the HEFA have not been prepared. As you know, P.L. 91-230 extended the requirement for such reports to all applicable programs, rather than just programs authorized by the HEA of 65, the HEFA and NDEA. In order to economize on the expenses which are incurred in preparing a number of separate reports, the Office of Education plans to submit all such evaluation reports at once. This project is currently underway; however, we estimate that it will be several months before such a report is ready for transmittal to the Congress.

Substantial money for evaluation of education programs did not become available until late in FY 1970, when $9.5 million for these purposes was provided by final appropriations action in the closing months of the fiscal year. With these funds, some fifty planning and evaluation studies were initiated.

A report listing these studies was submitted to Congress on July 31, 1970. Begun just a year ago, they are still in progress, and significant results from most of them will be coming in during the summer of 1971. As a result, we have been unable to communicate their findings to Congress to date.

The Office of Education believes very strongly that our knowledge of the effectiveness of education programs is inadequate, and we are attempting to move as vigorously as possible to provide this knowledge. Because our first wave of serious evaluation studies was only in midstream in January of 1971, we have not been able to supply the specified report.

Question:

(a) The student aid proposal also contains a cost-of-instruction allowance for institutions. What is the average cost of instruction for undergraduate students in colleges? By cost of instruction, I mean the costs directly related to instruction, not capital investment, graduate schools, or research.

Answer:

The Office of Education's National Center for Educational Statistics shows the following average educational and general expenditures per student in academic year 1967-68:

PER STUDENT EDUCATIONAL & GENERAL EXPENDITURES
1967-68

All Institutions	$1,905
Public Institutions	1,702
Universities	2,814
Other 4-Year	1,252
Two-Year	677
Private Institutions	
Universities	3,771
Other 4-Year	1,725
Two-Year	1,020

Educational and general expenditures include expenditures for instruction and departmental research, extension and public service, libraries, plant maintenance and operation, general administration, organized activities related to educational departments, organized research, other sponsored programs. Excluded are expenditures for student aid, auxiliary enterprises, and current funds expended for physical plant assets.

It should be noted that expenditures for research are included in this definition primarily because national data excluding these activities are not available at this time. However, because most of the research efforts of institutions contribute substantially to the quality of the educational offerings, it is felt that the inclusion of research expenditures in instructional costs is valid. In addition, it is not possible to separate instructional costs for undergraduate and graduate education since the staffs, facilities and other expenses are jointly used on most campuses for both graduate and undergraduate education and since most institutions cannot provide separate expenditure data for these categories.

These educational expenditures shown above have been projected to academic year 1970-71 by using a growth rate based on past increases in educational expenditures and in enrollments within each of the various types of institutions:

ESTIMATED PER STUDENT EDUCATIONAL AND GENERAL EXPENDITURES
1970-71

All Institutions	$2,197
Public Institutions	1,920
Universities	3,220
Other 4-Year	1,424
Two-Year	794
Private Institutions	2,871
Universities	4,645
Other 4-Year	2,077
Two-Year	1,125

Educational expenditures per student tend to be higher in private institutions than in public institutions for a number of reasons. Many private colleges pay higher salaries to faculty and administrators than public institutions of higher education. Pupil-teacher ratios tend to be lower. Since private institutions tend to enroll fewer students than public institutions, there is a higher cost-per-student in the provision of equivalent services.

Question:

(b) If we decide to enact a cost-of-instruction allowance proposal, what type of approach would you suggest that would pay solely the cost of instruction, and would stop increases in tuition charges?

Answer:

As we indicated earlier, the Department of Health, Education, and Welfare is indeed aware of the financial difficulties facing many of our colleges and we are presently studying the magnitude of, and various approaches to meeting this problem. We expect to issue a statement concerning financial assistance to institutions of higher education in the near future.

Question:

The core of the Administration proposal is the National Student Loan Association. Ultimately, that Association will be controlled by a Board of Directors elected by the stockholders—with no real control by either the executive branch or the Congress. Should we, as a national policy, place the control of student assistance so far from public influences and from influence by the beneficiaries—the students?

Answer:

Section 443 of the proposed new Part D of title IV of the Higher Education Act of 1965 provides for the establishment of the Board of Directors of the NSLA and specifically requires that seven of the twenty-one members of the interim Board appointed by the President shall be representative of the general public. When in the President's judgment sufficient common stock of the Association has been purchased, stockholders which are eligible institutions of higher education shall elect seven Board members and stockholders which are lenders shall elect seven. The President shall appoint the remaining seven members. Elected members shall serve terms ending on the date of the next annual meeting of the common stockholders; appointed members shall serve at the pleasure of the President.

We feel that the diverse membership of the Board will adequately insure representation of the public interest in the decisions made by NSLA. However, it must be stressed that creation of NSLA will in no way "place the control of student assistance" in the Association. NSLA would merely be a private corporation financed by private capital, to serve as a secondary market for student loans insured under part C of title IV and to provide liquidity for those who make such loans. Control of student grant, work-study, and subsidized loan programs would remain with the financial aid officers of institutions of higher education, the Office of Education, and the Congress.

Supply a cost estimate of the Basic Educational Opportunity Grant proposal in section 142 of S. 659. Include the number of students which would be assisted and the various income levels of the families of those students. Note that the proposed section 402(a)(2)(A) of the Higher Education Act of 1965 uses the term "the amount of the tax imposed" rather than the amount of tax paid. Also, separate the estimated cost of grants to students from that of cost-of-instruction allowances in the proposed section 409. State assumptions.

COST ESTIMATES
S-659
EDUCATION AMENDMENTS OF 1971 STUDENT AID PROVISIONS

The funding projections described below are based on the assumption that the new student financial aid program will support all students who are eligible, as determined by the annual family income tax imposed in relation to the maximum grant of $1,200. The following calculations were made in order to ascertain the total number of eligible students, the grants to be received by students, and the total costs of the program.

I. Determination of Eligible Students

Department of Health,Education,and Welfare data indicate that the income distribution by quartile for full-time undergraduate students in both degree credit and vocational education for academic year 1971-1972 will be as follows:

INCOME DISTRIBUTION BY QUARTILE OF UNDERGRADUATE STUDENTS
ACADEMIC YEAR 1971-72

Income Quartile	Number of Students
1st (low)	1,040,000
2nd	1,090,000
3rd	1,585,000
4th high	2,085,000
	5,800,000

Since the data available for tax paid by families is in the form of income ranges, the above students by income quartile have been distributed by family income according to the latest 1969 Census median income groupings. The legislative proposal states that anyone eligible for a grant of less than $200 would not receive an award. Since the tax rates indicate that most students coming from families with incomes above $10,000 would receive

less than $200, the students falling into these income groups have not been included in the following table:

INCOME DISTRIBUTION OF ELIGIBLE STUDENTS
ACADEMIC YEAR 1971-72

Family Income	Number of Students (Rounded)
0 - $ 3,000 (25% of 1st quartile)	260,000
3 - 6,000 (75% of 1st quartile)	780,000
6 - 9,000 (90% of 2nd quartile)	980,000
9 - 10,000 (10% of 2nd quartile + 10% of 3rd quartile)	270,000
Total Eligible Students	2,290,000

It should be noted that these estimates are based on the assumption that the mix of dependent and independent students enrolled in postsecondary education will not change as a result of the proposed program.

II. Estimated costs for Basic Grants

The following assumptions have been made in order to produce an illustrative support schedule for students eligible for grants under this bill. As defined in the bill, eligible students would receive a basic opportunity grant of $1,200, less the amount of tax paid by their parents or themselves. Students in extreme financial need are also eligible for supplemental grants which would be the lesser of $1,000 or half of the sum of other financial aid received by the student. Students eligible for a grant of less than $200 would not receive an award.

For the basic grant portion of the bill, it is assumed that the average family has two parents and two children. The amount of each basic grant is calculated from the 1970 College Scholarship Service tax tables. The following table shows the average tax paid by such families in each income category and estimates the average grant for which students from these families would be eligible.

AVERAGE TAXES AND BASIC GRANTS BY FAMILY INCOME
ACADEMIC YEAR 1971

Family Income	Average Tax	Average Grant
0 - $ 3,000	$ 0	$1,200
3 - 6,000	219	981
6 - 9,000	647	553
9 - 10,000	977	223
10,000 +	1,130	0

The next table shows the number of eligible students in each income category and multiplies them times the average grants in each category to arrive at the total costs of the basic grant portion of this bill.

TOTAL COSTS OF BASIC GRANT PORTION BY INCOME LEVELS
ACADEMIC YEAR 1971-72

Family Income	1971 Number of Eligible Students	Volume of Basic Grants--1971 ($ in thousands)
0 - $ 3,000	260,000	$ 312,000
3 - 6,000	780,000	765,000
6 - 9,000	980,000	542,000
9 - 10,000	270,000	60,000
TOTAL	2,290,000	$1,679,000

III. Estimated Costs for Supplemental Grants

For the supplemental grant portion of this bill, it is assumed that students in extreme financial need can be defined as those coming from families of $6,000 annual income or less. It is also assumed that total tuition, room and board costs for 1971 will average $1,335 for all types of public institutions and $2,913 for all types of private institutions. (These costs are based on a 7% increase over the NCES projected costs for academic year 1970, with 7% being assumed as a reasonable annual rate of increase in costs.)

The following table is based on the assumption (derived from NCES projections) that 73% of the eligible students in 1971 will attend public institutions and that 27% will attend private institutions. The table shows the number of students in the two income categories eligible for these supplemental grants which will be attending public and private higher education institutions.

ELIGIBLE STUDENTS ATTENDING PUBLIC AND PRIVATE INSTITUTIONS
ACADEMIC YEAR 1971

Family Income	Number of Eligible Students	Students Attending Public Institutions	Students Attending Private Institutions
0 - $3,000	270,000	197,000	73,000
3 - 6,000	780,000	569,000	211,000

The support schedule for these supplemental grants to students in extreme financial need assumes some packaging of financial aid which would include some mix of the student's basic grant, College Work-Study program support, State, local, and institutional scholarships, as well as loans. (It should be noted that this bill continues the support under the existing College Work-Study, National Defense Student Loan, and Guaranteed Loan programs.) These financial aid packages would be matched to the cost for each student to attend a public or private higher education institution.

The following examples show the assumed student financial aid packages by income categories for attendance at either public or private institutions.

1. Student from the 0 - $3,000 income category attending a public institution (cost = $1,335)

$1,200 - basic grant
135 - other financial aid from all sources
0 - supplemental grant
1,335

In this case no supplemental grant would be given since the bill states that no supplemental grant can be less than $200, which would be more than this student would need to meet his costs.

2. Student from the 0 - $3,000 income category attending a private institution (cost = $2,913)

$1,200	- basic grant
813	- other financial aid from all sources
900	- supplemental grant
$2,913	

3. Student from the $3,000 - $6,000 income category attending a public institution (cost = $1,335)

$981	- basic grant
354	- other financial aid from all sources
0	- supplemental grant
$1,335	

Again in this case, no supplemental grant would be awarded because the bill requires that the supplemental grant must be the lesser of $1,000 of half the amount of other financial aid. In this case, then, the supplemental would have to be less than $200 and would not be awarded.

4. Student from the $3,000 - $6,000 income category attending a private institution (cost = $2,913)

$981	- basic grant
982	- other financial aid from all sources
950	- supplemental grant
$2,913	

The following table takes the numbers of eligible students in the 0 - $3,000 and $3,000 - $6,000 income categories and multiplies them times the assumed supplemental grants shown in the examples above to arrive at the total costs of the supplemental grant portion of this bill.

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TOTAL COSTS OF SUPPLEMENTAL GRANT PORTION BY INCOME LEVELS
ACADEMIC YEAR 1971

Family Income	Attending Public Inst. Number	Attending Public Inst. Total Grant Cost ($ in thousands)	Attending Private Inst. Number	Attending Private Inst. Total Grant Cost ($ in thousands)
0 - $3,000	197,000	0	73,000	$ 66,000
3-- 6,000	569,000	0	211,000	200,000

Total Supplemental Grant Program Cost = $266,000

IV. Continuation of Existing Federal Student Financial Aid Programs

The proposal continues the National Defense Student Loan program at a level of $375 million, the College Work-Study program at $250 million and the Guaranteed Loan program which is assumed to cost a total of $160 million in interest charges to the Federal government in 1971. It is estimated that approximately 1.0 million students who would not be receiving Basic Educational Opportunity Grants will be assisted under these programs. Academic year 1971 costs - $785,000.

V. Cost of Instruction Allowances

Under the proposal a cost of instruction allowance of $1,200 less the tuition charged to a student would be paid to the institution for each student who is a recipient of a Basic Educational Opportunity Grant. In order to arrive at cost estimates for this section of the proposal, the tuition and fees costs at public institutions is estimated to be $349 per student, while at private institutions such costs would average $1,664 per student. It is also assumed that 73 percent of the Basic Grant recipients will attend public institutions. Only public institutions would receive these allowances (an average of $851 per student) since

private institutions charge more than $1,200 tuition on the average. It is also assumed that institutions would not waive tuition and fees for the Basic Grant recipients in order to receive such awards.

Multiplying the average cost of instruction allowance for public institutions by the number of eligible students in such institutions would result in the following costs for this portion of the proposal:

Total Costs - Cost of Instruction Allowances $1,423,000

TOTAL COSTS ($ in thousands)

Adding the costs for each of the student aid provisions in S-659 will result in the following total Federal support levels:

Costs of Basic Educational Opportunity Grants	$1,679,000
Costs of Supplemental Grants	266,000
Costs of Continuing Existing Programs	785,000
Costs of Instructional Allowances	1,423,000
TOTAL	4,153,000

Amendment Number 85, proposed by Mr. Pell, would amend the "Cost of Instruction Allowances" section to read:

> SECTION 409. In addition to the amounts paid to institutions for supplementary grants, the Commissioner shall pay to each eligible institution a cost of instruction allowance for each student in attendance at such institution who is a recipient of a grant under this part. No cost of instruction allowances paid under this section shall exceed $1,000.

This language would apparently leave the amount of any individual cost of instruction allowance to the discretion of the Commissioner, and therefore is incapable of being definitively costed out. However, if one assumes a flat $1,000 per student cost of instruction allowance and the same 2.29 million student recipients of basic grants, the cost of the revised proposal would be $2.29 billion

Question:

As I said earlier, the text of the Administration bill did not reach the Education Subcommittee until yesterday; therefore, specific questions on that bill are not possible. However, I would like to ask questions on the primary bill before the Subcommittee, S. 659, the "Education Amendments of 1971," and discuss the testimony you have offered this morning only in general terms. More detailed requests for information will be submitted in writing at a later date. What is your opinion of an across-the-board student grant program such as the one proposed as the "Basic Educational Opportunity Grant" in section 142 of the bill I am sponsoring, S. 659?

Answer:

We find a number of serious defects in the Basic Educational Opportunity Grant program proposed by S. 659:

1. Reliance on the amount of tax imposed on the student or his parents is not a measure of the family's ability to contribute toward the student's education.

A. Middle- and upper-income families with some sophistication in dealing with tax matters could emancipate their college-age children at little tax loss to the family, in comparison with the $1,200 basic grant to which the student would be entitled. Lower-income families, whose children cannot afford to go away to school, would be unable to effect such emancipation. The result would be lower grants for students from low-income families.

B. A system based on tax imposed does not take into account the family's assets, which have a direct bearing on the amount a family is able to contribute for higher education.

C. The system does not include any unusual but necessary family expenses, unless such expenses can be classified as tax deductions. Such expenses would, however, affect the family's ability to contribute toward college costs.

D. Under present tax legislation, certain types of income, such as State and local bond interest, are exempt from Federal taxation. Primarily for economic reasons, capital gains are taxed at 50 percent of the rate imposed on income from wages. Certain fringe benefits are excluded from taxable income. All of these would affect the ability of a family to contribute to their child's higher education, but would not be reflected in the amount of a Basic Educational Opportunity Grant.

E. Under existing tax laws, certain persons with high incomes incur very little or no tax liability. As a result, students from these families would be eligible for Federal support.

2. The information furnished on individual income tax returns is generally considered to be confidential.

A. Many families have a strong reluctance to divulge infor ation which they have submitted to the Internal Revenue Service. This reluctance could cost needy students Federal aid.

B. Some are concerned that release of such information will prejudice their position with the Internal Revenue Service in future years. They may look upon it as an attempt to audit their tax return.

C. Others may see the inquiry as a way of verifying information that they have given to other agencies, such as the welfare department, and may be concerned that disclosure of the information may affect the benefits that they are receiving.

3. The tax imposed on a student or his family for the prior year could be irrelevant to the student's resources for the school year for which aid

is sought. Financial aid applications received in the spring, for awards to be made in September, will be based on information for the year ending the preceding December. In some cases significant changes in family circumstances will have occurred and the contribution that would be calculated would be unfair to the family or to the college.

4. The cost of the proposal is staggering. Estimates show the total costs of the Basic Grant portion alone to amount to $1.7 billion for academic year 1971-72.

A. These projections assume that no basic grants will be made to families with incomes above $10,000, since their taxes exceed $1,200. However, if upper income families elect to emancipate their college-age children, the cost of providing $1,200 grants to such student would have to be added to the cost estimates.

B. The projections also assume a minimum grant of $200. The legislation provides for no such minimum, unless appropriations are inadequate to fund all grants fully. Presuming full funding, the cost could be vastly increased, as several million more students became eligible for insignificant amounts of Basic Grant money.

C. The cost of the Basic Grant program cannot be looked at in a vacuum, since Supplemental Grants and Cost of Instruction Allowances hinge on receipt of a Basic Grant. The Supplemental Grant program has been estimated to cost $266 million. The Cost of Instruction Allowance provision, if retained at the level of $1,200 less tuition charged, could cost approximately $1.4 billion. If the Cost of Instruction Allowance provision is amended to authorize a grant of up to $1000 for each

student aided, it could cost nearly $2.3 billion. Therefore, the total cost of the proposal is approximately $4.153 billion (if the Cost of Instruction Allowance is not amended); if the amendment is adopted, the proposal would cost more than $5 billion.

5. The proposal makes a promise that will probably not be fulfilled. Initial Educational Opportunity Grants have been funded at a level of less than 40 percent in recent years. There is little likelihood that the funding levels contemplated in S. 659 could be attained, so its primary impact could be to raise expectations which must be unrealized.

6. The provision limits eligibility to full-time students. No allowance is made for part-time students or for students who wish to drop out of college for a period of time but retain their eligibility for aid. The "academic lock-step" would be preserved, at the expense of flexibility of access to higher education. We are examining our own proposal on this point.

7. The average age of a student in a community college is 25; many of these students have dependents of their own. Pinning eligibility for financial aid on taxes imposed on these students could cause additional complications which we cannot measure at this time.

8. It would be possible for a student to make a profit on the Basic Educational Opportunity Grant program, if he enrolled in an institution whose costs were less than $1,200. The amount of the grant is not dependent on the cost of higher education to the student.

A. In 1968-69, the total basic student charges for male undergraduates who were State residents were, at the median institution, $1,058.

B. In two-year institutions, the median charge was only $941.

9. New section 402 of S. 659 limits eligibility for Basic Education Opportunity Grants to students "in good standing at an institution of higher education." This would appear to exclude entering freshmen who have not yet attained academic standing. Current legislation also makes students "accepted for enrollment as a full-time student at such institution" eligible for grant assistance.

10. The program appears to contemplate a direct grant from the Commissioner of Education to each eligible student, rather than a program channeled through financial aid offices in institutions of higher education.

A. If 2.3 million students could be eligible for Basic Grants (presuming a $200 minimum and no resort to the device of emancipation), the paperwork required of the Office of Education merely to issue checks would be staggering.

B. If no minimum grant were set by legislation, the check-writing operation could achieve even vaster proportions.

C. To verify the amount of tax imposed upon parents of applicants, a system would have to be developed within the Treasury Department. Another costly and cumbersome new bureaucracy would be developed. It is impossible to project the total cost to the Federal Government of implementing such a proposal.

11. The total cost of S. 659 is estimated to be in excess of $7 billion. At a funding level even approaching that figure it is very likely that other education programs, particularly those in elementary and secondary education, would have to be correspondingly reduced.

Question:

I note that you have submitted a brief section-by-section description of your bill; however, neither the description nor the testimony provide a detailed justification of the many amendments you are recommending. Please supply a section-by-section justification of the bill.

Sectional
Justification of
S. 1123

Title I - Amendments to Title I, HEA

Sections 101 and 102 extend existing Title I HEA authorities through FY 1973. Because HEW is reviewing the place of categorical programs such as this in the context of the broader Federal role in higher education, a two-year extension is requested at this time.

Title II - Amendments to Title II, HEA

Sections 201 and 202 extend and amend existing programs under Part A of Title II. These sections would amend Part A programs by increasing the proportion of funds targeted on special purpose grants by reducing basic and supplemental grants from seventy-five to fifty percent of the sums appropriated for Part A. This would continue the redirection of the Title II program which has already been begun administratively, concentrating grant funds in those higher education institutions in critical financial need. These include developing institutions, junior and community colleges, and those institutions with a high proportion of disadvantaged students. The Administration recognizes the fact that funds under the College Library Resources Program have assisted many institutions in improving their library resources. The time has come, however, to marshall support in those institutions in direst need. The proposed amendments would do this.

The remaining fifty percent available for special purpose grants would Provide more assistance for:

—institutions or their branches which demonstrate a special need for additional library resources;

—institutions or their branches which can meet special national or regional needs in library or information science; and

—combinations of institutions which need special assistance in establishing and strengthening joint-use facilities. It is felt that a greater concentration of Federal assistance in such institutions will help to assure that the resources devoted to library materials will have the greatest impact on the quality of post-secondary education in this country. Again, since HEW is reviewing

the place of categorical programs such as this, a two-year extension is being requested.

Sections 203 and 204 amend Part B programs in two ways. First, in order to coordinate the training of library professionals with other education professions training activities, an amendment is proposed to transfer Part B training activities to Title V, HEA. Second, it is proposed to repeal the research and demonstration component of Part B. This authority merely duplicates more general authority contained in the Cooperative Research Act.

Section 205 would repeal Part C, which allows the transfer of HEW funds to the Library of Congress for the Library's use in acquiring valuable materials and in preparing cataloging information. The Office of Education merely acts as a conduit for these funds at the present time. This vital function will be continued more appropriately under the budget authority of the Library of Congress.

Section 206 makes a conforming amendment to the heading of Title II and section 207 makes the amendments made by Title II of the bill effective July 1, 1971.

Title III - Amendments to Title III, HEA

Sections 301 - 303 extend and amend Title III of the HEA. Two amendments to existing law are proposed.

First, the existing limitation on participation by institutions which have been in existence for less than five years would be removed for institutions which offer less than the bachelor's degree. This change would allow new community colleges, which are being established at the rate of 60 a year, to receive funds promptly under Title III. Such institutions would, of course, be funded under the existing set-aside of 23 percent for two-year colleges.

Second, it is proposed to amend the professors emeritus program to allow professors emeritus from developing institutions to participate in the program. The Office of Education has found that these faculty members often understand the unique problems of students at developing institutions much better than retired faculty from more traditional schools.

Title IV--Amendments to Title IV, HEA

Present Programs: Description and Problems

The Office of Education presently administers four major programs for aiding students: Educational Opportunity Grants, the College Work-Study program, National Defense Student Loans and Guaranteed Loans.

The first three programs are mainly funded by the Federal Government and administered by colleges and universities. The amount of funds available to the institution for these programs depends on the total funds appropriated by Congress, State distribution formulas and the approval of regional review panels. Once the college has its various allocations, the student aid office determines what mix of grants, work-study payments and loans is appropriate for each individual eligible student.

Commercial lending institutions, primarily banks, operate the Guaranteed Loan programs. Loans are made at a maximum interest rate of 7 percent to the student. The Federal Government guarantees the loans against default, pays the student's interest on subsidized loans while he is in college and makes a special payment to lenders during tight money conditions. There are several problems with this system of student aid:

- Availability of funds--Allocation formulas, matching requirements and insufficient funds limit the aid which institutions can award to individual students. Colleges enrolling large numbers of disadvantaged students are in an especially difficult position because of the matching requirements, 20 percent in the College Work-Study Program and 10 percent in the National Defense Student Loan Program.

- Limited loan funds--Existing loan programs provide an inadequate volume of lendable funds because (a) the National Defense Student Loan program requires capital outlays from the Federal budget which has been under severe fiscal pressures and restraints for the last several years; and (b) students must compete with other borrowers (who often offer more profitable investment opportunities) for the lendable funds of banks under the Guaranteed Loan program. (Low-income students with limited bank connections sometimes find themselves at a particular disadvantage.)
- Open-ended expenditures--The Federal Government is obligated to meet its commitment to pay the interest on subsidized Guaranteed Loans while students are in college. As interest rates rise, and as more and more middle and upper income families find it in their interest to take advantage of these subsidies, a larger and larger share of Federal funds for student aid is being diverted away from the most needy students. The system as a whole has a built-in tendency to become less progressive as these subsidies absorb a disproportionate part of any budget increase for student aid.
- Uncertainty--A student who wants to go to college cannot tell where he can get aid or how much he can count on in advance of his admission and the particular student aid office determination. Nor can a bank assure the student in advance that it will have funds to lend him.
- Inequitable distribution--Federal funds do not necessarily go to those students who need them most. Moreover, different colleges assess need in different ways. Substantial subsidies go to middle and upper income students, especially under the Guaranteed Loan program.

Section 401 of the bill makes several conforming amendments which are necessary because of amendments in later sections and amends the existing Part A of Title IV (dealing with EOG's) by replacing it with a new Part A "General Provisions for Student Assistance, Findings and Statement of Purpose." The provisions of this new Part A are designed to assure (1) that EOG's, work-study payments and subsidized loans are made available to neediest students first; and (2) that students with equal need are treated alike. The provisions of Part A would also provide a reliable basis for students to ascertain their eligibility for student assistance.

Section 402 of the bill is a conforming amendment.

Section 403 adds a new Part B "Educational Opportunity Grants and Work-Study Payments" to Title IV. (Existing Part B is redesignated as Part C by section 401). This new Part B combines the authorities for EOG's and work-study programs in an attempt to insure that the use of both forms of subsidized grant programs, as well as subsidized loans authorized by Title IV, will be coordinated by student aid officers as they make awards to students.

Section 404 provides for an effective date of July 1, 1971, for sections 401 - 403.

Section 405 - 413 amend the existing student loan programs under Title IV, HEA and Title II, NDEA. Taken together, these sections would have the following effect:

Subsidized loans: Subsidized loans would be available to those students with the greatest unmet financial need, as would EOG's and work-study payments. The objective of this emphasis is to use limited Federal

funds in a manner which will meet the needs of those students who have the least possibility of securing funds from other sources.

Existing cancellation provisions would be repealed in order to conserve capital funds in the NDEA revolving fund.

The repayment period for subsidized loans would be extended to twenty years, at the student's option. This would allow students to borrow with minimum fear that annual repayment amounts would be too burdensome.

Insured Loans. These loans would continue to be made, but Federal interest subsidy payments would not be made on these loans, since borrowers under this program would be primarily from families which could afford to contribute in a major way towards the student's educational expenses.

The maximum amount which could be borrowed would be increased and the repayment period for such loans would be extended at the borrower's option. These amendments are made in part as a recognition of the increased costs of attending an institution of higher education today. The extended repayment period would allow a borrower to more easily meet annual repayments.

Section 420 establishes a National Student Loan Association to act as a secondary market and warehousing mechanism for student loan paper. Such an agency is necessary in order to increase the amount of resources available for both subsidized and unsubsidized loans. By offering lending institutions (banks, colleges, and other eligible lenders) a source of liquidity, the NSLA will significantly increase the flow of funds into the student loan market. In periods of extremely tight credit, such an institution is absolutely necessary in order to assure continued participation by lenders.

Section 421 makes conforming amendments.

Section 422 would exempt loans made under Title II, NDEA or Title IV, HEA from the Truth in Lending Act. This amendment is proposed in order to relieve smaller lenders (particularly colleges) under these programs from the burden of paperwork which the Truth in Lending Act imposes. Borrowers are already adequately protected since (1) all loans are made under uniform federally established terms; and (2) the prommissary notes for loans under both programs already must contain information concerning interest rates and repayment provisions.

Section 423 sets July 1, 1971 as the effective date for sections 420 - 422.

Section 430 adds a new Part E "Identifying Qualified Low-Income Students; Preparing Them for Postsecondary Education; Special Services for Such Students in Institutions of Higher Education" to Title IV. This section would consolidate Talent Search, Upward Bound, and Special Services for Disadvantaged Students programs currently authorized under section 408 of the HEA. This consolidation is proposed for the following reasons:

1. To permit a greater coordination and uniformity in program planning, development, and operations than the present enabling legislation. Given the unevenness in the funding of the three separate programs, the new proposal is intended to permit the Office of Education to allocate sufficient funds for maximum effectiveness to the target population, and to take into consideration the varied needs of the different geographic locations that must be served.

The current programs tend to have a definite focus, and a definite target description that does not permit latitude of interpretation so that one or more services of each program might be made available to a

wider population. For instance, the student who only needs the tutorial aspects of Upward Bound without its summer residential program is currently excluded from participation. Both Talent Search and Upward Bound Project Directors often interview the same student, who, because he or she does not need all of the services of the separate programs, tends to be excluded from final participation in either program. Rather than a smattering of "limited" services, the new legislation would allow the Office of Education to focus its services in a more direct, systematic and flexible way.

2. The proposed legislation would also provide a more flexible approach to the specific needs of the target population by permitting the Office of Education to coordinate services with other government programs. The amendment would allow more extensive coordination with the student financial aid programs. It has become increasingly clear that the Office of Education must provide not only an access to postsecondary education for low-income and minority students but also the financial support to reach postsecondary goals. To achieve this objective, coordination becomes crucial not only with financial aid, but with Model Cities programs, Career Opportunity Programs, Adult Vocational and Basic Education, and with programs for returning veterans.

3. This amendment would permit improved utilization of the professional manpower of staff by allowing the staff to focus its considerable talent on the needs of the target population without regard to existing program limitations.

Program management would be greatly improved, by coordinating the field monitoring of Upward Bound and Special Services Programs under the same professional individuals. This would be especially true where both of

these programs operate on the same campus. Similarly, coordination at the Washington level should have a beneficial impact at the local level. Rather than three separate project directors in a given locality, one director with qualified assistants could offer the variety of services that the amendment anticipates. There is no difference between a Talent Search counselor and one in Upward Bound. Not only would a more effective utilization of staff at the local level reduce administrative costs, but coordination of services would have the same impact. Funds presently diverted into high overhead and administrative costs can be utilized for more program needs, and a larger number of students can be served as a result of this economy.

Section 431 provides that amendments made by section 430 are to become effective July 1, 1971.

Title V - Amendments to Title V, HEA
(Education Professions Development Act)

Section 501 extends the authorizations for the National Advisory Council on Education Professions Development and for programs under Part A of Title V for five years.

Section 510 extends the Teacher Corps authority for five years.

Section 520 extends the authority for programs for attracting and qualifying teachers to meet critical teacher shortages under Part B(2) of title V for five years.

Section 521 amends Part B(2) of title V by adding authority for (1) programs to employ high school and college students as tutors or institutional assistants for educationally disadvantaged children; and (2) to provide necessary training to teachers to enable them to teach other grades or subjects in which shortages exist.

At the present time tutors, typically selected by College Opportunity Program project directors from high school and college students, to tutor other disdavantaged children cannot be compensated for their services or even for expenses involving their services under EPDA, since the tutors themselves are not necessarily training to be teachers. Elaborate arrangements have had to be made with the Neighborhood Youth Corps in order to arrange for compensation. Experience to date indicates that youth-tutoring-youth programs are an effective means of attracting and involving low-income students in the educational process and of improving the learning capabilities of both the tutor and tutee. We feel that the program would be more effectively administered if authority to minimally compensate tutors (who often come from low-income homes and cannot even afford bus fares) were included in EPDA.

Current legislation allows the recruitment and training of people who have never been, or who are not now, employed in the schools. The State grant program was designed as a means of attracting people to the field of education, particularly in critical shortage areas. However, there is now a national surplus of teachers, and many States would prefer to use Federal funds to retrain teachers already employed to meet shortages rather than recruiting new personnel. This amendment would allow States to use funds in this manner. It was recommended by the Advisory Committee for the State Grants Program.

Section 522 reduces the minimum State allotment under B(2) from $100,000 to $50,000. This action is proposed in conjunction with a decrease in the appropriations request from $15,000,000 to $8,000,000 because of the general surplus of available trained teaching personnel and the desire of many States to retrain existing faculty, rather than attracting new teachers.

Section 523 makes conforming amendments and raises the maximum amount which a State may spend for administration of the State plan from 3 percent of the State's allocation to 5 percent or $20,000, whichever is greater. This amendment is proposed because the 3 percent figure has proven to be insufficient for most States to assess critical needs, to administer the program, and to evaluate projects. It was recommended by the Advisory Committee for the State Grants Program.

Section 524 amends Part B(2) by eliminating the existing ceiling on the amount which States may expend for teacher aides. Currently the States can utilize only one-third of their allotment to attract, train, and qualify teacher aides. The amendment removes this one-third restriction and allows

State discretion as to the proportion of funds expended for training teachers. This amendment is included since experience has indicated wide variation among States in the needs for recruitment and training of teachers and teacher aides. It was recommended by the Advisory Committee for the State Grants Program.

Section 530 extends Part D authorizations for five years.

Section 531 amends Part D by authorizing programs or projects designed to employ tutors or instructional assistances in preschool, elementary, and secondary school classes, especially for educationally disadvantaged children. This amendment is proposed for the same reasons as the similar amendment in section 521.

Section 532 authorizes the use of Part D funds to pay tutors and instructional assistants authorized by section 531.

Section 533 authorizes a new use of Part D funds — programs and projects for the development, expansion, or improvement of undergraduate programs for preparing educational personnel. This amendment is designed to fill a gap in EPDA. The present authorization does not permit grants for the direct reform of regular undergraduate programs for the

development of educational personnel. Since those programs prepare over 90 percent of all teachers and other educational personnel, the gap is a serious one insofar as it affects BEPD ability to deal with "improving the quality of teaching," one of the two primary purposes of the EPDA. The proposed amendment does not authorize stipends and other types of support for individual students. It would direct all of its resources to the development of better programs for training those undergraduates. The amendment would provide a more productive vehicle than the traditional institutes for bringing those concerned with the academic disciplines together with those concerned with teacher training in joint efforts to improve the quality of teaching.

Section 534 makes a conforming amendment.

Section 535 would allow the use of Part D funds to support the preparation of teachers of children on Indian reservations serviced by the Bureau of Indian Affairs schools and schools supported by the BIA. Federally run and Federally supported Indian schools under the Bureau of Indian Affairs are not presently eligible for funding under Part D of EPDA. Inclusion of these schools would allow for on-premises staff training in these schools and a wide variety of other benefits. The National Advisory Council on EPDA has recommended that BIA schools be made eligible for personnel development benefits.

Section 540 extends Part E of Title V for five years.

Sections 541 - 543, taken together, are intended to consolidate Title IV NDEA fellowship programs with Title V-E, HEA. Effective July 1, 1971 Title IV, NDEA would be repealed; however, fellowships awarded before that date would continue to be paid from Title V appropriations. The reason for

effecting this consolidation is that there now appears to be an adequate supply of Ph.D's to meet teaching demands in most disciplines. The unmet need for teaching faculty in higher education which does exist tends to be limited to a few disciplines and to certain types of institutions.

Section 550 extends Part F of Title V for five years.

Section 551 makes the amendment made by Title V effective July 1, 1971, except where otherwise provided.

Title VI--Repeal of Titles VI, VIII, IX, X, and XI, HEA

Section 601 repeals titles VI, VIII, IX, X, and XI of the HEA, as of July 1, 1971. These are all relatively narrow categorical programs and the last four have never been funded. Rather than maintaining these categorical authorities , the Administration is proposing the creation of the National Foundation for Higher Education. The broad authority for the Foundation, one of the purposes of which is "to provide assistance for the design and establishment of innovative structures for providing postsecondary education and innovative modes of teaching and learning therein," will permit funding of projects of merit in most of these areas.

Title VII--Amendments to General Provisions

Section 701 amends Title XII of the HEA (1) by redesignating such title as Title VIII, and (2) by inserting a new section which provides for uniform application requirements applicable to applications under titles II, III, and V of the HEA. Similar provisions in titles II, III, and V are repealed. These amendments continue the efforts already begun in P.L. 91-230 to standardize general provisions wherever possible.

Title VIII--Amendments to Higher Education Facilities Act

Section 801 amends titles I - IV of the HEFA by extending the authorities in each of these titles for two years. These programs are being extended for only two years at this time since the Office of Education hopes to examine in detail the entire question of how higher education is financed during the next two years.

Section 802 amends title III of the HEFA by adding a new program of insured loans for the construction of academic facilities at nonprofit private institutions of higher education. The Federal insurance of both principal and interest on these loans should greatly improve the borrowing power of these institutions, as well as reducing the cost to the Federal Government in the form of loan subsidy payments.

Section 803 makes a conforming amendment to title III of the HEFA by allowing the use of funds in the HEFA revolving fund to insure loans as well as to make direct loans.

Section 804 makes amendments made by sections 801 and 802 effective July 1, 1971. Amendments made by section 803 are to be effective as if enacted on the date of enactment of section 305 of the HEFA.

Title IX--Extension of Program Under Title VI of National Defense Education Act

Section 901 amends title VI of the NDEA by extending the authorizations for two fiscal years. Once again, a two year extension is requested because of the general review of categorical programs.

Section 902 makes the amendments made by section 901 effective as of July 1, 1971.

Title X--Nondiscrimination on the Ground of Sex in Federally Assisted Education Programs

Section 1001 provides that no person in the United States shall, on the basis of sex, be discriminated against by a recipient of Federal financial assistance for any educational program or activity. This language does not, however, preclude differential treatment based upon sex where sex is a bona fide ground for such differential treatment. This section also provides that no recipient of Federal financial assistance shall, because of an individual's sex (1) fail or refuse to hire (except in instances where sex is a bona fide occupational qualification) or discharge that individual, or otherwise discriminate against him or her with respect to compensation, terms, conditions, or privileges of employment; or (2) limit, segregate, or classify employees in any way which would deprive or tend to deprive that individual of employment opportunities or otherwise adversely affect his or her status as an employee. This section is intended to deal with the well documented discrimination against women which exists in some parts of the educational community.

Section 1002 permits termination of Federal financial assistance to any recipient of Federal funds for education who fails to comply with section 1001. This provision is modeled on existing procedures in civil rights legislation enforcement.

Section 1003 provides for judicial review of administrative action taken pursuant to section 1002.

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Section 1004 provides that nothing in title X shall add to or detract from any existing authority with respect to any education program or activity under which Federal financial assistance is extended by way of a contract of insurance or guaranty. This section conforms with existing language in section 602 of Title VI of the Civil Rights Act of 1964 which excludes contracts of insurance or guaranty from the provisions of title VI and is intended to protect the rights of a lender who is an innocent third party.

Section 1005 defines "education" for the purposes of title X as including preschool, elementary, secondary, and postsecondary education.

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Question:

Generally, the bill you propose is a five-year bill; however, you are recommending only a two-year extension of title I of the Higher Education Act of 1965 (Community Service Programs and Continuing Education) and title VI of NDEA (Foreign Language and Area Centers). Why only a two-year extension?

Answer:

HEW is currently reviewing the place of categorical programs such as this in the context of the broader Federal role in higher education; therefore, we are requesting a two-year extension at this time, pending the results of this review.

Question:

You are proposing that the NDEA student loan program be financed with private capital. Back in 1966 the Johnson Administration made a similar proposal--as a means of phasing out the program. The two proposals are so similar that the two ideas must have had a common source--the Budget Bureau. The Congress rejected the phasing out of NDEA student loans in 1966. What is your rationale for reproposing financing the program with private capital?

Answer:

Our proposals for financing NDEA-type loans with private capital is not an attempt to phase out low-cost subsidized loans. Rather, our rationale is to vastly increase the amount of capital available for the award of such loans. Our proposal would more than triple the amount available for such loans by increasing available funds from $369 million in academic year 1970-71 to $1.2 billion in academic year 1971-72.

Question:

Your testimony indicates that you are proposing a long-range, if not permanent, program of student assistance in which loans from private capital are the major form of assistance. Moreover, there is no indication of any recognition of a need for institutional assistance. The aid of permanence about the Administration proposal necessarily requires us to examine the philosophy of student assistance as a national policy. If a proposal such as the one suggested by the Administration becomes law, it is only natural to assume that college tuitions will continue to increase, with the result that higher education will be almost completely financed by tuition. Students will pay that increased tuition by borrowing large sums, which will then be repaid during the twenty-year period after they graduate. Tuition-free higher education will never be the goal of the program. Do we want to adopt a policy based on a philosophy of tuition-financed higher education, or do we want to encourage the concept of free higher education? How do you justify loans as opposed to grants?

Answer:

The immediate aim of the Administration's proposals for student aid reform is to make equality of educational opportunity a reality as quickly as possible. For this reason, the Higher Education Opportunity Act of 1971 proposes to make available to students from all family circumstances the same resources which a middle income family can readily provide towards the higher education of a child. It is only at the point where these resources are equalized that the Administration's proposals offer loans, rather than some form of grant. While tuition-free higher education may very well be a desirable long-range goal in America, current economic realities suggest that the resources for support of such a goal simply do not exist. We feel that it is more important in the interim to insure that all students are guaranteed the support necessary to enable them to meet institutional charges.

Question:

Your statements indicate a strong emphasis on keeping the cost of education off the budget. I suspect that the Fiscal Year 1972 budget limitations had a strong influence on your proposal. Should a long-range national policy, affecting millions of young people for at least the next quarter of a century, be based on budgetary limitations in this year--especially since the budgetary problem is caused by a war?

Answer:

The Higher Education Opportunity Act of 1971 seeks to serve two ends; first, to distribute existing resources available for student assistance in a more equitable manner, so that those students with the greatest need receive the same opportunity for higher education as students with a larger amount of personal resources; secondly, to increase the total available pool of funds.

While we would all like to see a world in which demand was totally satisfied, the economic realities of our system insure that competing demands will always exist for available resources. We feel that our proposals do fulfill these dual goals and that they create a framework which is capable of expansion as additional funds become available in future years.

Question:

How do you intend the work of the National Foundation to differ from that of the National Institute? Please provide the Committee with a dozen examples of projects that each of these organizations will fund.

Answer:

Activities of the National Institute of Education
and the National Foundation for Higher Education: Examples

The likely program thrusts of each agency will be different in kind. Foundation programs will relate particularly to higher education innovation, whereas the Institute will address fundamental questions and solutions relating to the processes and environments for learning. Examples of activities which each agency might be likely to support are:

National Foundation for Higher Education

--The development of a national policy toward higher education, including an examination of the Federal Government's impact on policy formulation and institutional behavior.

--Studies of the costs of higher education and alternative ways of financing them.

--The creation of institutions and programs involving new paths to career and professional training, and new combinations of academic and experiential learning.

--The carrying out in postsecondary educational institutions of changes in their internal structure and operations designed to clarify institutional priorities and purposes.

--The introduction of institutional reforms designed to expand individual opportunities for entering and re-entering institutions and pursuing programs of study tailored to individual needs.

--The creation of new institutions and programs for examining and awarding credentials to individuals, and the introduction of reforms in current institutional practices related thereto.

National Institute of Education

--Research on the social and environmental factors affecting education--and the development of a solution to the problem of economically disadvantaged children falling further behind, once they have entered the formal educational system.

--Research into the nature of language acquisition skills, and the development of improved curricula and materials for learning to read.

--Experimentation with various new technologies in education such as TV, the computer, or cassette, etc.

--Further research into early learning and the development and testing of alternative forms, curricula, and teaching strategies for early childhood education.

--The development of improved testing and evaluation procedures.

--Research on the administration and organization of the schools and the development of alternative concepts and organizational forms for the learning setting.

--Research on the demonstration, dissemination, and adoption processes and the development of an effective delivery system to provide the schools with validated R&D products and practices fitting their needs and population.

Question:

I note that you propose discontinuing construction grants for colleges in two years. Do you believe that the need for construction to accommodate increased student enrollments will be satisfied in two years?

Answer:

These programs are being extended for only two years at this time since the Office of Education hopes to examine in detail the entire question of how higher education is financed during the next two years. We plan to make further recommendations concerning the financing of construction at a later date as a result of such study.

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Question:

Your budget request of $336 million for grants and work-study payments, when added to the $239 million available from the 1971 appropriations, would make $575 million available for grants and work-study payments. Excluding loans, compare:

(a) The number of students who would be benefitted if that sum of money were spent under present Educational Opportunity Grant and Work-Study Programs with the number benefitted under your proposal.

(b) Make the same comparison for an appropriation of $635 million (the amount proposed for 1972-73 school year).

(c) Make the same comparison for $364 million (the amount spent for the 1970-71 school year).

Answer:

(a) Approximately $575 million for the College Work-Study and the Educational Opportunity Grants Programs under existing legislation would assist 968,600 students. Our Grant/Work proposal would aid 1,107,500 students.

(b) If $635 million were appropriated for the existing EOG and CWS programs, 1,069,400 students would be aided. 1,289,000 students would benefit under our proposal.

(c) The $364 million spent for 1970-71 school year assisted 668,320 students. If our proposal had been implemented in FY 1971, 700,000 students would have received grant/work aid.

Question:

In your chart showing the number of students benefitted, you indicate that your proposal will benefit 2.5 million students with subsidized programs. How many of these students will be receiving loans, as opposed to grants?

Answer:

The Administration's proposal is intended to provide a floor of support consisting of parental contributions and Federal assistance of $1,400 per student. In spite of the significant increases in Grant and Work-Study funds which have been requested in the Fiscal Year 1972 budget, a portion of each student's $1,400 entitlement would consist of a subsidized NDEA type loan. As a result, each of the 2.5 million students to be aided will be receiving loans. It is also estimated that 1,157,600 students will be benefitted through Grant and Work-Study payments.

Question:

In that same chart, you predict that the number of persons receiving unsubsidized guaranteed loans will increase from 25,000 to one million. Is not this supposed increase the result of dropping the subsidy? Would not about one million students receive guaranteed loans with no change in the present program?

Answer:

The primary reason for the expected increase in the number of students who would receive unsubsidized guaranteed loans is due to the increased availability of loan capital to be generated by the National Student Loan Association. Some students who are presently receiving subsidized loans would undoubtedly be aided through a guaranteed unsubsidized loan under our proposal. However, the number of such students is expected to be less than one-third of the one million students to be aided through the proposed Guaranteed loans. The above estimates are based on the belief that loans should be made available to all students who need them, and that the National Student Loan Association would provide the mechanism for accomplishing this.

The presentation on the Administration's student aid proposal indicated that, of the $2,765,000,000 to be available for student aid, $2,190,000,000 would be based on private capital. What would be the actual cost to the Federal Government for that $2.19 billion in fiscal 1972 and in each of the subsequent years until the cost on the initial $2.19 has been paid? Itemize the estimated costs. Assume costs of the National Student Loan Association to be costs to the Federal Government.

The $2,765 million for student aid cited in the question would appear to consist of:

EOG/W-S	$ 575
NDEA-type loans	1,050
Loans from NDEA revolving funds	140
Unsubsidized guaranteed loans	1,000
TOTAL	$2,765

The only cost to the Federal Government attributable to the use of private capital would be the subsidy costs on the $1,050 in NDEA-type loans. These would be as follows, assuming an 8 percent interest rate on the loans, 3 percent of which is assumed by the student following his leaving school:

FY 1972	$ 84.00 million
FY 1973	84.00
FY 1974	84.00
FY 1975	52.50
FY 1976	47.25
FY 1977	42.00
FY 1978	36.75
FY 1979	31.50
FY 1980	26.25
FY 1981	21.00
FY 1982	15.75
FY 1983	10.50
FY 1984	5.25

Question:

How many students would be assisted under Part A of Title IV of the Higher Education Act of 1965 under present law if the amount appropriated for initial and continuing Grants were $635 million? How many if such amount were used for work-study payments under present law? State assumptions?

Answer:

If in FY 1972 $635 million were appropriated for the Educational Opportunity Grants Program, 1,026,470 students would be aided. This is assuming an average award of $600 and constant retention percentages. These retention percentages are that: 60 percent of the FY 1971 initial year recipients will receive first year renewal awards; 65 percent of FY 1971 first year renewal recipients will receive second year renewal awards; and, 85 percent of FY 1971 second year renewal students will receive third year renewal awards. The total renewal students aided would be 153,800 and the total initial students would be 872,670.

If the $635 million appropriation were used for work-study payments, the unduplicated number of students aided would be 1,460,000. This student count is based on the assumption of an average award of $525.

Question:

What is your opinion of the manner in which the National Foundation for Higher Education and the National Institute for Education are associated with the Office of Education in title III of S. 659? How is it different from the manner in which you would organize these two new agencies if they are enacted? Should we create a Department of Education?

Answer:

We understand that Secretary Richardson has been invited to appear before the Subcommittee to discuss the National Institute for Education. We would therefore prefer to submit our views on this question at greater length in the form of such testimony.

Question:

I understand that none of the figures you have been using are in the bill you submitted; and that the bill does not even indicate the level of funding necessary to accomplish what you are talking about. That bill simply asks the Congress to give HEW the authority to carry out a grant program, and you are now telling us the policy you will use for the 1971-1972 school year. Since you are asking for this open-ended discretionary authority for five years, will you give us a comparable policy--with the number of students involved and cost estimates--for the four succeeding school years? If we should for some reason adopt the philosophy of your proposal, I suspect that some members of the committee will want to write these figures into the legislation, rather than leave it to the discretion of the Department.

Answer:

We believe it would be undesirable to write into law the aid levels to be established under the Higher Education Opportunity Act, e.g., the grant ceiling of $1,000 proposed by the Administration for FY 1972 and the $400 basic NDEA-type loan ceiling also proposed.

A major purpose of the proposed legislation is to use Federal resources to give as many students as possible as wide a choice as possible in deciding upon the kind of educational program they want. The changing differentials between the cost of attending commuter and residential institutions, and between public and private institutions mean that the mix of grant and loan aid will probably need to change from time to time, in order to meet this goal of wider choice. Moreover, to stipulate levels in the authorizing legislation would either (1) by-pass the appropriations process or (2) or involve a return to the present situation, in which students are eligible for far more aid than is in fact funded, a

frustrating situation which the pending legislation is intended to correct.

Attached are tables showing the cost of the President's proposals on varying assumptions about grant and loan ceilings.

Five-Year Student Aid Costs

Chart I: Assuring Continuation of the First-Year Support Levels of the Administration Proposal

	Academic Year (Million $)				
	1971	1972	1973	1974	1975
Equal Opportunity Grants and Work-Study	575	635	590*	545*	500*
NDEA-Equivalent Loan Subsidies	85	85	77	75	74
Loan Subsidy Commitments from Prior Years	165	170	200	225	260
Totals	825	890	867	845	834

*Decrease from prior year results principally from expected growth in family income and contributions for education.

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Five-Year Student Aid Costs

Chart II: Increasing Grant Ceiling to $1200 and Loan Ceiling to $1700
In Keeping with Rising Costs

	Academic Year (Million $)				
	1971	1972	1973	1974	1975
Equal Opportunity Grants and Work-Study	575	635	650	665	675
NDEA-Equivalent Loan Subsidies	85	85	85	88	91
Loan Subsidy Commitments from Prior Years	165	175	205	245	285
Totals	825	895	940	998	1051

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AID ELIGIBILITY--ALTERNATE PROGRAM*
(Cost of Education Loans and All Other State and Private Aid Would Be in Addition to These Benefits)

Typical Resources for a Student from a Two-Child Family, One of Whom Is in College

Family Income	Family Contribution	Equal Opportunity Grant/ Work-Study	NDEA-Type Subsidized Loan	Family Contribution Plus Aid	Average Summer Savings	Total Student Resources
$0-3500	$ 0	$ 800	$600	$1,400	$300	$1,700
4,500	220	680	600	1,400	300	1,700
5,500	430	370	600	1,400	300	1,700
6,500	640	160	600	1,400	300	1,700
7,500	850	0	600	1,400	300	1,700
8,500	1,050	0	350	1,400	300	1,700
9,500	1,250	0	150	1,400	300	1,700
10,000 and above	1,400	0	0	1,400	400	1,700

Typical Resources for a Student from a Five-Child Family, Two of Whom Are in College

$0-5500	$ 0	$ 800	$600	$1,400	$300	$1,700
6,500	110	690	600	1,400	300	1,700
7,500	195	605	600	1,400	300	1,700
8,500	280	520	600	1,400	300	1,700
9,500	360	440	600	1,400	300	1,700
10,500	440	360	600	1,400	300	1,700
11,500	510	290	600	1,400	300	1,700
12,500	580	220	600	1,400	300	1,700
13,500	650	150	600	1,400	300	1,700
14,500	700	100	600	1,400	300	1,700

Expected family contributions at higher income levels will depend importantly on the amount of capital assets available for meeting educational costs, and on other special family circumstances, as well as on family income. Hence, any aid to students from large families at higher income levels will depend on the overall financial situation of the family, and not simply on income.

* Maximum grant/work-study is $800, for an EOG/WS budget outlay of $405 million, and a loan subsidy outlay of $244 million, including prior year commitments, in 1971-72.

AID ELIGIBILITY--ALTERNATE PROGRAM*
(Cost of Education and Loans and All Other State and Private Aid Would Be in Addition to These Benefits)

Typical Resources for a Student from a Two-Child Family, One of Whom Is in College

Family Income	Family Contribution	Equal Opportunity Grant/ Work-Study	NDEA-Type Subsidized Loan	Family Contribution Plus Aid	Average Summer Savings	Total Student Resources
$0-3500	$ 0	$1,200	$500	$1,700	$300	$2,000
4,500	220	980	500	1,700	300	2,000
5,500	430	770	500	1,700	300	2,000
6,500	640	560	500	1,700	300	2,000
7,500	850	350	500	1,700	300	2,000
8,500	1,050	150	500	1,700	300	2,000
9,500	1,250	0	450	1,700	300	2,000
10,000 and above	1,400	0	300	1,700	300	2,000

Typical Resources for a Student from a Five-Child Family, Two of Whom Are in College

$0-5,500	$ 0	$1,200	$500	$1,700	$300	$2,000
6,500	110	1,090	500	1,700	300	2,000
7,500	195	1,005	500	1,700	300	2,000
8,500	280	920	500	1,700	300	2,000
9,500	360	840	500	1,700	300	2,000
10,500	440	760	500	1,700	300	2,000
11,500	510	690	500	1,700	300	2,000
12,500	580	620	500	1,700	300	2,000
13,500	650	550	500	1,700	300	2,000
14,500	700	500	500	1,700	300	2,000

Expected family contributions at higher income levels will depend importantly on the amount of capital assets available for meeting educational costs, and on other special family circumstances, as well as on family income. Hence, any aid to students from large families at higher income levels will depend on the overall financial situation of the family, and not simply on income.

* Support level is raised to $1,700 (the expected family contribution of a typical two-child family with $12,000 family income) and the maximum grant/work-study support to $1,200. The required EOG/WS budget outlay for 1971 would be $836 million, plus $256 million in loan subsidies, including prior year commitments.

AID ELIGIBILITY--ALTERNATIVE PROGRAM*
(Cost of Education Loans and All Other State and Private Aid
Would Be in Addition to These Benefits)

• Typical Resources for a Student from a Two-Child Family, One of Whom Is in College

Family Income	Family Contribution	Equal Opportunity Grant/ Work-Study	NDEA-Type Subsidized Loan	Family Contribution Plus Aid	Average Summer Savings	Total Student Resources
$0-3500	$ 0	$1,200	$1,100	$2,300	$300	$2,600
4,500	220	980	1,100	2,300	300	2,600
5,500	430	770	1,100	2,300	300	2,600
6,500	640	560	1,100	2,300	300	2,600
7,500	850	350	1,100	2,300	300	2,600
8,500	1,050	150	1,100	2,300	300	2,600
9,500	1,250	0	1,050	2,300	300	2,600
10,000 and above	1,400	0	900	2,300	300	2,600

Typical Resources for a Student from a Five-Child Family, Two of Whom Are in College

$0-5500	$ 0	$1,200	$1,100	$2,300	$300	$2,600
6,500	110	1,090	1,100	2,300	300	2,600
7,500	195	1,005	1,100	2,300	300	2,600
8,500	280	920	1,100	2,300	300	2,600
9,500	360	840	1,100	2,300	300	2,600
10,500	440	760	1,100	2,300	300	2,600
11,500	510	690	1,100	2,300	300	2,600
12,500	580	620	1,100	2,300	300	2,600
13,500	650	550	1,100	2,300	300	2,600
14,500	700	500	1,100	2.300	300	2,600

Expected family contributions at higher income levels will depend importantly on the amount of capital assets available for meeting education costs, and on other special family circumstances, as wellas on family income. Hence, any aid to students from large families at higher income levels will depend on the overall financial situation of the family, and not simply on income.

* Support level is raised to $2,300 (the expected family contribution of a typical two-child family with $15,000 family income) and the maximum grant/work-study support to $1,200. The required EOG/WS budget outlay for 1971 would be $836 million, plus $326 million in first-year loan subsidies, including prior year commitments.

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Question:

I note that you are recommending repeal or discontinuation of titles II-C (transfer to the Library of Congress), IV-D (cooperative education), V-C (teacher fellowships), VI (instructional equipment for colleges), VIII (Networks for Knowledge), IX (Education for the Public Service), X (Strengthening Graduate Schools), and XI (Clinical Experience in the Law) of the Higher Education Act of 1965, and titles III (Instructional Equipment for Elementary and Secondary Schools) and IV (Doctoral Fellowships) of NDEA.

What is your justification for each of these recommendations?

Answer:

We have not recommended extension of titles VI, VIII, IX, X, and XI of the HEA because of their relatively narrow categorical nature. Rather than maintaining these categorical authorities, the Administration is proposing the creation of the National Foundation for Higher Education. The broad authority for the Foundation, one of the purposes of which is "to provide assistance for the design and establishment of innovative structures for providing postsecondary education and innovative modes of teaching and learning therein," will permit funding of projects of merit in most of these areas.

Our recommendation for repeal of Title IV NDEA fellowships is based on the evidence which is now available which shows an adequate supply of Ph.D's to meet teaching demands in most disciplines. The unmet need for teaching faculty in higher education which does exist tends to be limited to a few disciplines and to certain types of institutions. Teaching fellowships under Title V-E of the HEW would continue.

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Activities under Part II-C of the HEA will be continued, more appropriately we feel, under the budget authority of the Library of Congress. At the present time, the Office of Education merely acts as a conduit for these funds. The Office has no operating responsibility for this program. We have been assured by the Librarian of Congress that budget requests for Part C will be made by the Library to carry out these activities.

The Cooperative Education authority contained in Title IV-D is not being repealed; rather, the authorizing language is not being extended. Section 415 of the new Part A in S. 1123 would authorize the use of Federal funds to pay for the administrative expenses incurred in developing or carrying out a program to demonstrate or explore the feasibility of a program of Cooperative Education.

While it is true that the appropriations authorizations contained in Title V-C of the HEA are not being extended in the HEOA, the fact is that V-C-type activities will be continued under Part D. The language of Part D is much broader than that of Part C; for this reason, the Bureau of Educational Personnel Development has not funded activities under Part D authorities at all during this fiscal year, but has used the broader language of Part D.

Title III NDEA programs for the acquisition of instructional equipment and materials are being terminated since funds for acquisition of equipment are available in Titles I and III of ESEA and in other Federal education programs.

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Question:

In a theoretical Fiscal Year 1972, assuming no interest subsidy from previous years under Part B of Title IV of the Higher Education Act of 1965, how many students would be aided under present law if the following amounts were to be appropriated:

HEA Title IV, Part A	$ 350,000,000
HEA Title IV, Part C	350,000,000
NDEA Title II	375,000,000

What would be the actual cost to the Federal Government for FY 1972? Assume no interest subsidy under Part B of Title IV.

Answer:

An appropriation of $350,000,000 for the Educational Opportunity Grants Program (Title IV, Part A) would assist 565,720 students. 800,000 students would be aided if the College Work-Study Program's (Title IV, Part C) appropriation were $350,000,000. An appropriation of $375,000,000 for the National Defense Student Loan Program (NDEA, Title II) would provide loans for 784,900 students. The total cost to the Federal Government would be $1,075,000,000.

Senator PELL. In conclusion, I would congratulate and thank you for the time you have given in coming before us. We look forward to seeing you again tomorrow, as we discuss the other aspects of the bill not dealing with student aid, and we will do our best to get the Secretary moving along quite rapidly.

With unanimous consent, I would like to ask that the hearings on higher education taken last year be considered as part of this year's record.

We will recess now until 10 o'clock in the morning.

Secretary RICHARDSON. Thank you, Mr. Chairman.

(Whereupon, at 12:20 p.m., the subcommittee recessed, to reconvene at 10 a.m., Thursday, March 4, 1971.)

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EDUCATION AMENDMENTS OF 1971

HEARINGS

BEFORE THE

SUBCOMMITTEE ON EDUCATION

OF THE

COMMITTEE ON

LABOR AND PUBLIC WELFARE

UNITED STATES SENATE

NINETY-SECOND CONGRESS

FIRST SESSION

ON

S. 659

TO AMEND THE HIGHER EDUCATION ACT OF 1965, THE VOCATIONAL EDUCATION ACT OF 1963, AND THE ELEMENTARY AND SECONDARY EDUCATION ACT OF 1965

ED057753

HE002776

EDUCATION AMENDMENTS OF 1971

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BEFORE THE

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UNITED STATES SENATE

NINETY-SECOND CONGRESS

FIRST SESSION

ON

S. 659

TO AMEND THE HIGHER EDUCATION ACT OF 1965, THE VOCATIONAL EDUCATIONAL ACT OF 1968, AND RELATED ACTS, AND FOR OTHER PURPOSES

AND RELATED BILLS

MARCH 4, 31; APRIL 1, 20, AND 21, 1971

PART 2

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EDUCATION AMENDMENTS OF 1971

THURSDAY, MARCH 4, 1971

U.S. SENATE,
SUBCOMMITTEE ON EDUCATION OF THE
COMMITTEE ON LABOR AND PUBLIC WELFARE,
Washington, D.C.

The subcommittee met at 10:03 a.m., pursuant to recess, in room 4232, New Senate Office Building, Senator Claiborne Pell (chairman) presiding.

Present: Senators Pell and Randolph.

Staff members present: Stephen J. Wexler, subcommittee counsel; Richard D. Smith, associate counsel; and Roy H. Millenson, minority professional staff member.

Senator PELL. The subcommittee hearing on the Education Amendments of 1971 will come to order.

I understand that the Secretary is under some time pressure himself and is not here yet, so I think we had better go on. Do you have a prepared statement?

Dr. MARLAND. We have no prepared statement at this time. The Secretary will have one, Mr. Chairman. We will be glad to submit to cross-examination as we can, Mr. Muirhead and I, on the subject that is before us.

Senator PELL. Right. Well, I would like to start promptly, so why don't we move ahead? We have a fairly good idea of the text of the Secretary's statement. You don't happen to have it with you, do you?

Dr. MARLAND. I believe that it can be distributed right now, if you wish, sir.

Would you care to have me begin the reading of the Secretary's statement, subject to his arrival?

Senator PELL. I think that would be a very thoughtful procedure. Thank you very much.

Dr. MARLAND. I trust the Secretary will not be upset by my diction, which is not of the quality that his is, but in any case, I will proceed, Mr. Chairman.

STATEMENT OF HON. ELLIOT L. RICHARDSON, SECRETARY OF HEALTH, EDUCATION, AND WELFARE; ACCOMPANIED BY SIDNEY P. MARLAND, JR., U.S. COMMISSIONER OF EDUCATION; PETER MUIRHEAD, EXECUTIVE DEPUTY COMMISSIONER, U.S. OFFICE OF EDUCATION; CHRISTOPHER CROSS, DEPUTY ASSISTANT SECRETARY FOR LEGISLATION (EDUCATION); AND RUSSELL EDGERTON, SPECIAL ASSISTANT TO SECRETARY RICHARDSON

Dr. MARLAND. Mr. Chairman and members of the committee, I am pleased to be here today to testify on the President's proposal to establish a National Foundation for Higher Education. The pro-

posal has been introduced as S. 1062 by Senator Javits, ranking minority member of the Labor and Public Welfare Committee, and cosponsored by Senators Prouty, Beall, Dominick, Griffin, Schweiker, and Scott.

Our student aid proposals which I testified on yesterday are directed at the highest administration priority in higher education, the need to equalize opportunities for attending college. Our proposal for a National Foundation is directed at the second clear need—to assure that these opportunities will be meaningful ones. The mission of the Foundation is reform—and not just any reform, not just change for the sake of change, but new orientation, programs and innovative structures which will substantially enhance the capacity of higher education to serve the needs of all our citizens.

While our proposal is based upon the legislation we submitted last year, it has been improved in major ways. Since last year we have benefited from the thinking of leaders in higher education. The Commissioner of Education and I have consulted with the educational associations, and we have taken into account the views expressed last year and this by Members of Congress and their staffs. The result is a proposal which many have helped design and for which I am personally responsible as Secretary and believe in.

We have not only listened, but we have tried to incorporate into our conception of the National Foundation those ideas which would advance the purposes I have stated. We have weighed and pondered the diagnoses of what is wrong with higher education which have been made by such groups as the Carnegie Commission, the Assembly on University Goals and Governance sponsored by the National Academy of Sciences, the Scranton Commission, and the Newman Task Force. As a result, I am confident that the proposal before you addresses itself to the right problems in higher education and deals with them in the right way.

These problems have many sources, yet surely a major one is the sheer and unparalleled growth of higher education in the last two decades. Twenty years ago less than a quarter of our young people went to college; today over half do. Twenty years ago most of our post-secondary institutions served a select and relatively homogenous student population. Today they serve students from all kinds of economic and social backgrounds and a wide range of academic abilities and interests.

Twenty years ago more institutions were relatively small, and the balance between public and private institutions was about even. Today a quarter of our students attend institutions where enrollments are over 20,000, and large public multicampus systems dominate the field.

This swift growth had to occur if we were to keep faith with the expanding demand for higher education. Yet this rapid growth left a number of problems in its wake which might have been avoided had there been a chance to proceed more cautiously, to experiment, to assess what worked and discard what did not.

With some notable exceptions, higher education kept doing what it knew best; namely, what it had been doing all along. The structures and methods of years' standing simply were extended and expanded to a larger universe. Now the problems created during these two decades are all around us.

Secretary RICHARDSON. Thank you, Mr. Chairman and Commissioner. Sorry I am late. I came over from the House side.

I suppose claims from the other side are not really entitled to recognition in this body. I apologize.

Senator PELL. The Commissioner is reading in fine style.

Secretary RICHARDSON. Thank you.

Academic departments and disciplines designed for advanced training and research have been extended throughout undergraduate education. Modes of teaching suited for students who have been raised to enjoy and excel in academic pursuits have been extended to students from very different social backgrounds. Requirements and practices which were designed for the selective few persist—yet today, less than half of the students who enter college ever graduate.

The expansion of research and graduate education, too, was largely accomplished by extending traditional departments and disciplines into institutions where they had not previously existed. Departments were expanded to enroll more students, often without consideration as to whether a market existed for the skills the Department provided. The congruence of lines of research with problems of society has been often a matter of luck rather than intention.

In the structure and administration of post-secondary institutions, the same phenomenon can be seen. Many have grown enormously, without adequate examination of their mission, how they were changing, and their competence and resources for doing more and different things. Under pressure of financial need, institutions have taken on outside activities which are unrelated to their central purposes and which other agencies can perform better.

Even the ordinary processes of administration have generally expanded along traditional lines. The lack of sophistication in planning, programing, costing, and operating even in some of our most prestigious universities is distressing.

In turn, these outmoded forms and practices have been reinforced by equally outmoded habits and practices outside the institutions. Going to college has become a now-or-never proposition immediately following high school rather than an experience to be undertaken when individuals are eager and ready to acquire a higher education.

Career ladders are so encumbered with requirements for certificates and credentials that "doing time" in school has become nearly the only avenue to advancement. Accrediting bodies have come to protect the professional views of guilds more aggressively than the changing needs and interests of consumers.

And not the least of the problems is that we have continued to perpetuate modes of financing higher education without understanding their impact or experimenting with new financing methods. State and Federal Governments alike have been so concerned with finding revenues for an expanding system that questions about how to reward quality and performance, as well as provide financial stability, have been shunted aside.

Now this is a formidable list of problems, and I have by no means exhausted them all. All of these are problems defined from a traditional conception of what higher education is all about. But patterns of work and leisure are changing so rapidly, the demand for advanced skills is rising so fast, surely higher education will be called upon in

the coming decade to perform tasks never before even attempted. The worker, the housewife—individuals of all ages and circumstances—also represent "problems" for—and opportunities to—higher education.

I do not want to suggest that the National Foundation will solve or even address each and every one of these problems. Other programs of HEW and other agencies will make major contributions. But the National Foundation will be involved in a particular way. If we can agree upon the need for Federal leadership to facilitate basic reform in higher education, then I believe we can agree that the National Foundation is the right instrument for exerting this leadership.

We have adopted the Foundation form of organization and administration because it seems so perfectly adapted to the things we want to do—to innovate, to seed and stimulate, to sponsor and encourage. A foundation is not an institution which deals with all clients in an even-handed way, but an institution designed from the start to be selective, and given the flexibility to attract for varying periods of time the highest order of staff and counsel.

The National Foundation will have this capability. It will not be an organization for operating programs or carrying on large and continuing financial transactions but a grant-making organization. It will be free of responsibility for operating any existing programs now conducted by HEW.

The Foundation will be located within the Department of Health, Education, and Welfare in the same way as other agencies of the Department such as the Office of Education itself. This is a major change from last year's proposal which established the Foundation as an independent agency in the executive branch reporting directly to the President. It is a location which we believe will retain the advantages of independent action and add to these the benefits of full-coordination with other major educational programs.

The Director of the Foundation will have close working relationships with the Commissioner of Education and the Director of the proposed National Institute on Education.

Since I have made it clear that the Commissioner of Education is the chief education officer, I intend to ask the Director of the Foundation to report to me through him.

I also intend to seek maximum coordination between the Foundation and other agencies outside HEW which transact considerable business with post-secondary institutions. The Foundation will have my backing to share information and stimulate jointly supported projects with other agencies. And we intend to establish, within the executive branch as a whole, a mechanism through which the Director of the Foundation can routinely do business with the leaders of other agencies.

Communication with the world outside the Federal Government will be fostered by an advisory board of public members representing both the educational community and the general public. We want a strong board. Hence we have provided for its appointment by the President as a way of recruiting top people from education and other walks of life.

In addition, the board's advice will reach to all important matters of policy and all important projects and programs. There is enough experience in higher education to be sure that a strong board can serve

important purposes; rightly operated it will strengthen the hand of its executive officer, and that is what we intend.

Among all the key elements of the Foundation, the director is the most important. We want someone who is dynamic, one who has fresh and progressive views about higher education. To recruit such a person, the bill provides a number of incentives. He is to be a Presidential appointee, confirmed by the Senate. He will have an exciting program to develop and administer, and a strong board to help him formulate policies and programs.

These are powerful incentives, but he needs others. Thus, the bill includes a very important provision to give him the tools he needs and to enable the Foundation to carry out its mission. The bill exempts the professional and technical staff from the requirements of civil service laws and regulations regarding appointments, tenure, and classification of personnel.

This is not an exemption for the sake of exemption. Rather, it recognizes the unique characteristics and mission of the Foundation, a recognition which Congress has previously accorded to other governmental foundations.

Existing civil service rules, designed for the settled operations of diverse governmental operating activities, would severely constrain the Foundation from pulling together—often quickly and for varying lengths of time—teams of skilled and experienced people.

The image of freshness and new starts that the exemption would convey to the individuals we want to attract should also not be underrated. The exemption could make the crucial margin of difference between assembling a staff of the first or the second order.

I am confident that with these key features I have mentioned the Foundation can be the vehicle for bringing a bold new emphasis to Federal higher education policy. The President's budget requests $100 million for operation of the Foundation. This is a substantial sum. But we are dealing with a large and very important system, and we are seeking much more than piecemeal reforms here and there in existing institutions.

The Foundation will bring substantial new elements of diversity to higher education by supporting exemplary programs in a wide range of areas. Excellence and innovation in higher education has for too long been associated with one activity—academic research.

Those institutions which are excellent in this activity should continue to be so, and other institutions should be encouraged to join them. But we also need institutions which are excellent in training individuals for particular careers and professions, excellent in providing motivation as well as knowledge, excellent in educating particular groups, excellent in equipping people with the attitudes and skills required to serve others.

Excellence in all these areas will entail not just strengthening of existing programs but the development of new ones based on new sequences and modes of education. The high school graduate today who wants to enter a profession such as the law, must undertake 3 or 4 years of general education followed by 3 years of formal training, and may never see the inside of a law office during this whole period.

Women have no institutions seriously devoted to experimenting with sequences and courses of study related to their special needs and

capabilities. Minorities other than blacks have no programs to speak of which are devoted to the study and enrichment of their particular cultures.

We need institutions and programs devoted to all these needs—and others. We need wholly unstructured educational programs for those who use freedom well and can learn by experience, and highly structured, disciplined programs for others.

We need colleges with broad-based programs and colleges with narrow missions, colleges of 3 years and 5 years as well as 4 years and 2 years. Nothing short of such diversity will meet the range of contemporary needs. The Foundation can encourage this diversity.

We believe, too, that the Foundation should seek to make higher education more responsive to public needs. One such need is the efficient use of public resources, and the Foundation can do much in this area. It can support evaluations and transitions to new kinds of administrative structures and procedures, new uses of faculties and facilities, and experimental modes of financing higher education.

But it can go beyond this as well, and direct attention to the more general problem of accountability. It can support evaluations of what kind of educational programs are needed by our fast-moving society, where the distortions and imbalances are, and can encourage new programs in needed areas.

The Foundation should, thirdly, encourage new ways of going to college. The Carnegie Commission recently issued a report entitled "Less Time, More Options" which suggested the kinds of things which could be done to break the lockstep pattern and rigid sequences of college education.

The Foundation can support these steps. And it can also establish programs and institutions which can provide higher education within the home, the neighborhood center, and the work place.

As the President said in his message on higher education, Great Britain and Japan have already made impressive strides in developing open universities based on televised courses and innovative tutorial and examining arrangements. Our citizens are no less deserving.

Mr. CHAIRMAN. I thank you for allowing me the time to elaborate on the reasons why we feel the Foundation is so necessary. I urge the speedy enactment of the President's proposal.

Senator PELL. Thank you, Mr. Secretary, very much, indeed.

We have with us the ranking member of the committee as a whole, and of the subcommittee, the Senior Senator from West Virginia, and I will defer to him for any questions he might have.

Senator RANDOLPH. Mr. Chairman, I am grateful that you permit me to have colloquy with the witnesses prior to your questioning their testimony. As you know, it is another appointment that calls me away; yet I am intensely interested in the subject matter being discussed.

In your statement Mr. Secretary, you stress the advisability of patterns of work and leisure, and you speak of the change. You discuss the demand for advanced skills as one rising so fast, and you talk about in the coming decade, that higher education is going to have to enter new fields of service.

You combine the worker and housewife, persons of many ages, and you indicate that there are problems for higher education, as well as opportunities for higher education, in the years ahead.

I presume this is not a question that bears directly on what you are saying, but I am wondering where, in all of our educational effort, the stress is being given, at least in part, on people working with their hands, as well as people who work at desks, or people that work within the structure of Government and business generally.

Would you care to discuss this for a moment, sir?

Secretary RICHARDSON. I would like to respond briefly, Senator Randolph, and then ask the Commissioner of Education, who is extremely interested and whose whole career has focused very strongly on the importance of the world of work, to supplement my comments.

We do realize, I think, Senator, the importance of strengthening opportunities for people who want to work with their hands, and we recognize the importance of adding to the prestige that is attached to forms of work other than those that depend upon a 4-year college degree.

And so we believe that the development of technical institutes for postsecondary education, the introduction of a wider range of career opportunities in the community colleges, are of basic importance to widening the kinds of range of educational opportunities that we think are important.

May I ask the Commissioner to respond?

Senator RANDOLPH. Mr. Secretary, before you leave that thought, and the Commissioner speaks, is there a danger that with the emphasis constantly on the skills, let us say, that are inherent in the development of the mind and its application to subject matter, is there a danger that the reservoir or the complement of people who use their hands, that we depreciate that effort to such a degree that we do not have the manpower or the womanpower to do the jobs which are necessary to be done with the hands?

Secretary RICHARDSON. I hope not, Senator, and I would hope that one of the byproducts of the creation of the proposed Foundation would be to focus attention more sharply upon just what it is that our young people are seeking in higher education.

I think that most of us, in HEW, and I think I speak also for the Commissioner and his associates, in saying that we feel that there has been an unreflective tendency to assume that going to college is a good thing for all young people, and that it doesn't matter much what kind of college it is, as long as it can be called a college.

In fact, we believe that a great many young people are going to kinds of colleges and taking kinds of education that doesn't really motivate them very strongly, and that isn't particularly important to the kinds of life that they will want to lead.

And we would hope that by emphasizing the need for reform in the sense of breaking the lockstep that I referred to, creating more diverse opportunities, that another consequence would be to help strengthen respect for the kinds of work to which you have been referring.

Senator RANDOLPH. And that is not being done today, sir.

Secretary RICHARDSON. No, it is not, adequately.

Senator RANDOLPH. There is an attitude of looking down on the person who works with his hands, the skills that come from the hands. I hear it constantly. You hear it, you know about it?

Secretary RICHARDSON. Yes, sir.

Commissioner Marland was a real leader in secondary education, particularly as a superintendent in Pittsburgh, in expressing this concern. Would you like to comment further?

Dr. MARLAND. I would be pleased to, Mr. Secretary; Senator Randolph.

I think it is important to note here that the Office of Education, very closely in line with Senator Randolph's feelings and expression of concern, is now launching a national objective which we will hope to present to the Secretary within days, that will call for the ideal that every young person concluding his high school career shall be prepared either to enter the world of work, with a salable skill, in which he has keen interest and readiness, or he shall be equipped and ready to enter higher education.

It should not be an either-or choice, and it is the latter that I am calling particular attention to, nor should it be limited to a period of time.

I think that it is very clear that now something over 50 percent of our young people are going on to college, in the sense that the Senator has implied, because this is a world in which we as a society have attached excellence, and our definition of excellence speaks to college, as distinct from working with the hands or in any other form of technology, which isn't always necessarily with the hands.

This is a dreadful thing.

Senator RANDOLPH. Thank you, Commissioner, for recognizing it, and speaking out, as you are now doing.

You go ahead. I just felt I had to break in at that point.

Dr. MARLAND. Very good, sir. I have a few more points I would like to put on the record, in line with your question, sir, because they relate very closely to the Secretary's message and the President's message concerning the Foundation for Higher Education.

Those in the elementary and secondary schools are now mounting programs that we believe will demonstrate, in a number of cities in the course of the next 2 or 3 years, that we can turn that world of work around, as it relates to the schools and the elementary and secondary schools; correspondingly, we need the force of the Foundation to turn around the scope, the message, and the Federal role for national priorities and what is happening in the community colleges and in higher education in general.

Everyone is engaged in career development in some form, and I should like to have us begin to use the word career as distinct from vocational-technical, whether the person spins off from our system of education at age 16, or 17, 18, or 24, 26, or 28. Whether he becomes a welder, at age 18, having completed the necessary work for that, and with dignity moves into welding, or whether he becomes a physician, or a philosopher, or what he may be at the end of the cycle of conventional learning years.

Now in this context, we are facing up in a national program, which I attempted to launch in Houston about 3 weeks ago, addressing all of the high school principals in our land, on reaffirming the fundamental American truth that work is good, and that working with the hands is as good as any other kind of work. We are asking the high schools particularly in this country to look again at their numbers of young people, whom they are engaging in preparation for this goal of enter-

ing the world of work with pride and readiness, at the end of 12th grade, or 14th grade in the case of community colleges, and to discard forever this thing that we have called the general education curriculum, which is the crack through which so many of these people fall.

It has somehow crept into our way of life that only roughly 12 percent of our young people in high schools are truly engaged in vocational program preparation, that perhaps 40 or 50 pecent will go to college, and of them, only a third will complete college, leaving anywhere from 30 to 40 to 50 percent of our young people unschooled and unskilled.

And it is the effort of the Office of Education, with the strong encouragement of the Secretary at this time, to redress this national embarrassment.

Senator RANDOLPH. Commissioner Marland, I am sure that this hearing will be benefited by the statement you have made, and that the record will indicate that there is an intense interest on the part of the administration reflected in the Secretary's remarks and by your very helpful comments.

I am not sure that I want, Mr. Chairman, to ask unanimous consent to include in the record the article in the Washington Post of Sunday in its entirety. There are points made, however, in the article, which is entitled "College Has Been Oversold," that I believe I would want to include portions of that material, which is the thinking of Fritz Machlup.

Dr. MARLAND. I am not familiar with that name, sir.

Senator RANDOLPH. Well, he is a professor of economics at Princeton University, and a former president of the American Association of University Professors. I am not sure that you have had the opportunity to read the article, but there is much that is provocative in it, and, Mr. Chairman, I will ask unanimous consent, because I do not want to encumber the record with too much material that might be extraneous in any degree, to include such portions as I feel might lend themselves to enlightenment on this subject we are now discussing.

Senator PELL. It will be done.

(The article referred to follows:)

[From the Washington Post, Feb. 28, 1971]

COLLEGE HAS BEEN OVERSOLD

(By Fritz Machlup)

Machlup is professor of economics at Princeton University and is a former president of the American Association of University Professors. The following is excerpted from a paper he delivered to a conference sponsored by the Educational Testing Service.

What I am going to argue will sound crude, cruel and perhaps untrue if the words I use are given meanings other than those I intend them to convey. Yet, if I first defined the terms, my main thesis would seem to reduce to a truism.

First thesis: Higher education is too high for the average intelligence, much too high for the average interest, and vastly too high for the average patience and perserverance of the people, here and anywhere. Attempts to expose from 30 to 50 per cent of the people to higher education are completely useless.

Second thesis: Longer education (beyond high school) has become the marching order of our society, but since it cannot aspire to provide higher learning, longer education can only be thinner or broader.

Third thesis: Longer education, even if it is not higher education, may still overtax the interest, patience and perseverance of most people. Young men who have reached physical maturity resent compulsion or other pressures that impose

on them several years of boredom and inactivity; the result is frustration, alienation, delinquency and rebellion.

Fourth thesis: If longer education becomes mainly thinner education—a given curriculum being stretched out so that it takes, say, 16 years to cover what can be learned in 10—it will have disastrous effects upon the working habits and attitudes even of those students who do not reject the system but who submit to it contentedly or in apathy.

Fifth thesis: If longer education is broader in that it adds subjects and approaches to those taught in secondary school, it may perhaps hold the attention of the more patient ones in the age group; but we cannot expect any substantial benefits either for the graduates or for society.

It must have become evident that my definition of higher education is not the one commonly used. Those who talk about "universal higher education" or "higher education for everybody" are not talking about what I call higher education; they mean, in my terms, "longer education for everybody" or "universal post-secondary schooling."

I do not define higher education by the age of the student, or by the number of years of prior schooling, or by the name of the institution. A student who is over 18 years old, has had 12 years of school, has graduated from a high school, and is attending a college or university, is not necessarily getting what I call higher education.

Not even a man 24 years old, with a bachelor's degree, registered for full-time study in a graduate school, is necessarily getting higher education in *all* his courses. He may be taking elementary French or intermediate German in order to prepare for a language examination—if this is still required in some graduate schools. Such language study is not part of higher education, either graduate or undergraduate; it is elementary, or at best secondary, education. Likewise, an undergraduate who takes a college course in elementary algebra or in trigonometry is not engaged in higher learning but rather is making up a deficiency in his secondary-school program.

DILUTION OF QUALITY

There is nothing new about the fact that colleges and universities include elementary and secondary education in their programs; the question is merely whether the share of higher education has been diminishing.

The mixture has been different at different institutions. The most prestigious colleges and universities have offered much heavier doses of higher education, heavier than would have been possible at institutions with academically less talented, less prepared, and less interested students. Even in institutions of high prestige it has usually been possible for some students to get by with a selection of subjects and courses that could not be characterized as higher education.

At the other end of the scale, there have always been colleges and universities which competed for students by offering academic programs that made it easy for the academically untalented to qualify for passing grades. Thus our colleges and universities have always been institutions of higher *and* broader education, with various mixtures of height and breadth.

This statement is not meant to refer to extension classes, to programs in continuing education, to evening schools designed for adult education. It refers to the college curricula for regular full-time students who are willing and able to expose themselves to broader education, but who would not be willing or able to receive higher education.

I suspect that the mixture has been changing in recent years in the direction of lesser height (or depth) and greater breadth. This probably has not happened everywhere; a number of colleges and universities have been receiving better-prepared students from academically strong high schools, which enabled them to step up the level of undergraduate instruction in several subjects.

In most places, however, the admission of academically less prepared and less interested students has made it necessary to offer less demanding courses and to reduce or remove requirements that compelled students to include at least some higher education in their course programs. The statistical facts that in the last 20 years the per cent of the age group enrolled has more than doubled, and that now more than 55 per cent of high school graduates enter college, have made the dilution inevitable.

I define higher education as the level of scholarly teaching, learning, and researching that is accessible to only a small fraction of the people. Any level of education that is designed for a larger portion of the population is, if extended beyond the age of completing high school, in fact only continuing second-level education. An affluent society can offer continuing education to as many people as may want to take it. But we should not kid them, and still less ourselves, by the fake assertion that this is higher education.

HOW BIG AN ELITE?

I have spoken of a "small fraction" of people qualified for higher education. Can this restrictive term be quantified? In order to be outstanding or excellent, what is the top percentile of achievement that deserves these designations? Everybody is able to lift some weight, but how heavy a weight does one have to lift to be a weight-lifter?

Few of us know the answer to the last question, but we might guess that nobody would be called a weightlifter unless he could lift weights which only the strongest five per cent of the people are able to lift. The highest percentile of academic achievers qualifying for higher education may also be five per cent, but perhaps the economic demand for highly qualified scholars influences the standard applied. Thus, we might stick to the top five per cent for weightlifters, ski racers, and concert pianists, while going to 10 or 15 per cent as the fraction we regard as qualified for higher education.

Some of the classical definitions of higher education are much more restrictive than mine. Wilhelm von Humboldt, for example, held that, while the "school" had the task of disseminating received, accepted knowledge, the "university" was concerned chiefly with new knowledge; he insisted on a strict separation of higher education from schooling and on an exclusive concern with the "pure idea of scholarship."

I firmly believe that higher education should be open to all who want it and can take it. But we cannot change the fact that perhaps 80 per cent of the people find it "not relevant" to their interests and capacities.

Senator RANDOLPH. In your statement, Mr. Secretary, you indicate a bold new emphasis in Federal higher education policy will come into being with the work the Foundation will set itself to do.

I have listened to what you have said, and have been helped by your comment, but I am wondering if you would, perhaps, delineate just a little further?

Secretary RICHARDSON. I would be very glad to, Senator.

I think the essential theme that I would like to stress is that of the enchancement of diversity. I think we have seen, over the past several decades, and increasingly in the most recent period, a progressive tendency for our institutions of education beyond the high school to converge toward certain common models, and especially to gravitate toward the concept of a university as an institution awarding advanced degrees.

And the result has been that the universities have gotten bigger and bigger, State colleges——

Senator RANDOLPH. That is not always good, is it, sir?

Senator RICHARDSON. We think not, for a lot of students. I am sure many of them get along well, but I am sure also that others feel submerged by the sheer weight of the size of some of our present institutions.

Senator RANDOLPH. I think, if I may interrupt again, Mr. Secretary, that there is rather general agreement that the university or the multiuniversity, of course, is in most cases, because of the teaching staffs, and facilities, attached to that type of structure, that for graduate

work, that of course has a preference, but the liberal arts and the programs of that type in our 4-year colleges, which I think are very important, these, I believe, can help the student more in an institution less in enrollment than one of these greater, larger universities.

What is your feeling?

Secretary RICHARDSON. This certainly is my own feeling, Senator. I noted earlier in my testimony that today a quarter of our students are attending institutions with enrollments over 20,000, and many of these are students who are there simply because they feel that it is expected to have a college education, in the years 18 to 22.

We think that among the kinds of innovations that the Foundation could be used to encourage would be one in which colleges and universities moved in the direction of letting it become taken for granted that a student might attend for a year, then leave for a period of work and wider experience, and come back with a clearer sense of his own career direction. This might encourage greater opportunity to transfer from one campus to another, taking with the student any credits earned at the first one. This would be particularly important, we feel, with respect to educational opportunities for women.

There is the opportunity, we think, also, to recognize as credits toward a degree a variety of activities broader than sitting in a classroom, or a library, that there might even be established institutions like two, I believe, which exist in England, that don't have any classes at all of their own, but serve to examine and attest to the educational attainments of an individual, whose education may have been assembled out of a variety of experiences and reading.

And I think we have referred also to the concept of the university without walls, as a way of enabling an individual to put together a particular combination of exposure to academic learning and work that is most suited to his or her personal aspirations.

In fact, the U.S. Office of Education has already funded a program called the university without walls, which involves a consortium among 25 different colleges and universities. There is opportunity, certainly, in the field of educational television, to make more economical and more dramatic use of the skills of great teachers.

There are opportunities for improved management and governments of colleges and universities, for the creation of new career programs at all levels, and, not least, for the introduction of fiscal reforms and improvements in efficiency in the utilization of higher education resources.

Senator RANDOLPH. Thank you. Thank you very much, sir.

Off the record, please.

(Discussion off the record.)

Senator RANDOLPH. On the record, please.

And so, as you have indicated, there is a need to make this college, this university, training, the type which will best develop and strengthen the young man or young woman for a life of wholesome living, not just financial return, but to strengthen the fabric of our system. Is that correct?

Secretary RICHARDSON. I think it is absolutely correct. Yes, sir.

Senator RANDOLPH. Mr. Secretary, would you turn to page 12, please, of your testimony?

You talk about the foundation and its encouragement, and I quote, "of new ways of going to college."

I am not just certain that I understand, although I do know your reference to the Carnegie Commission, and its report.

Just what do you mean by this, sir?

Secretary RICHARDSON. I touched on this a moment ago with reference to the university without walls, Senator Randolph.

Senator RANDOLPH. Yes, sir.

Secretary RICHARDSON. And I might expand on that a little.

Senator RANDOLPH. All right.

Secretary RICHARDSON. And perhaps ask Mr. Muirhead to comment further.

The university without walls is simply an example of what we mean by new ways of going to college. Under this approach, a student may enroll for a program that is mapped out in consultation with a group of representatives of participating colleges.

Let's say that it is a program that is concerned with the means of improving reading skills and educational opportunities in the inner city. This program might call for some work in psychology, at a college that is strong in the psychology of education. That might be supplemented by a period of exposure to the actual problems of teaching reading and remedial reading in the public school system, in an inner city area, and the student could go on from there, for another period of supplementary education, in a different college entirely, which would round out the basic understanding of the educational process.

And in each case, the program would be an individually designed one. It would intersperse periods of work with periods of attendance at a campus, and the student could work toward a degree which might, in the course of that process, involve his or her attendance at three or four different campuses. This is one example.

Another would be a kind of education in which a person might be doing work primarily at home, and in reliance partly on reading, partly on television, be appropriately examined from time to time to assure that he or she had actually done this work, and eventually be awarded some appropriate recognition of achievement, without ever actually having been attending classes on a particular campus.

Senator RANDOLPH. Mr. Secretary, there was a time when, let us say, a body of college thought was that, let us say, an organization such as qualified correspondence school, that it really was tearing the educational fabric apart. You are coming back, now, reversing that thinking, that there are correspondence courses of one type or another that might be valuable. Is that right?

Secretary RICHARDSON. Yes. Certainly, correspondence courses supplemented by modern technology in the form of videotape, or closed-circuit television, or audio tape, all of which can enrich what used to be done only on paper.

Senator PELL. I would like to interrupt here to say that correspondence courses are of great value. I know I have taken many, and moved all the way from Coast Guard lieutenant to captain through correspondence.

Senator RANDOLPH. Is the correspondence school still operating at Scranton, Pa.?

Dr. MARLAND. I beg your pardon, sir?

Senator RANDOLPH. Do you know?

Mr. MUIRHEAD. The correspondence school at Scranton is operating, Senator, and you may be interested to know that we have now devised ways so that such correspondence schools are fully accredited and are participants in the financial aid program to go to their students.

Senator RANDOLPH. Well, I appreciate that, because I had some contact with that institution.

Dr. MARLAND. I think that it is important, if I may add, and just expand very briefly, Senator Randolph, in the line of this later question, on the note I reported earlier in responding to your question on vocational technical education or, preferably, career education.

This is the very kind of institution, you see, which we find liberalizing our people, not only through our proposed legislation on student aid, but also to include such things as proprietary institutions, in which there can be access for the same type of vocational development, supported both through the student support, now being urged in Congress, and the reform mode growing out of the Higher Education Foundation, so that, particularly community colleges, and similar institutions, will respond to the career needs of our society.

Senator RANDOLPH. Thank you, Commissioner.

Mr. Chairman, I am grateful that you have given me this time.

There is just one other point to which I must direct our attention, and that is the financial squeeze in which higher education finds itself at this time. It affects the larger university, and of course the smaller college. It has crossed the spectrum of our higher education today.

It casts not only a shadow, but there is a genuine impact, because I have been studying this problem, as a trustee of institutions of higher learning.

Now I want to bring a specific case into our thinking, and let's see if we can use it, perhaps, to give our thoughts about this problem a focus.

Commissioner Marland, I have used this illustration because you were so long identified in Pittsburgh, Pa.

Senator PELL. If the Senator will forgive me, we promised the Secretary that he could leave early, as he has another engagement. I wonder if he could leave, and whether this question could be directed at the Commissioner.

Senator RANDOLPH. Yes; it is.

Do you want questions to the Secretary?

Senator PELL. It might as well be directed to the Commissioner afterwards.

Thank you very much, Mr. Secretary, for being with us, and we appreciate your coming up today and yesterday, and, as we have more questions, we will be in touch with you.

Secretary RICHARDSON. Thank you very much.

May I, in leaving, identify Dr. Russell Edgerton, seated at my far left, who is Special Assistant to the Secretary in the Office of Deputy Under Secretary for Policy Coordination, who has worked with the Commissioner and me, and with Mr. Muirhead, on this foundation proposal. And should there be questions that you might otherwise have directed to me, I am sure that he could answer them or supplement other answers.

Thank you very much, Mr. Chairman.

Senator RANDOLPH. Thank you, Mr. Secretary.

Commissioner, I indicated your term of educational leadership in Pittsburgh.

Dr. MARLAND. Yes, sir.

Senator RANDOLPH. So I have checked two institutions of higher learning in the extreme northern portion; we call it the Northern Panhandle of West Virginia. As you know, we have Bethany College, at Bethany, W. Va., which is some 35 minutes' driving time from the Pittsburgh area. Now that is a smaller college. That was church oriented in its beginning. The Christian Church, Disciples of Christ.

It draws its student body from the United States as a whole, and even other countries.

The information given to me earlier this morning by the registrar, Joseph Curry, at my request, indicated these facts: The tuition, plus the fees, for all students—there is no differentiation between in-State and out-of-State students—is $925 a semester, $1,850 a year. There are now 1,029 students enrolled in the so-called second semester.

Dr. MARLAND. I missed that figure, sir.

Senator RANDOLPH. There are 1,029 in the second semester now. There were 1,070 enrolled in September at the beginning of the so-called college year.

Now, within 5 or 6 miles of Bethany College is West Liberty State College. This, as its name implies, is a State-supported institution, the taxpayers of West Virginia supporting it.

Bethany College, of course, with no State support.

The tuition and fees at West Liberty are $116 a semester, $232 a year. Now that is the tuition for in-State students. The out-of-State students pay, beginning with this coming fall, $491 a semester, $982 a year. At the present time, that tuition, the fees, are $832 a year, but we will use the incoming figures.

Now here are two institutions that are almost side by side in proximity to an industrial area, and other parts of the country. That student who comes from Pennsylvania, to West Liberty State College, he is paying at the present time $832 a year. If he is at Bethany College, he is paying $1,850 a year.

Now if the State institutions in West Virginia, and perhaps in other States, were serving just State students—and I am not attempting to be provincial; I think there is a value, an approximate one, whatever the institution—I might not raise this point.

But today approximately 31 percent of all the students at West Liberty State College are out-of-State students. These figures continue to rise. Why do they rise?

Well, they rise because of the differentation, which I have indicated, which is very real to the Pittsburgh youth, or to the family, his family, between Bethany at $1,850-a-year tuition and fees, and West Liberty State College, at $832 a year.

Now all over America, this situation is becoming apparent. The figures on West Liberty were also given to me by the registrar, Nelson Kane.

I want to have your comment on this situation, as it affects higher education, and the financing of students, either by themselves or through their parents, or foundation assistance, scholarships, grants, one type or another.

Dr. MARLAND. Very good, sir. There are two parts to your question, as you view it, Senator Randolph, and we will soberly respond to both.

As I would suggest first that I invite Mr. Muirhead to provide for you a brief recall of some diagrams and charts he used yesterday with other members of this committee, and as he develops that, it will relate to how both types of young people, those choosing private institutions and those choosing public institutions, would be served with our proposed program for student assistance, which is part of your question.

And he would illustrate, for example, that both of those institutions are well within the range of our expected support for the very needful families.

As he proceeds with those charts let me touch briefly on the second part of your question; or perhaps, Peter, you would rather do the charts first, and then I will deal with the instiutional aid question.

Mr. MUIRHEAD. All right.

Senator Randolph, yesterday we did have occasion to discuss in some detail the student aid provisions of the bill that is now before the committee. The principal thrust of the student aid provision is to maintain a principle that this committee has maintained over the years, and that is that we should do all that we can to strengthen both public and private higher education; and that as this committee has consistently held, that in the use of Federal resources, higher education is a single great natural resource, public and private, and that we should support it as evenhandedly as we know how, and that we should do all that we can to preserve the pluralism that is inherent in higher education.

The student aid proposal that is now before the committee is directed to upholding that principle, by saying that a student coming from a very poor family can receive sufficient assistance, both through grants and subsidized loans, so that he can have freedom of choice, Senator Randolph, as to whether or not, in this instance, he would opt to attend Bethany or opt to attend the State college.

Dr. MARLAND. If the Senator wishes, we can present to you reproductions of these charts, with notes that would help you comprehend the message that Mr. Muirhead is stating.

Senator RANDOLPH. Are you going to place those in the record?

Senator PELL. They have been.

Senator RANDOLPH. Thank you.

Mr. MUIRHEAD. I think, Senator, that your question is so very pertinent, however, that I would like to illustrate that in a situation such as Bethany, and this particular example is not Bethany, but it is of the Bethany type.

Senator RANDOLPH. Yes.

Mr. MUIRHEAD. Where the costs to attend that college approximate perhaps $3,200 a year per student. You reported that the tuition and fees amounted to $1,850. I think it would be a reasonable thing to assume that, including room and board and personal expenses for the student, that it would approximate $3,000 or $3,200.

The proposal that is before you in support of student assistance would make it possible for a student, coming from a very low income family, to receive a thousand dollars in grants, and to receive a total of $1,900 in NDEA-type loans—the type of loans that you have so long supported, Senator Randolph—and to add to it perhaps $300 from his summer earnings. Putting that package together, a student would be able to maintain his freedom of choice.

Now turning to the other side of your question, what benefit would this out-of-State student receive, if he should opt to attend the State college? In this instance, our example indicates that the public college would have a total cost of $2,000, and that is probably close to the total cost at West Liberty for room and board and tuition.

Such a student could, coming from a poor family again, receive a thousand dollars in grants, and he could then take $700 in NDEA-type loans, and with the use of his summer earnings, be able to put together a package that would enable him to attend that school. So, I think that what we would like to report to you is that the student aid provisions, as they were amended in presentation this year, do address themselves to the problem that you have just mentioned.

I should also like to report to you in passing that another very important provision of the legislation that is before you is to reauthorize the developing institutions program. And this is a program which you have supported, this committee has supported, which says that we should provide assistance to colleges such as Bethany.

Senator RANDOLPH. And Salem.

Mr. MUIRHEAD. And Salem.

Senator RANDOLPH. And Wesleyan, and Davis-Elkins and Alderson-Broaddus.

Mr. MUIRHEAD. You read the list, Senator.

Senator RANDOLPH. Yes; these West Virginia colleges that are doing such a good job.

Mr. MUIRHEAD. And we are pleased to report to you that the legislation that is before you would seek to reauthorize that program, and at the same time, we would be seeking additional funds for the program.

Senator RANDOLPH. Mr. Commissioner, I am glad that you had Dr. Muirhead utilize this time. It has been helpful to me. And I want to say for the record that through many years, I have had the opportunity to confer with Dr. Muirhead in reference to specific problems, and he has always been sympathetic to our situations, that sometimes, in a sense, are unique, and I am gratified that this situation is being developed in the proposal in the way that it is.

Dr. MARLAND. I should like to respond a little bit more, if I might, Senator Randolph, very briefly, to your question which dealt with the question of great concern to all of us, and I am sure to you as a trustee of a number of institutions, as to what is the position at this time on the subject of institutional support. It was mentioned by Mr. Muirhead that we are making some modest improvements in the support—and not so modest at that—in terms of opportunities for lending at 3 percent interest rates for school construction.

We are adding roughly $100 million to that program, to encourage this low-cost guaranteed borrowing for general support to institutions. We are increasing modestly our work for developing institutions with a high emphasis on the black colleges.

However, you have today, as the principal theme of this hearing, the question of the National Foundation for Higher Education. As your executive officer concerned with education in this country, I could not at this time present to you what I would find to be a feasible and equitable plan for the deployment of Federal Treasury in support of higher education, until there is a more clearly established Federal policy as to what role the Federal Government can and must play in higher education.

I would count it one of the first and highest priorities of our proposed National Foundation to investigate thoroughly that very question which you are raising. I would have to say that the wide diversity you have cited, even among two neighboring institutions could be extended to many even wider disparities in the nature of institutions, the cost of institutions, the kinds of public they are serving, and the kinds of goals they have. We well know that even some of the most favored institutions, traditionally wealthy, are in serious financial difficulty, as well as those of modest means at the start.

Therefore, we hold that a simple and obvious kind of per capita grant is not an adequate solution to this. It takes great study. It would be, as far as I am concerned, among the highest priorities of the National Foundation to investigate this subject and to return in due course with proposals that could be designed, conveivably, to serve this need at some point in the future.

Senator RANDOLPH. Thank you, Commissioner.

Mr. Chairman, I want the record to reflect that I am in support of the general purposes of the administration's effort in this regard, and specifically, the bill presented by Senator Javits, Senator Prouty, and others, and I commend the efforts that are being made. I am a co-sponsor of Senator Pell's bill. I think there is a realism which must be written in, now as never before, to what we do, an attempt to find—to use an overused word—the priorities which I think are inherent in a strong educational program at the higher levels, that we lack in this and so many aspects of our national life.

The chairman knows that I am now making an effort to have our fuels and energy resources in this country understood and husbanded, in a sense. We have no policies, no goals whatsoever, that are woven into the environmental factors. We go at it hit and miss, in a haphazard manner, and this is just one of the situations economically that we fail to address ourselves to, and we have failed to address ourselves to this very important problem. And Mr. Commissioner, to you and your associates, I want to pledge my continued effort to understand and to study, and hopefully, to be helpful, under the chairmanship of the Senator from Rhode Island.

Thank you.

Dr. MARLAND. Thank you, Senator Randolph.

Senator PELL. Thank you very much, Senator Randolph. Commissioner Marland, there are a few questions here that I want to go over with you now, and I will have a few more that I will submit for the record, so that we can have them in the hearing record.

S. 659—TITLE III DIVISION OF EDUCATION

The National Institute of Education is included, in S. 659. What I sought to do, as you know, is to create a setup, which could provide for a spinoff some day of the Office of Education, into a separate Government department.

Now, I realize that this runs completely counter to the present proposals of the administration, which are to make HEW into even more of a multihued monster than it is presently. I think it would be called the Department of Human Resources. How do you view the relationship of the Institute, the Foundation and the Office of Education?

The Secretary earlier mentioned that they would be changed a bit, and they would be reporting to you, or through you to him. But will you be in charge of this troika, how would it work?

Dr. MARLAND. I will be pleased to respond to that, Senator Pell, because the issue can be easily clouded. We use different words at different times, and it is important, I think, for the record to show how we view the difference between these quite different institutions.

First to respond to your question as to the organizational structure, the lines of authority. Indeed, this legislation does call for these two institutions to be established under HEW. The National Institute of Education, the National Foundation for Higher Education—each, in turn, declared by the Secretary to be accountable and responsible to him through the Commissioner of Education.

I think if you could mentally view an organization chart, it would show the Office of Education, indeed, as it is now, substantially, omitting a good many of our research components, under the Commissioner of Education. And then in that same chart, to view a block to the left and a block to the right of the Office of Education, each flowing into the Commissioner and, in turn, to the Secretary.

There was reason for this, and I will come back to it after defining the two institutions.

One, the National Institute of Education. This body addresses itself, in our plan—and I must assure you that the plan is in its early stages, and has had the benefit of an intensive study by the Rand Corp., under Dr. Roger Levien, and his report, I am sure, is at your hand—but this institution is conceived as embracing and addressing the total span of our people, in terms of their educational careers, formal and informal, from early childhood education on through graduate school, in the search for better ways to teach, and better ways to learn.

We are dealing with something that would have its counterpart in the National Institute for Health, for example, where scholars and physicians and scientists gather to work in depth over years, on frustrating problems concerning education, the problems which have haunted this committee as well as the Office of Education.

Why aren't children in minority groups learning as well as others? Why aren't children of poverty learning as they should? What are the great obstacles to turning the world of work around, as Senator Randolph has noted this morning? And how can research respond to these great social needs?

We address the whole spectrum of education, therefore, with a new institution where the finest wisdom, creativity, and scholarship of the Nation could be gathered, to address these great problems, in a form free of the conventions of bureaucratic government, but still having access to the bureaucratic government, which is essential to its input and its output. The NIE will be a steadily increasing instrument for searching out the great social issues implicit in education, and resolving them through research, development, demonstration, and then flowing back through the Office of Education, for that implementation, dissemination and adoption as new national procedures, techniques, and goals.

It behaves, if you will, as a research institute. It does a lot of its work on the premises, it does some of its work outside the premises, through contract.

Now, as to the Foundation, it is quite different. It behaves as a foundation. It has money, to deploy in the wisdom of its trustees on important projects consistent with its goals, and its goals are reform of higher education.

Senator PELL. To interrupt here, in other words, the National Institute will be concerned both with elementary and secondary education, and higher education. Is that correct?

Dr. MARLAND. It will, indeed. The National Institute services the whole house of education, in all of its parts. The National Institute is concerned with the theory and practice of teaching and learning.

Senator PELL. It doesn't matter if you are 5 years old or 50 years old.

Dr. MARLAND. Precisely, sir. Early childhood to graduate study and beyond, including the many aspects of human growth in between that are germane to educational systems.

Now, the Foundation is solely and strictly limited to the needs of higher education, and here we include, of course, the community colleges, and such institutions as may be classified as post-secondary. Here, as the Secretary has noted earlier, there is a different context for work. Why different? The higher education system of our country is widely diversified, and properly so. Widely variable in its aspects. It is not the network of school systems through State structures that is conventional elementary and secondary, but quite properly our higher education system has grown up in an atmosphere of academic freedom, diversity, wide disparity as to method, mode, size, means, resources, style, and Government.

And, therefore, unlike elementary and secondary education, the Foundation is an exclusive resource to serve higher education, as it reforms itself.

The way the Foundation would work is that it would declare, of course, its large purposes and goals, and gather together, as the Secretary noted earlier this morning, the best brains in our society to determine how these reform modes shall be encouraged and what kinds of reform shall be pressed consistent with national priorities and goals to serve our society.

An institution, large or small, prestigious or nonprestigious, would come to the Foundation with a proposition, and ask for funds to support a reform program, and say here we are now prepared to enter into a whole new system of arranging our schools; we will move from a 4-year baccalaureate institution to 3-year or 2-year institution or sorts, that will still accomplish what we are proposing to do here. The cost benefits of this will be x dollars, the human benefits will be y in number, and this would be a reform instrument.

Some of the reform would be writ large, as we create perhaps new models of reaching our society through television and Telstar type of communications systems. Others would be writ small, where there is indeed still a need for lower scale reforms in existing institutions. But you would have a resource here, serving higher education itself at the initiative of higher education. Higher education seeks reform at this time.

Mr. Muirhead and I, together with the Secretary, have over this past 6 months been deliberating elbow to elbow and intensively with the leaders of higher education, both administrators themselves and

their agents, through their many organizations of higher education, some 23 different organizatons of higher education institutions alone. This reveals again the need for an instrument which can bring together the many parts, differences and diversities of higher education in order to seek better ways to do the job and to serve this Nation.

Now, how do these two parts come together in their widely different roles? They are concerned with education. They are concerned with the total needs of education. The Office of Education is the bureaucratic governmental instrument for the identification of needs in parts and will direct into the research institution the great questions, including those questions that will be raised by society at large, through its trustees. As the answers come out of the National Institute of Education, and as new findings begin to show promise, they must flow back through a network of respectability, reliability, and system. And it is here that the Office of Education provides that system.

The NIE will provide arrangements for producing new products, moving them swiftly into the field where the young people are, both children and college students, and placing them in position for further development.

The need for communication, system, and the flow of materials in and out is implicit in the design which I have attempted to sketch orally for you, of the need for one central personality, if you will, or one central office of government, in this case, delegated to the Secretary fo HEW and in turn to the Commissioner of Education, in such a way as to give cohesion, system, input and output, to these large new institutions being conceived.

SCOPE OF THE FOUNDATION

Senator PELL. If the National Institute is concerned with research on means of learning from 5 years to 50, why could not the Foundation be concerned with an equally broad spread, when it comes to the awarding of grants? I would have thought innovation is needed in elementary and secondary schools as much as it is in colleges.

Dr. MARLAND. This is true, sir; and as you will recall from last year's legislation, we have a counterpart program, which we have called the experimental schools program, which is conceived as an instrument for gathering the research being carried on in our research resources, and mounting it as demonstrations by contracting with the school systems for the development and demonstration of new practices, much as the Foundation would serve higher education.

Senator PELL. I don't follow the logic of the separation in one case, and the joining together in the other. Is there a reason for it?

Dr. MARLAND. The separation of which one, sir?

Senator PELL. The separation of the schools into——

Dr. MARLAND. The experimental schools?

Senator PELL. The experimental schools.

Dr. MARLAND. The logic here refers back to my earlier statement, which was perhaps put clumsily, that there is now a network in the elementary area and secondary systems, through the States and localities, and into which there is a reasonably systematic flow of communication, understanding, governance, laws and responsibilities. This does not apply in the field of higher education. Therefore, the instru-

ment which we call the experimental school program is indeed a vehicle for elementary and secondary education, well within the construct of the Office of Education, because that system is there.

Now, there is no such system, outside in the real world of higher education, that provides a similar network for the Foundation, to give it, if you will, increased autonomy, increased freedom, and increased access to this widely variant population of institutions.

Senator PELL. The Foundation is basically a grant awarding mechanism.

Dr. MARLAND. Precisely.

Senator PELL. And the Institute is more of an in-house research operation.

Dr. MARLAND. Precisely.

Senator PELL. What is the difference between the Foundation on a large scale, and national research on a much smaller scale?

Dr. MARLAND. I am going to ask Mr. Muirhead, if you will permit Senator, as he is closer to the National Foundation for Higher Education than I am.

Mr. MUIRHEAD. I think, Senator Pell, that the principal difference between the two would be in the objective or the function of the National Foundation for Higher Education, which would be directed at the whole spectrum of higher education, involving, as the Commissioner has pointed out, higher education in the sense that it is post-secondary, through the graduate school. And that the focus of the National Endowment for the Humanities as the name implies, is on a very specialized Federal interest to be supported.

The National Foundation for Higher Education would run across a wide spectrum of activities and would support, through project grants, many of the changes, the innovations and new ideas that are needed in higher education. Another very important point that has been underscored by both the Secretary and the Commissioner is that the National Foundation for Higher Education would be under the direction of a board of topflight people, who would be called upon by the Federal Government to help develop policy with regard to the Federal interest in higher education.

I think you would agree, Senator Pell, that at this time in our history we do need to develop a rational and viable policy as to what the Federal interest should be in higher education.

Senator PELL. I think it would be helpful for the record, if you would submit to the committee a dozen examples, one or two lines only in length, of projects that would be typical of each of the projects that each of these organizations you are proposing would be doing.

Dr. MARLAND. We will do so, Senator.

Senator PELL. And very broad, and one or two lines in length. Nothing longer.

(The information subsequently supplied follows:)

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE
OFFICE OF EDUCATION

Activities of the National Institute of Education
and the National Foundation for Higher Education: Examples

The likely program thrusts of each agency will be different in kind. Foundation programs will relate particularly to higher education innovation, whereas the Institute will address fundamental questions and solutions relating to the processes and environments for learning. Examples of activities which each agency might be likely to support are:

National Foundation for Higher Education

--The development of a national policy toward higher education, including an examination of the federal government's impact on policy formulation and institutional behavior.

--Studies of the costs of higher education and alternative ways of financing them.

--The creation of institutions and programs involving new paths to career and professional training, and new combinations of academic and experiential learning.

--The carrying out in postsecondary educational institutions of changes in their internal structure and operations designed to clarify institutional priorities and purposes.

--The introduction of institutional reforms designed to expand individual opportunities for entering and re-entering institutions and pursuing programs of study tailored to individual needs.

--The creation of new institutions and programs for examining and awarding credentials to individuals, and the introduction of reforms in current institutional practices related thereto.

National Institute of Education

--Research on the social and environmental factors affecting education--and the development of a solution to the problem of economically disadvantaged children falling further behind, once they have entered the formal educational system.

--Research into the nature of language acquisition skills, and the development of improved curricula and materials for learning to read.

--Experimentation with various new technologies in education such as TV, the computer, or cassette, etc.

--Further research into early learning and the development and testing of alternative forms, curricula, and teaching strategies for early childhood education.

--The development of improved testing and evaluation procedures.

--Research on the administration and organization of the schools and the development of alternative concepts and organizational forms for the learning setting.

--Research on the demonstration, dissemination, and adoption processes and the development of an effective delivery system to provide the schools with validated R&D products and practices fitting their needs and population.

CONSTRUCTION GRANTS

Senator PELL. I notice that you proposed discontinuing construction grants for colleges in 2 years. What is the reason for that? Do you think there will be enough construction to accommodate students within 2 years? What is the rationale for this decision?

Mr. MUIRHEAD. Senator Pell, you have noted that we have not supported construction grants, and inasmuch as consistency is any virtue in this regard, we did not do so last year, either. The rationale for doing so is that with the Federal resources that are available for the support of higher education, we felt that a more important priority was to put those resources into the support of student aid.

You will note that in our budget for this year, a very dramatic increase is included for the support of student aid. We have, rather than providing grants for construction of facilities, expanded the interest subsidy program. As the Commissioner noted, yesterday and today, we will have sufficient funds in the Federal budget to support about $520 million worth of construction costs under the interest subsidy program.

We felt that this was possibly a better way to use the available resources at this time.

Senator PELL. This is, I guess, part of the philosophy of the administration, having the private sector carry a larger load, but I think if you could carry that ad infinitum, we would have to print a lot more money in order to be able to do it without exorbitant rates.

Mr. MUIRHEAD. Yes, of course, but as you know, the Federal program would guarantee to the institution that they would pay no more than 3 percent. The Federal interest program would close the gap between the interest which the college and university had to pay the lender, and 3 percent. One of the amendments that is before you is not only to provide the interest subsidy, but also to provide a Federal guarantee, which hopefully will make loans available at lower interest rates than heretofore.

Senator PELL. It will be pretty good for the banks, for there is little or no risk attached, because they would be guaranteed.

Mr. MUIRHEAD. That is quite correct. I am sure that that is not why we are suggesting the amendment. I think we are suggesting the amendment because it will result in less expenditure on the part of the Federal Government. As a result of the Federal guaranty, the total interest will be reduced.

Senator PELL. It also presupposes a larger money supply, and I think again it is a question, I guess, of philosophy, and of whether we are running the Government on a current basis, or whether we are going to run the Government on a debt basis.

Mr. MUIRHEAD. Yes; I think your point is well taken, Senator, but I think that that is quite fair for me to point out that the budget that is supporting the proposal that is before you does include very substantial amounts of money for grants for the support of low-income students, and that you have a proposal before you that is supportive of the budget, with the highest level of grants for students that we have ever had.

DECENTRALIZATION

Senator PELL. On another subject, as you know, we have often discussed between ourselves this question of the decentralization of the Office of Education. I have taken a dim view of this, because I felt that with only 50 States, there is no reason why the States should not be able to communicate directly with Washington, and what I see in my area of the country is just one more mishmash of bureaucratic layers that my people, that Rhode Island educators have to go through in the various departments before they can get a decision from Washington.

TALENT SEARCH

I realize I am stating a prejudice, but it is a certain view of this matter. A good example, though, of what I am driving at was in my own State, where they had a program called the talent search program, and now there is a move to decentralize it. I was up last weekend, and some of the people from the program came to me and very vividly explained the problems that were involved with this policy of decentralization.

The administrators in Rhode Island informed me that the decentralization would work to their disadvantage, to the effect that the talent search program was increasingly becoming an arm of the university administering it, and the benefits of the program is not felt by other schools in the region.

Decentralizing this program would make the program even more captive, for the single institution which has been able to generate a close relationship with the regional office, as often seems to happen, would consolidate its position.

Here we have the problem of regionalization on a very simple point, the generation of personal friendship, which would work against development of wider program use, and I had two conscientious people come into my office, most upset about this. What can be done to make sure that if your views do prevail—and I hope they do not, but if they do prevail and we do have regionalization, that there is the possibility of quick appeal to Washington in cases of this sort?

Dr. MARLAND. Let me respond, if I may, in general, to your question, Mr. Chairman, and I will ask Mr. Muirhead to deal particularly with your observations concerning the talent search program, with which he is closely familiar.

You are quite right in saying that there is a danger of a layering of bureaucracy implicitly in the decentralization process in which we are now engaged.

We hope that it will not be this, of course.

In the Office of Education, and I speak only for the Office of Education, obviously, we have over the past year or year and a half designated some 23 programs out of a total in the Office of something over a hundred, as being suitable to redirection in their authority and responsibility to the regional areas.

Senator PELL. Would you submit for the record the list of those 23 programs, suitable for decentralization?

Dr. MARLAND. We would be pleased to.

Senator PELL. Thank you.

(The information subsequently supplied follows:)

LIST OF 23 OFFICE OF EDUCATION PROGRAMS LISTED AS SUITABLE FOR DECENTRALIZATION BY DEPT. OF HEW

Listed below are the 23 programs suitable for decentralization.

Higher Education:

- Educational Opportunity Grants
- Work-Study Programs
- National Defense Education Act Student Loans
- Insured Loans to Students
- Undergraduate Facilities Construction
- Loans to Construct Academic Facilities

Elementary and Secondary Education:

- School Assistance in Federally Affected Areas
- Construction of Schools in Federally Affected Areas
- Disaster Assistance
- Title IV of the Civil Rights Act
- The Emergency School Assistance Program

Vocational and Technical Education:

- * Vocational Education Act of 1963, Part B, Part C, Part D, Part E, Part F, Part G, Part H
- Adult Basic Education
- Manpower Development and Training

Libraries and Educational Technology:

The Library Services and Construction Act

Research:

Small Research Grant Programs

Fundamental Research Grants

*Parts B through H of the Vocational Education Act of 1963 to be repealed by Education Special Revenue Sharing.

Dr. MARLAND. Further, I would say that each program, as it is considered for direction or delegation to the regional commissioners, is viewed very carefully in the light of its efficiency and productivity vis-a-vis the central mode, with a headquarters system in Washington, or the decentraliezd mode in the regions.

I think the record should show that in no case have we been quick to deploy a program to the regions without examining its feasibility, and I would offer one or two examples of where I think you would agree that it is feasible to have a regional activity.

Let us speak for the moment of the bilingual program, as related principally to the Southwestern States. Here you have key experts in the area, able to provide technical assistance to schools and communities, ranging out from a central office, let us say, in Dallas, or San Francisco, and reaching into school systems in States where there is a unique problem.

Let us think of another. The beginning exercises of the emergency school assistance program of last summer, where you will recall $75 million were invested in attempting to reduce racial isolation. Here again, there were regional offices, heavily engaged in this process, where the people near the situation understood the problem better than it could be understood in Washington, and indeed, served as Washington's arm in many cases to rise above what might have been State biases or preoccupations that would have run contrary to the intent of Congress.

Now, these are illustrations of ways in which the region does have relevance. I would agree with you that in many instances there are programs unlikely to be served well by their deployment in a manner other than through the States and local districts from Washington. I would ask Mr. Muirhead to comment further, if you please.

Mr. MUIRHEAD. It seems to me, Senator Pell, that you have raised a very important question. If we were to move toward decentralization in a way that resulted in having programs administered in the 10 regional offices according to the standards or criteria set up by each of the regional offices, that would be nothing short of chaos.

Similarly, if we were to move toward decentralization in such a way that the regional office would not be able to make decisions, but would only act as a middleman, pending the decision being referred to Washington, that would be unfortunate, and we would be imposing an unnecessary layer of bureaucracy.

Fortunately, as we have moved toward decentralizing programs we have set up criteria or objectives that are addressed to both of those problems, as the Commissioner has indicated. When a program is decentralized to the region, it is decentralized through the program officer who has responsibility for programs of a similar nature. And there continues to reside with the Commissioner and his associates in Washington the whole question of the development of policy, rules, and regulations for those programs, which are then shared with the regions.

On the second point, concerning the possibility that if we were to decentralize, that it could delay decisionmaking, the Commissioner has been quite insistent that as we examine programs that lend themselves to decentralization, that we make very sure that the regional office carries with it the responsibility for making the decision and it is not merely a stopping place on the way to Washington.

The Commissioner has also made it very clear that in those instances where there is, in the mind of the client, a need for a review of the decision, that there is an appeal procedure and that appeals can be directed to Washington to the Commissioner and his associates.

Now, with particular regard to the program that you have mentioned, the talent search program. At the present time it is not decentralized. We are considering whether or not the talent search program, along with its associate programs of Upward Bound and special services for the disadvantaged, programs which were enacted by your committee and which are all directed to helping the disadvantaged, whether or not that combination of programs could be more effectively administered in the regions. We have not reached a decision on that yet.

Senator PELL. In other words, they are not one of the 28 programs you are thinking of?

Mr. MUIRHEAD. They are not one of the 23 programs, that is right.

Senator PELL. The 23. I am sorry.

Mr. MUIRHEAD. Now, let me share with you an example of a program which we have decentralized.

Senator PELL. Let me just keep on this talent search question for a moment.

Mr. MUIRHEAD. Yes, sir.

Senator PELL. Now, the budget that is being submitted for 1972 calls for an expenditure of $50 million, $50,100,000, for all three of those programs. How much of that is for talent search, itself?

Mr. MUIRHEAD. I have the budget before me, and if you will permit me, I will find it.

We have submitted a budget, as you have reported, in fiscal 1972, for $50,100,000 for the three programs. Talent search is earmarked for $5 million, special services for the disadvantaged, $15 million, and Upward Bound, $30 million.

Senator PELL. How many regional offices are you proposing to have, or do you have?

Mr. MUIRHEAD. We now have 10 regional offices, and I expect that that will continue to be the number.

Senator PELL. Well, 10; if you provide $5 million to decentralize it among 10 offices, and must still support the appeals structure and the overhead in Washington does not this mean a rather small program in each of your districts; doesn't it?

Mr. MUIRHEAD. It certainly would, if we were to do it that way. If we were to take the $5 million and divide it by regions. I think that we would be more likely to distribute the money in terms of where the greatest need is, in support of the talent search program. But I should report again, Senator Pell, that the decision to decentralize talent search has not been taken.

Senator PELL. Thank you.

(Further information subsequently received follows:)

To: Senator Pell.
From: Henry C. Tyson Jr.
Date: 3-1-71.
Re: Decentralization of Talent Search/Special Services Branch of the Department of Health, Education, and Welfare.

As Chairman of the Senate's Education Subcommitee, we are sure that you are familiar with the Talent Search/Special Services Branch of HEW. What you may not be aware of is that as a part of the Nixon Administration's "New Revolution Plan"—as outlined in the State of the Union Address—machinery is

being set in motion to effect the decentralization of the Talent Search/Special Services Branch of HEW. This is a drastic action that would not assist but only impede the educational progress that we are making. Clear-cut ramifications of such an action are as follows:

1. Our effective lobbying power and contacts in the nation's capitol would be eliminated. Our power in the nation to operate as a program staunchly supported by the Federal Government would be seriously curtailed.

2. We would be compelled to communicate with Regional HEW Offices alone. Our project proposals would be sent to Regional Offices and decisions on refunding would be made on the regional level. This would be especially harmful in areas where Regional Offices are reactionary, recalcitrant or intransigent regarding implementation of policies and guidelines that demand improved services for minority group students.

3. The possible loss of Area Representatives who are located in Washington would become definite. They would be asked to seek lesser positions with the Regional Offices. These representatives would find their new positions proscribed especially in Regional Offices where there exists an insensitivity to the needs of disenfranchised minority group students.

4. Our Financial Aid contacts would diminish because we would no longer have national recognition from organizations such as the National Association of College Admissions Counselors (NACAC), the United Student Aid Fund, Inc., and other supportive agencies that give us services for student referral on the national level.

5. Talent Search has such a small budget—$5 million—that decentralization is of no advantage. Decentralization may be good in the case of larger departments with much more funds. Programs which focus on the education of minority groups and which have relatively small funding levels must have strong representation in Washington, D.C. to ensure that they will not suffer the "benign neglect" that is so characteristic of the present administration. We cannot give the administration the opportunity to ignore the disenfranchised students of minority groups.

6. In light of the above the efficiency and effectiveness of the Talent Search Program on a broad level would be lost.

We implore you to contact other Rhode Island Congressmen in the Senate and House of Representatives in order to enlist their aid in an action to prevent decentralization of the Talent Search/Special Services Branch of HEW. We also need to receive communication from you concerning the progress that you and other Congressmen from Rhode Island and other States will make in your efforts. You cannot let us down.

THE SECRETARY OF HEALTH, EDUCATION, AND WELFARE
WASHINGTON, D. C. 20201

MAY 19 1971

Honorable Claiborne Pell
United States Senate
Washington, D.C. 20510

Dear Senator Pell:

Please accept my apology for not responding sooner to your letter of March 2 in which you asked that I comment on the issue of decentralization with respect to the Talent Search Program.

Under the President's Federal Assistance Review Program, a HEW Task Force has been reviewing each grant program in the Department seeking opportunities to simplify or eliminate unnecessary procedures and paperwork, and to place decision-making closer to the point where services are actually being provided. The Talent Search Program is one of the programs that has been studied and Commissioner Marland is presently considering recommendations on this program which relate to improving the administrative procedures and to decentralization of some of the functions.

As to the points set forth in the attachment to your letter, the Task Force's recommendations state that there will continue to be a Talent Search Program in which OE headquarters' staff would continue to develop overall program policy, prepare guidelines, write regulations, allocate funds, conduct training of regional personnel, evaluate overall program effectiveness and institute changes in the programs when required. Thus, a national emphasis and focus would be maintained for the Talent Search Program. What has been recommended for decentralization is the receipt, review, and technical assistance related to individual grants--all to be done within criteria and methods established in Washington.

With the foregoing as background, the following specific comments relate to the points raised by your constituent:

1. Since a national emphasis and focus for the Talent Search Program would be maintained in Washington, the lobbying power and contacts of your constituent would not be impaired.

2. Persons concerned with the Talent Search Program would not be compelled to communicate with DHEW regional offices alone; project applications would, however, be sent to regional offices and funding decisions on individual grants would be made at the regional level, within program policy established at headquarters. Therefore, it would be helpful to maintain communications with the DHEW regional offices.

3. If any Area Representatives should relocate to regional office positions, these would not be lesser positions but would be commensurate with the background and experience of the affected Area Representatives. Again, we would not accept the idea that such positions would be prescribed by insensitivity to the needs of minority group students.

4. We do not see how the recommendations currently under study would have any bearing on national recognition from organizations listed by your constituent.

5. The decentralization being considered concerns individual project decision-making and technical assistance, not program leadership which will remain in the OE national headquarters in Washington, D.C. This national headquarters will continue to be responsible for justifying the Talent Search Program budget.

We appreciate your concerns about decentralization. In order to insure a careful approach to this problem, we are conducting our reviews on a program-by-program basis, rather than attempting to make an arbitrary across-the-board determination on what functions can best be performed in Washington as opposed to the field.

With kindest regards,

Sincerely,

Secretary

P.S.: I'm makimg a desperate (and I hope ultimately successful) effort to prevent delays like the one on this letter. I'm very sorry!

Senator PELL. We have a few more questions, that I will want to submit for the record. I notice that you did give us a section-by-section description of the bill, but it does not include a justification of the various amendments that you have been suggesting. I wonder if you would give us a section-by-section justification of the bill, as opposed to a description?

Dr. MARLAND. We can do that. Can we endeavor, in the interest of brevity, to offer both a brief description and defense of the proposition in the form of my testimony of yesterday which was submitted for the record? If you would like us to amplify on the justification, we can do that.

Senator PELL. I think we would like to see a justification of each of the sections.

The record will be kept open, as I said, for the submission at a later date of any questions, and I thank you very much for being with us. We will recess now and be in touch with you as time goes by.

Dr. MARLAND. Thank you, Senator Pell.

Senator PELL. We are in recess.

(Whereupon, at 11:38 a.m., the subcommittee was recessed, subject to the call of the chair.)

EDUCATION AMENDMENTS OF 1971

WEDNESDAY, MARCH 31, 1971

U.S. SENATE,
SUBCOMMITTEE ON EDUCATION OF THE
COMMITTEE ON LABOR AND PUBLIC WELFARE,
Washington, D.C.

The Subcommittee on Education met at 10 a.m. in room 4200, New Senate Office Building, Senator Claiborne Pell (chairman of the subcommittee) presiding.

Present: Senators Pell, Mondale, Eagleton, and Javits.

Staff members present: Stephen J. Wexler, subcommittee counsel; Richard D. Smith, associate counsel; and Roy H. Millenson, minority professional staff member.

Senator PELL. The Subcommittee on Education will come to order. We are resuming hearings on the Education Amendments of 1971 and the various amendments and bills that are being brought before the subcommittee with regard to education beyond the high school level. I am very glad to say that our first witness this morning is my colleague and friend and a man I very much admire, Senator Metcalf.

STATEMENT OF HON. LEE METCALF, A U.S. SENATOR FROM THE STATE OF MONTANA

Senator METCALF. Thank you very much, Mr. Chairman.

Of course, as you know, as chairman of the Committee on Education, I am in wholehearted accord with many of the principles of this legislation. I only want to talk this morning about one very narrow issue, but that does not mean that I am not in accord with various other aspects that are going to come before you.

I appreciate your prompt scheduling of hearings on S. 404, the Consumer's Education Act of 1971. S. 404 would authorize the Commissioner of Education to make grants to universities and nonprofit organizations to assist them in four ways:

First, in making studies and reports relating to consumer needs in the fields of energy, communications, transportation and the special problems of consumers in the areas served by regulated industries;

Second, in making studies and reports relating to Federal and State laws, regulations, decisions and rulings affecting consumers;

Third, in training persons for research relating to such studies and reports, and

Fourth, in development of curricula and programs of study in consumer interests in these fields.

There was substantial testimony for this legislative proposal during the 91st Congress. S. 404 was originally part of S. 607, the proposed

Utility Consumers' Information and Counsel Act, which you cosponsored, and on which the Senate Subcommittee on Intergovernmental Relations conducted 21 days of hearings.

During markup of S. 607, members of the subcommittee expressed support for this proposal but suggested that a consumer education program belongs in the Office of Education, rather than in the proposed independent Office of Utility Consumers' Counsel and that therefore a separate bill should be introduced and put before your subcommittee.

I was in complete accord with this suggestion and consequently introduced S. 4153 last July and reintroduced it this year as S. 404, the bill now before you.

Government, industry and university witnesses endorsed this proposal in their testimony before the Intergovernmental Relations Subcommittee.

I chaired all 21 days of hearings on S. 607 and do not recall any adverse testimony on the education grant proposal. The supporting witnesses included spokesmen for the Federal Power Commission, the Federal Communications Commission, the American Gas Association, the Independent Telephone Association and university professors.

With your permission, Mr. Chairman, I shall include the pertinent portions of their testimony in your hearing record.

Senator PELL. It will be printed in the record.

(The information referred to follow:)

Commissioner Kenneth A. Cox
Federal Communications Commission

"I think one of the benefits of the legislation would be creating new interest in this area. There would be the stimulation to young people, and to others, to develop a specialization in this field, which could supplement the work which has to be done."

Charles R. Ross
Former Member of the Federal Power Commission
Visiting Lecturer at the University of Vermont
and a Member of the International Joint Commission

"Therefore, I wholeheartedly endorse the concept of this bill. Regulation needs the assistance this bill would provide. As a visiting lecturer in regulation at the University of Vermont, I would welcome the opportunity to apply for a grant under section 107. It was my hope that by teaching this course, and hopefully others, I could repay the public for the last 10-year graduate course in regulation. Since I returned to Vermont in October, I have lectured at a number of universities throughout the country. I have enjoyed it. I am hopeful I have been able to pass along a few of my experiences. I would like to continue to do it in the future, but it becomes somewhat difficult to do that and still earn a living.

"Furthermore, so far, for all intents and purposes, I have managed to avoid becoming too involved -- I with too many utility clients. This is a fact that I desire. I have turned down some and I have done this because it allows me to teach a little more objectively, I think, but this is why this particular section of this bill by providing some assistance to the universities, to lecturers, to people who want to specialize in the study of regulation, would enable them to continue to do so without the necessity of seeking clients, either public or private power clients. The public might thereby gain something in objectivity from these people."

(Part 3, p.626)

James G. Richardson
Associate Professor of Finance
University of Florida
former Mayor-Commissioner of Gainesville, Fla.

"Second, I want to strongly endorse title I, section 107 and section 108. For many years, both the quality and quantity of research coming out of our universities on the economics of public utilities has been woefully lacking. As you know, rightfully or wrongfully, research effort is directed where there is financial support. The private sector of the utility industry has given virtually no support to research efforts in universities on the economic aspect of the industry. One can only wonder why. Have they been afraid to let the cold, unbiased eye of the academic researcher take a good look at their operations, rates, structure, and other areas? As far as I am aware, the money that the private sector -- the I.O.U.'s -- has spent at the university level, has largely been of a public relations type.

(Part 6a, p. 1490)

Douglas Gleason
Executive Vice President
United Utilities

appearing as a witness for the U.S. Independent Telephone Assn.

"The fourth objective of S. 607 deserves support. Regulators and managers of utility companies alike should welcome well supported studies of regulatory matters. It would be helpful to all concerned if a broader understanding of the objectives of utility regulation could be achieved. It is and will continue to be useful to explore ways to achieve these objectives more efficiently and more effectively."

(Part 4, p. 1035)

William Crowley
Executive Vice President
American Gas Association

"It would be wonderful if we could do something to stimulate public utility departments or teaching public utility courses in our major universities, because we need a backlog of people both in our utility companies and in our regulatory staffs..."

(Part 4, p. 874)

"Unfortunately, there is an extreme paucity of utility economic expertise in universities. Virtually no universities possess public utility departments devoted to the education of students in public utility economics and related concepts."

(Part 4, p. 793)

Curtis L. Wagner, Jr.
Special Assistant to the
Judge Advocate General of the Army
for Communications, Transportation and Utilities

and Chief of the Regulatory Law Division
Department of the Army

"One of the most difficult areas to fill is a job in the utility area, primarily because the people who are experienced in the field are making far more than the Government could offer them. There is no question about it.

"And No. 2, the opportunities to gain experience in this field are extremely limited."

(Part 5, p. 1187)

Senator METCALF. One of these witnesses was Charles Ross of Vermont. Mr. Ross now lectures on regulatory affairs. He spoke from a rich background as chairman of the Vermont Public Service Board and a member of the Federal Power Commission.

The education grant proposal is important, he said, because it would provide:

> Some assistance to the universities, to lecturers, to people who want to make constructive criticisms of regulation, would enable them to continue to do so without the necessity of seeking clients, either public or private power clients. The public might thereby gain something in objectivity from these people.

Mr. Chairman, when I started several years ago to familiarize myself with regulatory matters, I was appalled to find out that very little has been written on this subject in recent years, except for what has been prepared or endowed by the regulated industries.

Some of the questions propounded by the utility endowed studies are as irrelevant to today's problems as was the ancient theologian's argument as to the number of angels who could stand on the head of a pin.

On the other hand, literature is extremely scarce or non-existent in the following relevant and important areas which readily come to mind.

1. Beneficial ownership and control of energy companies.

2. Use of automatic data processing by regulatory commissions to obtain timely, detailed information on utility expenditures. Under the present primitive procedures, utilities have received literally hundreds of millions of dollars in annual rate increases based upon their 1969 data.

We now are well into 1971, yet the Federal Power Commission and Federal Communications Commission have yet to publish their bare bones statistical comparisons for 1969. Commissions and opponents of rate increases were thus disadvantaged because they did not have comparative data when the rate increase requests were heard and decided.

Mr. Chairman, to digress a moment from my prepared statement, this morning I received from the military, the U.S. Air Force, a rundown on their computerization of various losses. They have taken the U.S. Code, the Armed Services Procurement Regulations, and the Manual of Courts Martial and put them on computers. These computers can print at the rate of 1,100 lines per minute or, in 2 or 3 minutes, the amount of material that would take hours and hours and hours of manual research to run down as a practicing lawyer.

This kind of system has not even been conceived of for the automatic data processing and retrieval systems at the various Federal regulatory agencies. A system like that at the Defense Department would provide a breakdown of great value to a newspaper reporter or a scholar or anyone trying to find out the statistical basis for rate-making purposes.

3. Customer advance deposits and interests rate thereon. Courts have held that these deposits, totaling in the hundreds of millions of dollars, belong to the customers. Yet in some States these deposits end up in the utility rate base, interest paid is below the going rate and some customers have encountered difficulty in obtaining refunds.

In the District of Columbia, poor people have to pay as much as $50 to get their Pepco Service. The more affluent people, of course, don't have to pay anything. These advance deposits are not only a deterrent to the people who are trying to get these essential services, but they stay in the coffers of the utilities for year after year, drawing interest, and as I say, sometimes they become part of the rates.

4. Flat rates, under which large users of our dwindling energy supplies would not, as at present, be rewarded by lower rates.

5. Differing State policies in allowing various items—ranging from deferred taxes to deposits from friendly banks—in the rate base and the effect of this padding on rates charged customers.

6. Use of industry advisory committees to influence policy and Government officials.

7. Allowance of advertising as an operating expense.

8. Truth in advertising, and use of advertising to forestall divestiture, as in the case of Western Electric's advertising extolling the alleged benefits of being part of the Bell System.

9. The lack of adversary proceedings before regulatory commissions, who hear elaborate customer-financed presentations by utilities but who often receive little informed comment from the public, which does not have access, as the utilities do, to customer-supplied funds for use in rate cases.

10. Policy among the various commissions regarding requirement of disclosure of the fundamental information upon which regulation should be based.

11. Recapture of hydroelectric projects by the Federal Government or relicensing to other than the present license.

12. Savings that would be possible to low-income housing projects through use of master meters rather than individual meters.

13. Policy and procedures in the different States for franchise renewal.

14. State by State comparison of regulatory commission effectiveness. A nonprofit group recently made a study of the relative effectiveness of the various State legislatures. A similar regulatory commission comparison would be most instructive.

15. Anticompetitive consequences of utility entry into real estate and other business. The list could go on and on.

Occasionally an independent scholar will take a hard look at the Federal regulatory commissions. But that is not where most of the action is. The principal regulatory responsibility rests with the State commissions, on which the literature is sparse and outdated.

A few weeks ago I noticed a favorable review in Public Utilities Fortnightly on a new book, "Electric Power in America," by Robert McCaig. The book is published by Putnam's and is part of its "Industries of America" series. According to the Fortnightly review this book "seems especially written for the young reader" and presents its material in a "straightforward, uncomplicated manner that should appeal to persons of any age who might appreciate an opportunity of informing themselves."

Now I don't usually present book reviews to committees of Congress but I think, Mr. Chairman, that you would be interested in some of the information which young readers are getting from this new book.

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It tells them that "Federal, State and local taxes (on electric utilities) have gone up almost astronomically."

This is of course not true. Electric utility taxes have been steadily decreasing, from 24 percent of revenue in 1960 to 18.2 percent in 1970. I would add that the reduction in the Federal portion of those taxes is even more pronounced during the past decade—down from 13.8 percent to 8 percent. The prospects for even further reduction, as we both know, are bright in view of the Treasury Department's recent decision to provide a depreciation windfall for utilities which could amount eventually to an estimated $1 billion a year.

Another thing which students "learn" in this new book is that the rate of return set by State utility commissions "is a ceiling."

That is not so. Usually the "rate of return" is a floor and commissions do not bother utilities until earnings are substantially above the allowed rate of return.

The students are told in this new book that "the rates specified usually, though not always, provide a net return of about 6 percent." Some time ago I reported on the basis of the utilities' own statistics, that a 6-percent rate of return was as rare as the whopping crane. It still is.

This book tells the students that investor-owned utilities are rigidly regulated, but that consumer-owned power systems are unregulated, which is almost 180 degrees from the truth. The book states and I quote, that the State utility commission: "Polices all the operations of every electric company; keeps watch constantly over rates charged and profits made by utilities; has the complete accounting records of the company at its disposal; and prevents discrimination between customers by the company."

On the other hand, according to "Electric Power in America," "Government bodies and bureaus, REA cooperatives, public utility districts, municipally owned systems and such exempted groups, are free to set their own rules, write their own standards and make their own rate schedules."

Mr. Chairman, the facts of regulation, in Rhode Island, in Montana, and in other States are in stark contrast to the fictionalized version of regulation quoted above. When your colleague from Rhode Island, Congressman Tiernan, testified on S. 607, he pointed out how the telephone company operating in your State had exceeded its rate of return for more than 10 years, but the commission did not have the staff to do anything about it.

The staff consisted of two executive secretaries, earning $4,100 a year, one engineer, who earned $9,200, two inspectors who made $4,700, two accountants at $8,200, one other professional, and three clerks. They and the $10,000 a year commissioner were supposed to regulate all the gas, electric, and telephone companies and the transportation companies, too. So it is understandable why they did not take on the New England Telephone System with all its experts.

The situation in any State is no better than in yours. Customers regulate consumer-owned systems more than the average State utility commission regulates investor-owned systems.

My point here is that studies of utility matters, written from the public's point of view, are in scarce supply. On the other hand, the public, especially students, does not get the truth about regulation

from books such as "Electric Power In America" whose author was for many years an employee of the Montana Power Co.

The public, the Congress, State legislators, sorely need authoritative and independent studies of regulation, in the field of transportation as well as energy and communcations. Earlier this week I inserted in the Congressional Record the detailed plans of the railroad conglomerates to persuade the Congress to provide them with a multibillion dollar subsidy package.

And, of course, I am aware of the chairman's long time interest in protection and preservation of our transportation system.

Their massive, nationwide lobbying campaign could well overwhelm the Congress—as I am afraid we were overwhelmed in agreeing to Railpax, which sems bent upon destroying much of the railroad passenger service we need.

The activities of railroad conglomerates, including use of Federal subsidies to obtain more Federal subsidies, also needs thorough examination.

Mr. Chairman, before I conclude, I want to say in all the years that I have been studying the various regulatory agencies, I have been unable to find any instances in which universities or foundations or State educational programs teach about this very important and vital subject. The only way you can find experts to testify before commissions or before the agencies is to find someone who has gone to work for one of these investor-owned utilities.

It is a dwindling group of people who have come down from the old days of the 1930's when there was some campaign for effective regulation. A dwindling group are available for testimony on the people's side before commissions. And there is an ever increasing need for scholarships and for educational programs in all the schools to teach this very vital and important aspect of consumer relations.

I urge this subcommittee to include S. 404 in the education bill which you bring to the floor.

Senator PELL. I have two questions for the record here. One is, what do you believe the cost would be of setting up this office?

The bill talks about an open ended authorization.

Senator METCALF. It could be set up, of course, with a relatively minor cost of providing for grants-in-aid to universities who want to set up, or establish, chairs and programs in this area.

Even on a nationwide program it would only be a few million dollars. It could, of course, if there were a lot of applicants, be a very great cost, but as I conceive of this program I doubt if in its inception there would be need for more than $3 or $4 million a year for assistance to departments of economics in universities to set up a chair for the training of these people. Such a relatively inexpensive program, when we consider the effect of it, would have great impact in giving an opportunity not only to people who want to be experts in this consumer area in teaching and research and discovery, but in giving the people counsel to offset the tremendous amount of money that is spent by utilities in preparation of their cases.

PLACEMENT OF PROGRAM

Senator PELL. The other question I have is, do you see any other branch of Government where this office could be better placed than in

the Office of Education? Can you see it in the Office of the President's Adviser on Consumer Affairs?

Senator METCALF. In my major testimony, I told about the long hearings that we had on a consumer bill to establish a consumer counsel to represent the public before regulatory agencies, because as a lawyer I feel that an adversary hearing before an agency is in the highest tradition of American law.

My original concept of a consumer education grant program had it within the office of consumers' counsel. But as various experts testified, some of whose statements I've put before you today, it became evident most of them felt that this specific educational program should be put under the Office of Education. We have no opposition to that concept.

We have no opposition to that concept.

Several of them said that it was not a part of the consumer program as such, or the new counsel for consumers that I conceive. They felt the education program should be more objective and more independent.

So listening to those arguments, and respecting the people who advanced those arguments, I concur, and that is why I introduced this bill to come before your committee at this time.

Senator PELL. Thank you very much, and I assure you that the subcommittee will look at it. Thank you for coming here and making this presentation.

Senator METCALF. Thank you very much, Mr. Chairman.

(Further information received for the record follows:)

CONSUMER
FEDERATION of
AMERICA

SUITE 1105, 1012 14th ST. N.W., WASHINGTON, D.C. 20005 (202) 737-3732
ERMA ANGEVINE, EXECUTIVE DIRECTOR

MAR 5 1971

March 4, 1971

The Honorable Claiborne Pell
Chairman, Subcommittee on Education
Senate Labor & Public Welfare Committee
Congress of the United States
Washington, D. C. 20510

Dear Mr. Chairman:

Consumer Federation of America, the principal organization of consumer groups in the United States, wishes to take this opportunity to submit its views on the need for an expanded program of consumer education in America's schools.

We support S. 404, Senator Lee Metcalf's bill to authorize the U. S. Office of Education to carry out certain activities concerning consumer education, and urge your subcommittee to give this measure favorable consideration.

The cry of our students and educators today is for greater relevance between school curriculum and everyday living. We are consumers all of our lives. Young people, therefore, need to be taught how to get the most for their dollar, what to look for in credit contracts and product guarantees, and how to spot fraudulent advertising. Consumer education must become an integral part of education in order to prepare young people for competent and effective utilization of their incomes.

Recognizing the need for increased consumer education, our 190 affiliates representing some 30 million Americans adopted the following resolution in 1970 and reaffirmed it at their 1971 annual meeting in January:

> We commend national legislative recognition of the need for consumer education and authorization of funds to meet that need. We recommend further support for consumer education throughout the school system, with innovative use of existing resources.

The Metcalf Consumers' Education Act of 1971 (S. 404), we believe, is a positive approach to be used in a consumer education program.

We respectfully request that the views of our membership be made a part of the hearing record. Thank you.

Sincerely
Erma Angevine
(Mrs.) Erma Angevine
Executive Director

OFFICE OF THE PRESIDENT

April 22, 1971

The Honorable Claiborne Pell, Chairman
Senate Education Subcommittee
Room 325, Old Senate Office Building
Washington, D. C. 20510

Dear Senator Pell:

The National Education Association urges that S. 404, the Consumers Education Act of 1971, be incorporated into S. 659. This bill, by Senator Lee Metcalf, authorizes the Commissioner of Education to make grants to universities and nonprofit organizations to assist them in making studies and reports relating to federal and state laws, regulations, decisions and rulings affecting consumers; in making studies relative to consumer needs in energy, communication, transportation and special problems served by regulated industries; in training persons for research relating to such studies; and in developing curricula and programs of study in consumer interests in these fields.

The schools and colleges of the nation are concerned, along with other consumers, that consumer needs in the fields of energy, communications, and transportation be met in a fair and economical manner. At present, there is no stated federal policy that the institutions concern themselves with this matter, and certainly no evidence that, except in rare instances, have such studies and programs as provided in S. 404 been carried out. The costs to schools and colleges have risen in these consumer areas just as they have in the private consumer sector.

The NEA believes that the inclusion of S. 404 in S. 659 will be a significant step forward in consumer education.

Sincerely,

Helen Bain

(Mrs.) Helen P. Bain
President
National Education Association

HB:HW

NATIONAL EDUCATION ASSOCIATION

Senator PELL. We now have a panel representing the American Council on Education, would the chairman, President Cosand, introduce his colleagues and proceed as you will.

STATEMENT OF A PANEL COMPOSED OF JOSEPH P. COSAND, PRESIDENT, JUNIOR COLLEGE DISTRICT OF ST. LOUIS, MO.; AND HERMAN BRANSON, PRESIDENT, LINCOLN UNIVERSITY, PENNSYLVANIA; JAMES H. HESTER, PRESIDENT, NEW YORK UNIVERSITY; DONALD C. KLECKNER, PRESIDENT, ELMHURST COLLEGE, ILLINOIS; ALAN C. RANKIN, PRESIDENT, INDIANA STATE UNIVERSITY; AND WARNER BAUM, THE UNIVERSITY OF RHODE ISLAND

Mr. COSAND. It is a great pleasure for us to be here this morning and to discuss with you our views on higher education.

Senator PELL. Would you present your colleagues?

Mr. COSAND. Yes; I will.

Senator PELL. I notice that your statement is rather long, and there may be some dialog and questions after it, so any abbreviation of it would be helpful. I assure you the full text will be printed in the record.

Mr. COSAND. I am Joseph Cosand, president of the Junior College District of St. Louis, and I have been asked to chair this panel with the board of directors of the American Council on Education.

As you will see from the cover sheet of our testimony, many higher education associations have joined together in this statement. I believe it is safe to say that every accredited college and university in the United States is represented by one or more of these groups.

I should like to introduce my colleagues on the panel, even though I am sure that many of them are well known to you. On my left, Herman R. Branson, president of Lincoln University.

Albert C. Rankin, president, Indiana State University.

James M. Hester, president of New York University.

Donald C. Kleckner, president, Elmhurst College in Illinois.

Werner Baum, president of the University of Rhode Island.

If it meets with your approval, as we suggested previously, Mr. Chairman, I would like to submit our entire statement for the record and limit my remarks to a summary of our positions. Then we can devote such time as you may give us to a back and forth discussion of the issues.

Accompanying us are the key staff members of the association representatives, and I hope that when it is appropriate I again may call on them to assist the panel in answers to questions the committee may raise which are of a specific nature. You will see that the bulk of our testimony is not directed to any specific bill, but instead suggests what we believe the basic elements of a bill should be.

The reason for our taking such an approach is that there are so many higher education bills before both houses of Congress that it is rather difficult to bring them into focus.

We would, however, like to supplement our basic testimony with some specific comments on S. 659, the bill authroized by the Chairman and a number of his colleagues on this committee. We would say first

of all that if the bill were enacted just as it is written and could be funded, higher education would be greatly strengthened.

We see only one serious flaw, and that is that it does little to even relieve the financial crisis in which all of higher education, but particularly the private institutions, find themselves.

We are no longer facing that crisis. It is upon us, and it is urgent. As noted elsewhere in our testimony, we are eager to see title I of the Higher Education Act continued. We can also even enthusiastically endorse the set aside proposal in S. 659, that would authorize the commissioner to make grants for projects seeking solutions to national and regional problems relating to urbanization, to conservation, to ecology, and the like.

In addition, the proposed metropolitan area program appeals to us greatly. The American Council on Education has recently established an office of urban affairs, because we believe that our colleges and universities have growing expertise in the area that has never been properly utilized or exploited.

The American Association of State Colleges and Universities has long had such a division. This proposed addition to title I, although modest in scope, might provide a breakthrough.

Lastly, the provision for evaluation is greatly needed and there are those who would abandon title I on the grounds that it has failed. There are others who deny this, but add that if it has it is because not much can be done with 9.5 million dollars spread across the country.

We now in higher education and you in the Congress need something more than this kind of minimal support. All we can say at the moment is that title I is potentially one of the most valuable provisions in the Higher Education Act.

The proposals in S. 659 would strengthen it. We rely heavily on the American Library Association and the Association of Research Libraries to provide the intimate knowledge the committee requires on how library programs must operate.

We know your committee has heard extensive testimony from these experts.

Senator EAGLETON. Mr. Chairman, if I could interrupt the witness, I apologize for being late.

I am conducting hearings in another room pertaining to aging, and that is another subcommittee of the full Labor and Public Welfare Committee, but I did not want the opportunity to pass without paying my personal respects to the witness now testifying, Dr. Joseph Cosand of St. Louis and St. Louis County.

It is traditional, Mr. Chairman, as you know, for Senators to speak lavishly of witnesses from their own home State. I do this not only from a traditional point of view but in this instance very sincerely.

He is one of the best informed people in this country insofar as junior colleges and other facets of education are concerned. This committee could not have a more appropriate or knowledgeable witness, and I would like that to be part of the record.

Senator PELL. It will be, and I thank you very much. I am very glad that you could introduce him, since he is the chairman of the panel.

Mr. COSAND. Nevertheless, we would make certain general comments about part B, S. 659, first, it is impossible to overestimate the importance of colleges to basic grants, and second, there is clear need for maintaining the training and research programs.

Third, there is clear need for empowering the Commissioner to exercise understanding and discretion in the imposition of maintenance of efforts.

Fourth, there are few examples in Federal legislation of a greater return on the dollar invested than in the Library of Congress catalog services.

If it were not for this centralized service, our universities and research libraries would have to spend many times this amount, and with less efficiency in order to accomplish the same end. Our basic testimony indicates the importance we attach to title III, strengthening developing institutions.

It is enough to say here that we support the language and the changes encompassed in title III of S. 659. We particularly support the provisions that empowers the Commissioner to waive non-Federal matching when in his estimation the matching requirement is unrealistic and perhaps therefore discriminatory.

There was something highly irreconcilable and ironical in the administration's having announced some months ago that funds available for direct academic facility loans were being reserved for the predominantly black institutions.

The statement was made in good faith, and we in higher education supported it. Unfortunately however, only two such institutions can make use of the funds since the others were totally unable to raise the matching money, necessary to build facilities.

Matching requirements, to the extent they stimulate a flow of funds, from other sources makes sense. However, in many cases and especially in the developing institutions, they preclude, in fact they eliminate, the possibility of participation.

Our greatest concern with the provisions in S. 659 revolves around part B, student assistance. We can support entirely the thought that lies behind this section, and we trust that we shall not seem overly wedded to the status quo if we fly a cautionary flag. There is something basically appealing about the concept that every student should receive basic support as an entitled person if he comes in a family in given economic circumstances.

We view the proposals for basic educational opportunity grants as a kind of a civilian Bill of Rights. It is greatly to be hoped that eventually every citizen may count on some form of basic support just as the returning GI's do now.

Of course, that is the principle that lies behind our whole system of public education, which seeks, although it appears to be a losing battle, to make higher education available to all at a minimal or no cost. We would question seriously, however, relating the stipend paid to each student to the income tax by his parents, or if he is independent of his parents, paid by himself.

We say this for several reasons. One, if one were to determine the need of students by some rigid, arbitrary imposed system of measuring financial strength, probably one would turn to the income tax system as the fairest that could be devised.

Nevertheless, we know that it contains many inequities as have recently been publicized in the media, which we believe have been eliminated in higher education's development of need analysis systems.

Two, the tax paid by American citizens is subject to change because of economic and investment procedures, unrelated to costs of education.

There are many in higher education who believe it essential that taxes be raised if the Nation is to meet its social obligations. If this were to come about, parents trying to support their children this college would find that as their taxes were raised, the resulting entitlement of their children to a basic grant would be lowered.

Obviously, then it would be necessary to rewrite the grant legislation each time the income tax laws were revised. We believe that the system of student assistance already in operation, a system that you would extend in your bill, is defensible and adequate to meet current needs.

We discuss this extensively in our basic testimony. If there are shortcomings in that system, they result primarily from an inadequacy of appropriations.

If even close to the amount of money that would appear to be required to fund your proposal for basic opportunity grants could be devoted to the existing programs we believe that no motivated student would face an insurmountable barrier to post-secondary education.

Under the existing system, there is an incentive for parents to do what they can within the limits of their own resources to help their children through college. We would be fearful that under the income tax system there would be strong incentives for parents to declare their children not dependent, thus enabling them by default to qualify for the maximum grant.

A word may be in order about the provisions contained in section 409 that would make available a grant of $1,200 minus any tuition charged to each institution in which a federally assisted student enrolled. We feel then sure that the committee intended this as a form of institutional support, and as an incentive for institutions to maintain or even to lower their current fee structure.

For public institutions that are struggling to keep fees low, this would be true, and would be of tremendous benefit. For private institutions that must rely on the student fees, since they do not enjoy State support and find that private philanthropy is lagging ever further behind increased costs, the provision would be of no assistance.

In general, their fees are already well over the $1,200 figure. I believe, Mr. Chairman, a recent study indicates that the average tuition cost of private colleges was now in excess of $1,400.

Most of the rest of the proposals contained in S. 659 are covered in detail in our basic testimony. I would propose therefore that we move into our basic testimony.

If the committee has questions on other facets of S. 659, it would seem not to have been covered, that would seem not to have been covered, we will be happy to answer questions or supply later responses for the record.

What I shall do is to summarize our positions briefly and ask our full statement be made a part of the record, if that is permissible.

Senator PELL. That will be done.

Mr. COSAND. The basic thrust of our testimony is that the time has come for the Federal Government to develop a balanced program for

aid to students, aid to institutions and aid for academic facilities in those institutions so that they can accommodate increased numbers of students, especially as proposed by the President.

We look at this, Mr. Chairman, as a three-legged stool, and for the stool to remain strong and upright, all three of these elements must be treated at the same time.

The legislation that has been written during the past 13 years has been greatly beneficial both to higher education and to the Nation. The emphasis, however, has quite understandably been heavily on aid to students.

The facilities program in the late 1960's was providing significant help in making more space available.

But unfortunately it has dwindled to almost nothing, and the shortage of space is again becoming acute, especially in certain types of colleges and universities.

Most important of all is the fact that the costs of educating an ever increasing number of students have far outstripped the resources available for operating expenses, and in this area there has been no assistance from the Federal Government.

The addition of 1½ million students to our roles since 1965, the general inflation, the increasing strain on State and local revenue sources, and here especially again as it relates to public education, from elementary through the 12th grade, and the state of the national economy as it affects philanthropy, all have combined into a frightening financial crisis.

There is an urgency with respect to all higher education and in one of the last reports of the Carnegie Commission there was a statement made that never in the history of higher education had there been such urgency as there is at the present time. It is for this reason that we place our first emphasis on the need for Federal assistance, for general operating support.

We are grateful that Mr. Quie and a number of his colleagues have recognized this need and have introduced a bill, H.R. 5193, and that last year Senator Dominick and his colleagues introduced a companion bill, S. 3817.

The concept embodied in the bills is precisely what we support. We do somewhat question, however, relating assistance exclusively to the award of baccalaureate degrees, with a set-aside for community colleges and nondegree programs.

We believe that a formula related to full-time equivalent students in terms of credits earned, not necessarily just credits taken, but credits earned, with appropriate weights given to different levels, lower division, upper division, and graduate education, for expenses of education might be more satisfactory.

Such a formula would be quite simple to administer. The need as we said is urgent, and we hope the committee will consider our proposal in that light.

I would like to further digress on the weights, and say that weights could perhaps be used for small colleges, especially for black colleges, where there is a great need for assistance, now and those involved in career and compensatory education, where, again, there are high costs involved.

We are in full accord with the administration's determination to remove all financial barriers to higher education, and by that term we mean all kinds of possible secondary school studies. We believe the basic structure of the existing programs is sound, and if they are extended and are adequately funded they can achieve the administration's and our own goals.

We see the opportunity grant program as providing the base of support for the neediest students. These grants can be supplemented, as they are now, with work study or NDEA loans or by a combination of both where there is a built-in flexibility based upon the need of particular students.

We see the guaranteed loan program as a means of assisting students who would not qualify for the three basic programs, but we recognize that since its inception in 1965 it has had to pick up the slack when appropriations for NDSL have been inadequate.

This has not always worked.

We do suggest certain changes in existing programs, and stated briefly we recommend:

1. Eliminating the interest subsidy, 5 years after a borrower has completed his educational program.

2. Elimination of the forgiveness feature of NDSL.

3. A provision that will give the student aid officers some flexibility in packaging awards by allowing him to transfer perhaps up to 15 percent of appropriated funds from any one of the three basic programs to another.

That, again refers back to my comment about the need for flexibility in the financial aids office. The establishment of some kind of a secondary market to give greater liquidity to commercial lenders.

5. Elimination of the interest subsidy in the guaranteed program, unless the borrower furnishes a certificate to the lender signed by a student aid officer indicating that the student is in need of the amount of the loan and that this need can be justified.

6. Extending all forms of financial aid to part-time students. The point there is that many of our part-time students are working outside, trying to earn enough money for a living and also, perhaps, to pay some of their fees, and yet they are discriminated against and are simply told, "Well, you are working part time, pay for it."

We think all aid should be extended to these students.

7. Extending with proper safeguards aid to students attending proprietary schools.

We urge the continuation of the Higher Education Facilities Act in 1963. We recognize the importance of grants if capital construction is not to push student fees ever higher as a means of paying for it. We urge the continuation of title III direct loans, since institutions, many institutions must pay high rates of interest, or find they cannot borrow at all in the private market.

We have testified at length and on many occasions before this committee on the importance we attach to a number of existing programs. At the top of our list would be the several programs relating to disadvantaged students and disadvantaged institutions, specifically upward bound, talent search, special services for the disadvantaged, and the title III program for developing institutions.

Title I, Community Services, and continuing education has limped along with inadequate funding but we believe it is potentially the proper vehicle for tackling a variety of our most serious urban, suburban, and community problems.

Regional centers emphasizing cooperation among the various colleges, and I would like to emphasize the need for this cooperation through consortium activities or whatever they may be, could assist greatly in helping to solve urban problems, conservation concerns and growing ecological concerns.

The college library resources program and particularly the basic grants of the program has been of advantage to small institutions, especially private colleges.

Precisely the same thing can be said of the undergraduate instructional equipment program. Both of these programs, Mr. Chairman, have helped in the past to prevent obsolescence in the libraries and sciences laboratories, which, if not done, can result in these facilities becoming museums rather than continuous, up to date educational units.

It is also important that the Federal Government continue to support graduate education through NDEA title IV fellowships, and the Education Professions Development Act to train college teachers and administrators.

At the moment there seems to be an oversupply of people educated at the doctoral level. We are not sure of the extent of this oversupply, or even whether it is real. It may simply reflect general economic conditions, and especially the financial crisis in our institutions.

We can all remember back in 1950's when there was an oversupply of engineers. Then there was an undersupply of engineers, and then there was an oversupply of engineers. Maybe we are going through something similar to that at the present time. I think it would be unfortunate to act too hastily.

We urge that the pipeline be maintained, and that these programs be authorized and funded at a modest level. The title VI language and area studies program has built a strong cadre of experts and has established a chain of foreign area centers which did not exist in this country in 1958, when the program began.

Investment of small dollars should continue to pay rich dividends, especially as our world becomes smaller and smaller. Chairman Pell, we urge that all these programs be continued.

Lastly, we strongly support the establishment of a higher Education Foundation such as was introduced in the Senate under S. 1062.

It seems the logical vehicle, and one that does not now exist, for the support of improvement and innovation in higher education. We see no conflict between this and the proposed National Institution for Education. We do believe it important to assure a high degree of independence for the foundation, and indeed the independence of institutions of higher education.

In this connection, we recommend certain provisions having to do with the authority of the board, the composition of the board, the selection of the chairman, the position and duties of the director, and the place of the foundation in HEW, or wherever it may be, with respect especially to this independence we are talking about.

But these suggestions are made only in the hope that they may make the foundation more effective. We are in full support of the basic objectives behind the proposal. Chairman Pell, that should be enough, and perhaps more, by way of summary to indicate our basic positions. All of us here in Higher Education, singly and collectively, stand ready to discuss them in further detail, or to move to other topics in which you and the committee may be interested.

I would like in particular at this time, perhaps, to have President Hester comment again, as he, president of New York University, sees the urgency of this.

Mr. HESTER. Mr. Chairman, I would like to comment particularly on the financial crisis. This is unlike anything that people presently living have experienced with regard to Higher Education in the past.

We are facing deficits in public and private institutions, small and large institutions, that are genuinely frightening. These problems have been illustrated in two excellent studies, one for the Carnegie Commission by Earl Cheit, called "The New Depression in Higher Education" and the other prepared by AAC, called "The Black and the Red." To illustrate the kinds of problems we are facing, let me report a computation we made in New York State. In the five largest universities in New York State in the last 3 years their capital has been invaded to the extent of $77 million, meaning we are eating up the basis of our independence in an effort simply to maintain our operations.

This condition is a result of the inflation which has affected us all. It is the result of the leveling off and cutbacks in Federal funding which has forced the universities to assume responsibility for costs that were being shared with the Federal Government, and it has brought a unamity of opinion in many sectors of higher education that the time has come finally to face up to the issue of the Federal Government taking a part in the maintenance of our colleges and universities.

We all believe that the individual should play a part to the extent of his ability. We all believe that the States should play a part to the extent of their ability, but we also recognize that the Federal Government has an interest in maintaining the strength of all our colleges and universities and should play a share in providing operating funds.

As you know, there have been discussions of the appropriate way for the Federal Government to do this for a long time. There is a deep concern to preserve the independence of our institutions from the possibility of Federal control.

This has led to a great deal of examination of the possible formulas that might be used. The formula that has been worked out in New York State and has been operating for 2 years has provided a certain kind of rough justice, which has put an end to the kinds of dispute which preceded the institution of this formula.

People were afraid the rich institutions were going to get too much, or that weak institutions would get too much, and would survive when they should be eliminated.

Finally, a commission was appointed that worked out a formula, and it was based on degrees, but we recommend here it be done on the basis of full time equivalent students.

It has operated for 2 years. It is not adequate, but it has played an important role, and I think people feel it is a just and equitable system to introduce State support.

We are suggesting a formula that would apply to all institutions, public and private, and would establish the Federal responsibility for maintaining our dual system of higher education.

Mr. COSAND. Mr. Chairman, one other member of the panel I would like to have comment, Mr. Branson.

Mr. BRANSON. Thank you. There is one point where there has been a major change since this document was mentioned. The $20 million which President Cosand referred to we checked on yesterday, and it is our information that these institutions are using this money.

The latest figures are that loans have been made for $4 million, and under review are roughly $16 million worth of applications at this time. Furthermore, more than $1 million in interest subsidies will be let.

So this money will be used. Institutions which are hard pressed to find the 30 percent matching money have really moved and bestirred themselves and done this.

As a major concern, as President Cosand has mentioned, these institutions do want and need a nonmatching provision, for programs which they do not participate in.

I would like to tell you that these institutions were able to go into their endowments and meet their expenses. That $77 million that President Hester mentioned is such a wonderful figure, but if I were to put together all of the research funds for the institutions I could not buy lunch for the gentlemen at this desk this afternoon.

So we are talking about institutions which are contributing greatly to America, but who nevertheless do not have any research funds of any magnitude whatsoever.

We are concerned, Senator Pell, especially in whatever legislation is put forth that it would truly be made available to the young people in this particular category.

In this category, I am talking about the young people from roughly one-sixth of the American families. I am talking about 22 million blacks roughly, and 10 to 11 million Spanish-speaking Americans, and roughly half a million to a million American Indians who are not participating in higher education in America as they should.

I think our major concern is to assure that whatever legislation does go through that it will really make available to these young people this opportunity.

This is necessary, sir, because if we think in terms of what we must do, we now are undertaking, as you know, in many areas, trying to convince young people far enough back in their lives that they can have realistic aspirations.

They can aspire to go to law school, for example.

They can aspire to go to medical school. We need to assure them that if they meet certain minimal requirements there will be an opportunity for them to do that. Right now we cannot say that. We can't say it because it just is not true. But we would hope that whatever Federal legislation comes forth that this provision would be a strong one therein.

To give you one figure, you probably have read the Federal interagency committee's report, and if you look in the FICE report, you will see that despite the rhetoric and all the seeming moneys that have been spent in these areas, the predominantly black institutions which I would say enroll between 100,000 and 120,000 young people, got only $39.3 million, which is less than $300 per student.

Yet if we look around at other institutions—for instance, I just happened to pick up last night, that typically for instance, the University of Iowa for the fall of 1969 had 20,235 students, and they had direct and indirect financing which would give to their students roughly $21.6 million in student aid.

In brief it is an institution which has over a thousand dollars per student in student aid. Now we would like to see that type of thing, for example, for our students, because here we are talking about young people who come from families, where the family income just cannot support this, and yet we find that as far as the Federal Government is concerned that the amount of money put there for support is entirely inadequate.

So we would urge your consideration, sir. The first one is that whatever bills are passed that they will really make a reality of the fact that young people from low income families can aspire to the higher education in America, which would lead on to professions especially, not only just graduating from college, but law school, graduate school, and the allied medical professions.

Number 2, we would urge that whatever legislation is put forth that the nonmatching provisions for these schools would be looked at carefully, and that the Commissioner would be given certain powers that they can be abrogated if necessary.

Number 3, we urge that there must be a heightened sense of urgency about this whole problem. President Hester mentioned that this is not something we can think about next year. It is upon us.

It is certainly upon these institutions. It is certainly upon this particular segment of the American population. Human beings are not things we can stockpile. We can't put them back and say, "You wait and in 2 or 3 years things will be worked out and you can go forward.

During that period they are picking up habits and thoughts and values that make it difficult for us to do anything. We urge you to think of doing something immediately to make help available to one-sixth of the American people to bring reality to our aspirations.

Senator PELL. Thank you very much.

That is a very high powered panel, indeed, and there is so much wisdom to be drawn from it, I find myself almost at a loss where to start.

CAMPUS UNREST

Do you feel that the national climate is fortuituous, is favorable, toward enactment of a higher education bill of this nature?

Do you feel that there will be unrest on the campuses this spring that will make it more difficult for us in the Congress to move ahead?

I want to ask if any of you have any reaction on this, and also, whether in the legislation you feel you can handle any more limitations

on Federal assistance relating to whether you have plans to contain or curtail violence on the campus.

Mr. COSAND. President Kleckner, would you want to respond?

Mr. KLECKNER. Well, I think no college president can predict whether unrest will come about in negative and strong or violent tensions.

However, if this year is any indication, let's say I am more optimistic than I have ever been as far as the unrest being controlled.

I have noticed, however, that there is developing on the campuses a sort of a cynical negative attitude, and I think this needs to be watched very carefully There are many people who are disturbed, but I do not think that this disturbance, this cynicism, this negativism, will emerge—certainly will not emerge in a violent disruption as last spring.

Mr. COSAND. President Rankin, would you care to comment?

Mr. RANKIN. I share my colleague's statement. I would like to add that the attitudes of our young people in the colleges and universities today is going to be influenced by the level of support afforded to these institutions of higher learning.

I am rather glad I am not the president of a university in Ohio at the moment with the plan that has been proposed recently there to ask students to pay back a certain portion of the funds that have gone into their higher education.

I think this will create an environment that is unwise and precarious.

Senator PELL. I think this is a difficult and tricky argument, because if we feel there is any element of blackmail involved, I can assure you that it works just the opposite to this.

Mr. RANKIN. Forgive me, sir, if I have created that impression. It was not my intention at all.

Senator PELL. Also, I question whether it really is the support to the university that produced the violence on the campus. I think there are other factors in our national life that have more of a role and effect on whether or not the important programs that you and I are concerned about will pass.

Mr. RANKIN. I think my point is that these other issues are not resolved—our students are learning how to approach them, and we may be giving them a new kind of issue to tackle if we don't find ways to assist education. I don't think the Federal Government should do all this.

18–21 VOTE

Senator PELL. I think that as a general policy, now that we have the 18-to 21-year-old vote in effect, more universities should facilitate and encourage registration. Activity like that would have an effect in your communities and here in the home.

What has happened in the past is that the only groups of people who bother to participate in the elective processes seem to be the conservative ones. The liberal and middle of the road citizens tend to be completely turned off. Indeed look what happened in Great Britain, with the enactment of the 18-year-old vote. They elected a conservative government.

The only group of young people who worked in the last election were for my colleague, Senator Buckley, who ran on the Conservative Party ticket.

One way of turning off some of the violence, would be to turn some of the activities into normal elective processes.

NEWMAN REPORT

As you probably know, the so-called Newman report has become almost required reading for us. I was wondering what your reactions were to the ideas of more emphasis on continuing education, and less emphasis on degrees. Do any of you have any particular ideas on that?

Mr. COSAND. President Baum, would you like to speak on that?

Mr. BAUM. Yes, I would be glad to comment on it.

Senator PELL. I would ask Dr. Baum of my own State, a State where we have our fiscal backs against the wall, if he has a particular view on this question of cost effectiveness.

Mr. BAUM. Senator, let me, with your permission, first turn the tables around a little bit, though, from normal procedure. You made some comment earlier about Senators speaking for the record with regard to their constituents.

Being one of your constituents, I would like the record to show that Rhode Island is proud that you are the author of S. 659, and as was pointed out in the earlier testimony, we feel that the bill which you have authored and a number of your colleagues have cosponsored, if it were enacted just as it is written and if it could be funded would be a source of great strength for higher education.

With regard to the specific report that you mentioned, I have not had an opportunity to study it in detail. I realize in general terms that it places great emphasis on the needs for innovation and restructuring in higher education. In that area, I might make several comments.

One is that I think there is a tendency to over-criticize higher education for lack of innovation and lack of restructuring and I believe that by and large higher education engages in as much or probably more experimentation than does most of private enterprise or most of governmental enterprise, for that matter, and to a certain extent the charge is a straw man.

On the other hand, it is also clear that we are not doing enough, or as much as we might do, but that relates precisely to the question of finances. When we are in a situation as President Hester described, of virtually fighting for survival, then innovation and experimentation of necessity take second place.

If we have to make a decision as to whether to allocate resources to maintaining decent class sizes and providing minimal adequate instructional equipment or whether to, so to speak, defraud our students by inadequately staffing and funding the commitments to them in order to divert money to experimentation, we naturally take the first course of action.

Our first priority is to the existing obligations we have. So to a certain extent the financial crisis can be directly related to the limitations on innovation and experimentation.

I think these two problems go hand in hand.

Mr. COSAND. Mr. Chairman, I would like to comment briefly on your question, because I think it is a very important question. Continuing education to me is something we have to look at as a part

of our whole society, and it is terribly important. There was a word coined by Clark Kerr who chairs the Carnegie Commission, of which I serve as a member, the word stop out, rather than drop out; that is, the student who will stop and come back in, and stop and come back in, perhaps for a good share of his life, up into the forties and fifties and sixties and I think this is becoming more and more urgent as our society changes.

The rapidity of change can render a person obsolete quickly. I am not talking about education as preparation for employment. That is part of it, but I am thinking of this more in the terms of the cultural aspects of it, the member of society aspect of it. I read an article in one of the Washington papers, I think it was yesterday or the day before, about suburbia, and it interested me because I have spoken on this several times about the barrenness, if you will, of surburbia, where the cultural centers are in the city, your art museums, your symphony, and your drama.

And in suburbia you have the television screen and the shopping center, and that is about it. I think our colleges in suburbia as well as in the inner city have to become cultural centers as well as occupational centers as well as change centers, and this is one of the things about continuing education that impresses me very much. On the Newman report I would also concur with President Baum's comment that the Newman report came about a little differently than most reports.

It had an introduction by the Secretary of HEW in which it was given more credence than most reports, and because of this, the media picked it up rather rapidly and many of the media, and I speak with respect to the two papers in St. Louis, rather sensationalized the report that higer education perhaps is no good.

I am exaggerating but this was the implication given. I think this is a mistake, because the Newman report does not say that. Many of the criticisms in the Newman Report are the same as many of the criticisms in the Carnegie Commission report. They are very similar in many cases.

I would say that out of that report comes an increased emphasis for the need of a national foundation for higher education that can work toward innovation, work toward better methods of teaching. Very specifically, there is a league in the community college membership in the United States of 15 college districts which make up a group called "The League for Innovation" and the whole purpose behind this league is really what was talked about in these various reports.

But there is a concern here, because as the financial problem becomes more and more urgent, you watch the squeezing of innovations of research and development, if you will. These seem to be the first things to go, and so you have a direct conflict between need and urgency. You can't let the innovations be discouraged.

Senator PELL. The thing that struck me the most about this was one of the comments, that in so many college faculties the teachers never seem to teach. Indeed, I don't remember any politicians in the political science departments, and psychiatrists in psychology departments. I thought it was a valid point.

COST EFFECTIVENESS

I want to ask you about cost effectiveness. If we go along the route you are suggesting, and I am very sympathetic to it, we have a re-

sponsibility to the taxpayers as to how effectively the dollars will be spent.

Do any of you in your own institutions, and you are all very distinguished chief executives, have a cost effectiveness section where you try to determine the cost effectiveness of a particular department, or of a particular professor and his work, or am I correct in my assumption that we really don't go into it at all in higher education.

Mr. HESTER. I think that is one implication in that report which is quite inaccurate. We have been studying cost effectiveness in higher education for well over a decade, and the recent financial crisis which has been coming upon us now for 5 years has forced us all to study economies in our methods of operation.

We are all becoming increasingly aware of the areas where we can save money and the areas where we can't. The kind of money that would be possible for us to receive in operating grants from the Federal Government is not going to be enough to enable us to be lazy about cost effectiveness. We are still going to be under financial pressure, and we will be for as far as we can foresee, and it will be our responsibility if we are going to maintain our institutions to be as economical as possible.

Senator PELL. That is not my direct question: My direct question was whether any of you had a cost effectiveness unit, or individual charged with such a responsibility in your institutions?

Mr. HESTER. Yes, we do. We have an officer charged with that research. He makes a computation of the number of hours taught by each faculty member, so we can determine whether faculty members are in fact reaching what we believe to be the number of students they should in order just to justify their salaries.

Senator PELL. I am not suggesting that all decisions be made that way, but do you have a cost effectiveness study with relation to one department versus another department?

Mr. HESTER. Yes, indeed, and we have to accept the fact that some things have to be taught differently than others, and in some areas costs are going to be different than in others. These things are studied course by course, department by department.

Senator PELL. Dr. Baum?

Dr. BAUM. Thank you, Senator.

Senator PELL. This is the kind of thing you are going to face in the legislature shortly.

Dr. BAUM. Yes, that is right, but I would like, despite your very kind remarks about the University of Rhode Island to be a little critical of the question, if I may, particularly with regard to the term effectiveness and I know you full well realize personally that we are not engaged in the production of nuts and bolts at any of our institutions, especially not nuts, I hope. [Laughter.]

Dr. BAUM. Effectiveness is a very difficult concept to apply in the area of higher education, and I hope that we would not seek to engage in the kinds of measures which might be appropriate to a typical production enterprise.

The effectiveness of our product, if I may call it that, is often difficult to determine until many years have elapsed, and it is difficult to make comparisons between departments and even between institutions.

I suspect that the effectiveness of Princeton is perhaps better than

the effectiveness of the University of Rhode Island, which may be related to funding. I am not sure. But I won't know how to measure the effectiveness of Princeton as compared to that of the University of Rhode Island.

Senator PELL. I was thinking more in terms of the expensive programs, for which an endowed university has the money, but if it does not, and has taxpayers funds, I think it has to be watched as to the returns.

Dr. BAUM. The great measure I have of effectiveness comes about this time of year when we are making our admission decisions and I find many of our legislators, who at other times of the year are rather critical of us, picking up the telephone several times a week to make certain that a constituent or a nephew or whatever it is gets into that very effective institution.

Senator PELL. Right.

Mr. COSAND. Mr. Chairman, I would like to answer specifically your question. There is a group centered in Denver called Western Interstate Commission on Higher Education. They are in the process, and have been for the past year or two, in studying the question you're talking about, trying to come up with procedures which are comparable, and which can be analyzed where you are talking about oranges and oranges and not oranges and apples. But with respect to President Hester's comments about New York University, in our district we have three colleges, and we know what you are talking about, and we can give you the cost of instruction by credit-hour of any particular subject, and when we do this, we assist ourselves greatly in making decisions on a priority basis.

For example, we find that it costs us $70 a credit-hour to teach nursing. We also find that we can teach some classes for as little as $9 a credit-hour. The inclusive figure for everything is $19, just for instruction, and so we have to ask ourselves can we afford nursing, and how much?

Dental hygiene is about $60 an hour. So we have the comparable costs, and then we come in with compensatory education, which is hitting us very hard, and it is going to hit most colleges I suppose, if we enroll the million students that are expected to enroll according to recent requests.

We find if you do the job for compensatory education, for remedial students, that you can't do it the same way that you do in a regular academic class. It takes a different type of instructor and a different type of teaching method, and a more costly method. So in answer to your question, I think every college has to do this to find out exactly what it is costing to teach this, and this, and this, and where the priorities come in.

Senator PELL. As I break down your testimony, I gathered what you really would like to see in general is a continuation of all the present programs, which to me is a patchwork.

S. 659

In connection with my own approach, S. 659, which includes as a matter of right, the differences between the income tax paid and a grant of $1,200.

I hasten to add that if taxes change as time goes on, those figures would change, too. Would you basically support or oppose this idea as being the floor of Federal assistance to higher education? The philosophy being that everybody has the right to higher education if they have the ability to absorb it, and the desire to do so.

I know there are difficulties here. A family whose income came from municipal bonds, that would be one out of the 100,000, and would be a great exception, but it seems to me to be the fairest way to do it. A student would show receipt for the income tax paid, and get his grant as a matter of right.

Pushing you a little on this, would you support or oppose the concept?

Mr. COSAND. I am willing to throw this around a little bit. President Hester, would you comment?

Mr. HESTER. It is not that part of your proposal that causes us the greatest concern. What bothers us is the institutional grant portion of it, which would virtually eliminate any support to private institutions.

We believe that the Congress would want to keep both private and public education functioning, and that is what gives us the greatest concern.

Mr. KLECKNER. I would also underscore that, being with a private college. For example, Elmhurst College with $2,200 tuition, it would just eliminate any institutional grant.

Senator PELL. My original approach had no deduction of tuition, but was an automatic thousand dollar grant to the institutions, but we were trying to figure out some way to make sure it was not passed on in the form of higher tuition.

I think this is a problem that can be handled legislatively by either a direct grant or relating it to a percentage, or a portion, or relating it so that there would be no change or increase in fees.

Mr. KLECKNER. Then I think I could very definitely support that type.

Mr. HESTER. If this approach could be combined with a meaningful form of institutional grants, then we would not oppose it.

Senator PELL. It was in the original idea.

Mr. COSAND. Mr. Rankin?

Mr. RANKIN. Nothing.

GUARANTEED LOAN PROGRAM

Senator PELL. With respect to the guaranteed loan program, the administration is pressing for an agency called the Sallie Mae. What we are seeking to do is provide authority for a warehousing account in the Treasury Department. We are trying not to institutionalize the guaranteed student loan program, but consider it as a more temporary thing. If we create a Federal agency, I think it will stay forever.

Do you have any thoughts on the differences in approach here, which is better, which is worse?

Mr. COSAND. I would like to refer that question to Mr. Morse, who is qualified to speak to it.

Mr. MORSE. I am John Morse, with the American Council on Education. Senator, the higher education community cannot claim exper-

tise in the establishment of a secondary market. We are convinced that the commercial lenders, and we are thinking of the guarantee program, sir, as basically a commercial lender program, are in trouble in terms of liquidity, and they must find some way to put the paper out in order, we hope, to get more funds to relend.

Whether it is warehousing or whether it is the Fannie Mae, Sallie Mae, type of operation, I think we would defer to the judgment of the Treasury and the banking community.

Our objective is to have the program continue.

Senator PELL If you defer to the treasury and the banking community, they want it institutionalized, because it is more profitable for the banks, and the Treasury usually speaks for the banks.

The Congress speaks differently on this.

Mr. MORSE. The point is that we are not qualified, I think, to determine how best to give the commercial lenders the liquidity we are convinced they need if they are to keep the program going, and we see a need for the program.

Senator PELL. Senator Javits?

Senator JAVITS. First, Mr. Chairman, I would like to welcome President Hester of my own New York University. He is a distinguished educator, and is a great leader of education and civil life in New York. I would also like to welcome Dr. Branson, of whose university, Lincoln, I am an honorary alumnus. I was given an honorary degree some years ago. I would like to explain to all the gentlemen that I was detained this morning on a matter involving pension and welfare funds involving this same committee but another branch of it. We are rather busy with all the things that we are doing.

I would like to ask you gentlemen something about a number of bills I have introduced. I did not cosponsor S. 659 with Senator Pell, who is my real brother in almost everything, because I had some doubts about the student aid provision tied to the income tax, but you helped immeasurably with that. I shall certainly do my utmost to cooperate with our chairman so that we may assure legislation, assuming that the formulation you have just given voice to stands up, as I think it may.

INCLUSION OF PART-TIME STUDENTS

I would like to ask you about a bill that I am putting in tomorrow which tries to reach the problem of the part-time student and seeks to extend the education opportunity grant program to the part-time students, which I hope very much will find favor with this committee.

I gather this was something of the testimony you gave before I came. If any one wishes to answer, I would appreciate it.

Mr. COSAND. We are strongly in favor of extending aid to the part-time students. Many of these students are working 5 to 40 hours a week, and excluding them from this kind of assistance is saying, "go and work and pay your fees, but if you didn't work, we would pay your fees." I think that is discriminatory.

Senator JAVITS. I am grateful to you. Is there any disagreement to that?

CONSTRUCTION ASSISTANCE TO DEVELOPING INSTITUTIONS (S. 1072)

Dr. Branson, I was going to ask you about S. 1072, another bill of mine, which increases the maximum Federal share for higher education facilities under the Higher Education Facilities Act in the case of developing institutions. I would like your comments on that.

Could we have your opinion about that, especially its need?

Mr. BRANSON. We would certainly favor that, sir. Before you came in this morning, I mentioned that we desperately hoped that these institutions would be relieved from that 70/30 formula, that 100 percent would be much more favorable for them, that the need is indeed desperate.

At your alma mater, for example, we are in desperate need for facilities, and we find that to build a library we must go to commercial lenders, with Government subsidy of interest. The library is nonrevenue producing, and consequently how can we pay for that except by raising our fees?

This, we think, is a desperate problem. So we would favor that, sir.

NATIONAL FOUNDATION FOR HIGHER EDUCATION

Senator JAVITS. Thank you.

I also gather from my assistant, Mr. Millenson, who is here, that you favor another measure which we have for an effort to find innovations in higher education.

The traditional 4-year academic pattern somehow must be bent to suit modern needs.

So I have introduced the administration's bill for a national foundation for higher education, S. 1062 and I gather this is something you are aware of.

Mr. COSAND. We are very appreciative Senator, and we support it strongly.

Senator JAVITS. You feel that is necessary?

Mr. COSAND. Yes.

Senator JAVITS. I understand it is also in Senator Pell's bill, S. 659.

Senator PELL. It is placed in HEW, the reason being that some day I hope to see it spun off as the Department of Education.

But I guess we have the same idea.

Senator JAVITS. Yes. Gentlemen, I won't to get you in this particular vice, but there is a question here as to the advisability of delegating the functions to a subordinate agency within the Department, while not delegating it to the Department. There is all the feeling on the part of the Department head that this deprives him of the ability to operate with flexibility, and on the other hand we lack the assurance that it is going to go where we want it to go.

So we always have to fight things out on that whole basis. That is by way of explanation.

Mr. COSAND. Senator Javits, I would say what we feel in this area. We would like for the foundation to have a high degree of independence. We would like for the board of directors or whatever you call them, to be composed of very eminent individuals.

We would like to have the Commissioner of Education become an ex officio member of this body to create a tie so there won't be duplicative effort in different cities and situations. We would like for the director to be a man highly respected not only in the community of education, but throughout all elements of our society that is interested in higher education. We would like for that director to have a considerable degree of autonomy in making decisions, and not have to clear every decision that he makes with some official either within the U.S. Office of Education, or within HEW, itself.

In other words, we feel if you are going to get innovations as you are talking about, it has to be unfettered. Otherwise, it is simply going to be a directive type, which might pigeonhole higher education, which we certainly don't want.

Senator JAVITS. That would lead me to believe that I should stand by my provisions and put it in HEW. Again, I don't want to get you gentlemen——

Mr. COSAND. Well, I am not going to get into that argument.

Senator JAVITS. I don't want you to.

Mr. COSAND. But we do want independence, Senator.

MEANS OF HIGHER EDUCATION AID

Senator JAVITS. Senator Pell and I have no differences in philosophy on that. I would like to ask President Hester a philosophical question. On the whole, what does higher education think helps the most, if we buttress the students ability to study by grant, work study, scholarship, loans, many other things, or if we pass the money directly to the intitutions?

To what extent then, if we do that, will the institution give us assurances of the possibility for seeing that every American of merit has a chance to go to college?

Mr. HESTER. If you were starting from scratch, I would answer that question the way you have asked it, Senator Javits.

Senator PELL. Excuse me, in answering that question, how do we handle the question of aid to religious institutions?

Mr. HESTER. I am not addressing myself to that particular thing but if we were starting from scratch to set up a system of higher education, and we could be given the funds to administer a scholarship program in a lump sum to every institution, that would be marvelous, but that is not the world we are living in.

We have got to have both. We have got to have funds granted to individuals so that they can go to college, so that their particular economic needs can be addressed, but we have reached a condition in the Nation now where the institutions that these youngsters want to go to simply are not going to be able to give them the educational experience they aspire to unless they are also aided.

So the effort has to be split, but both of them have to be performed, and we must begin receiving institutional grants from the Federal Government, because the State government, as you know, well, just don't have enough to carry this burden on. You are going to see the decline of a number of our fine colleges and universities.

I mentioned before you came in, Senator Javits, that the five largest private universities in New York State, Cornell, Rochester, Syracuse,

Fordham, Columbia, and New York University—I included one that was not included—invaded capital during the last 3 years in order to survive, to the tune of $77 million.

This is eating away at the strength of these institutions have attempted to build up over the years. We are going in the wrong direction. Rather than building up the institutions to which the young people can come, we are tearing them down, largely because of inflation, and this is why we are coming to the one power in the United States that can give us relief and saying we must have institutional support at this time.

Mr. COSAND. Senator Javits, on this, and I commented previously before you came in, during the past 5 years, I guess, there has been a move on the part of many colleges and universities, ourselves included, to grant faculty members time and remuneration for research and development, for innovations, if you will, for finding better ways to teach, better curricula, better courses.

I am now faced and so will other college presidents be faced with this squeezing, and I hate to use this word, but that is what some people say it is when you get squeezed—this luxury.

It is not a luxury, and if you're going to find a better way to teach you have to give funds to this type of research and development. That is where your national foundation can be of assistance in developing new methods that are innovative, and in many cases doing a better job for less cost.

STUDENT AIDS

Senator JAVITS. I would like to put you gentlemen on this tack. My own judgment is that we are going to be scratching very hard against ceilings in the massive amounts of money required for grants to higher education institutions and to students.

I think there are two directions in which we can move. One direction is an inventive way of lending the student money which he must repay. Incidentally, you should not deprive a poor student of this kind of aid because he is poor. I was very poor, too, and I became a relatively successful New York lawyer and a Senator, because my parents had absolutely nothing was not a criterion for me.

So I think you have got to think in terms of a loan, which under certain economic circumstances may be suspended in payment or waived, but everything else being equal, will be paid, even by the poor student. He would rather have a college education and debt than no education at all because we can't always get to him in terms of grants.

So that is one way, and I think you ought to enlist the banking community as your allies. Let them use their brains; they are very ingenious when it comes to money. They ought to be just as ingenious in terms of these questions which beset us here.

INNOVATIVE APPROACHES

The second thing I think you ought to use your ingenuity on, and come to us with your ideas, you could not have a more receptive audience than this one. We are hungry for ideas. We develop them ourselves, as Senator Pell said, but obviously you gentlemen are right there and can do a lot more than we.

This second area, I think, includes the question of why should you have colleges and universities do its own research and development?

Why shouldn't you computerize your business, like other businesses do? This would save enormous overhead. Hospitals are the biggest culprits in this. Their costs are astronomical.

Perhaps you are a bigger culprit as we being to look into your system.

I would hope, Mr. Chairman, that we could encourage the stellar gallery to be fruitful in these areas

I am giving you gentlemen the opportunity to participate on the inside of the legislative process. We can't do it all through the center line. They all have to be end runs and forward passes. We are suggesting you come up with some fruitful ideas for us.

Mr. COSAND. Mr. Chairman, we appreciate that, and we will come to you with recommendations.

COST OF INSTRUCTION

Senator PELL. I would also appreciate it if you could submit for the record a paragraph or two from each of you, your views as to the differences between costs of instruction and tuition. This is a question that we are trying to resolve in our own minds to ascertain how we can help you increase the number of students.

If any of you have any thoughts on what the differences are in your own institutions between cost of instruction and tuition, and also how you think the cost of instruction should be, or could be reduced from the Federal viewpoint, if there is any other way besides contributions we would be grateful for it.

Maybe you would like to comment on that right now.

Mr. COSAND. Mr. Hester would like to comment on it.

Senator PELL. That would obviate the written paragraph asked for.

Mr. HESTER. We have reached the limit, I believe, in our institutions. It will be 2,750 next year, and there is a prospect that it will be to 3,000 after that. I don't think there is going to be any sense in maintaining private institutions in a mixed economy of higher education when the State university system charges somewhat less than that, and the city university charges less.

So that we are not going to be able to increase tuition. We should find a method of reducing it if we are going to keep these institutions working side by side. We are proposing a very simple formula that would provide us with funds that would help us meet the emergency of deficits, but here eventually we had hoped it would become part of our normal funding so we don't have to go on increasing tuition.

This comes nowhere near meeting the cost of our instructions and perhaps 5 percent is what we are going—what we are suggesting as a portion of our costs that we believe would represent the Federal interest in the education that we provide each student, the remainder coming from the students themselves, from the States, and from other sources.

Senator PELL. Thank you, thank you very much, indeed.

COMMENTS ON STATE HIGHER EDUCATION STUDENT AID ACT (S. 1074)

Senator JAVITS. Mr. Chairman, I just want to make one request of the chairman of the group. It would be very helpful if we could get a comment from you on the bill S. 1074, which provides for certain payments to students by way of incentive grants, and also provides for educational opportunity centers in areas with major concentrations of low income population with respect to outreach.

If we could get your comment about it, I ask you for unanimous consent that it be inserted in the record.

Senator PELL. It will be inserted in the record.

I thank all you gentlemen. This is as distinguished and illustrious group a panel as we could have had. I thank you for your patience in coming here and sharing your knowledge with us. Your prepared statement will be printed in its entirety at this point in the record.

Thank you very much.

Dr. COSAND. Thank you, Chairman Pell.

It has been our privilege. Thank you very much.

(Information subsequently supplied and the prepared statement of the panel composed of Dr. Cosand, Mr. Branson, Mr. Hester, Mr. Kleckner, Mr. Rankin, and Mr. Baum follows:)

ELMHURST COLLEGE

EDUCATIONAL COST FOR DAY SCHOOL STUDENTS

COST AREA	1967-68 Actual Amount	1967-68 Actual %	1968-69 Actual Amount	1968-69 Actual %	1969-70 Actual Amount	1969-70 Actual %	1970-71 Actual Amount	1970-71 Actual %
General Administration	$ 695,105	32.3	$ 767,835	30.0	$ 735,700	26.2	$ 804,000	25.9
Instruction and Library	1,240,447	57.5	1,533,202	60.0	1,824,700	65.1	2,008,000	64.6
Operation and Maintenance	220,054	10.2	254,696	10.0	243,000	8.7	298,000	9.5
TOTAL EDUCATIONAL COSTS	$2,155,606	100.0	$2,555,733	100.0	$2,803,400	100.0	$3,110,000	100.0
STUDENT ENROLLMENT (Full-Time Equivalent)	1,408		1,525		1,574		1,600	
PER STUDENT COST	$1,531		$1,676		$1,781		$1,944	
TUITION CHARGE	$1,300		$1,450		$1,580		$1,820	
Per student tuition deficiency (before financial aid)	$ 231		$ 226		$ 201		$ 124	
Average financial aid cost to Elmhurst College per student (over entire student body)	$ 141		$ 177		$ 221		$ 263	
Per student tuition deficiency (after financial aid)	$ 372		$ 403		$ 422		$ 387	

elmhurst college
OFFICE OF THE PRESIDENT
ELMHURST, ILLINOIS 60126
TELEPHONE 312-279-4100

REC'D APR 22 1971

April 19, 1971

Senator Jacob K. Javits
Old Senate Office Building
Room 320
Washington, D.C. 20510

Dear Senator Javits:

When I, together with other college and university presidents, appeared before your subcommittee on March 31, you asked for our comments on your bill S. 1074. After carefully studying this bill, I concluded that I can support it enthusiastically. Your attempt to assist state student aid programs is sound in my judgment. States without such aid programs ought to be encouraged to establish them -- your bill would be an incentive to do so.

Please know that we appreciate your interest in, and concern for, higher education. Thank you so very much.

Sincerely yours,

Donald C. Kleckner
President

FOUNDED 1871

AMERICAN COUNCIL ON EDUCATION
ONE DUPONT CIRCLE
WASHINGTON, D. C. 20036

COMMISSION ON FEDERAL RELATIONS

Rec'd APR 9 1971

April 8, 1971

The Honorable Claiborne Pell, Chairman
Subcommittee on Education
Committee on Labor and Public Welfare
United States Senate
Washington, D. C. 20510

Dear Mr. Chairman:

During the course of our testimony on higher education legislation before your committee on March 31, Senator Javits asked that we supply for the record our position on S. 1074.

Our Commission considered this bill carefully at its most recent meeting and voted its support for the bill with one important proviso. This proviso is that language should be written into the bill which would require that the state matching program would go into operation only when appropriations for the Federal program are equal to the authorizations. In a sense, this would be a kind of Federal maintenance of effort provision comparable to the maintenance of effort the bill would require of the states.

Our concern is that the appropriation to fund the provisions of S. 1074 might be taken out of the funding we seek to maintain the Federal program at the authorized level.

The following are the numbers of students who have received initial year awards since the beginning of the program (the number for FY 1971 is USOE's estimate):

FY	First-time students supported
1967	123,165
1968	132,791
1969	146,858
1970	116,000
1971	112,900 (est.)

These figures show that in the face of increased numbers of eligible students and increased assertions of a determination to remove the financial barriers to a college education, we are experiencing a decline in the number of young people we can help get a start. While our Commission sees merit in the proposed incentive to have the states make a greater effort, we do not believe that they should be urged to do so until the Federal government itself is in a position to carry out its responsibilities.

While we see some merit in the proposed establishment of the educational opportunity centers in Part B, we believe that the objectives could be reached just as, or perhaps even more, effectively by providing larger sums for the support of Talent Search and Upward Bound.

Sincerely yours,

John F. Morse

John F. Morse
Director

JFM:cr
cc: The Honorable Jacob K. Javits
c/o Subcommittee on Education

Statement of Higher Education Associations

Before the Subcommittee on Education

Committee on Labor and Public Welfare

United States Senate

March 31, 1971, 10:30 a.m., Room 4232, Senate Office Building

American Association of Junior Colleges

American Association of State Colleges and Universities

American Council on Education

Association of American Colleges

Association of American Universities

National Association of State Universities and Land Grant Colleges

National Council of Independent Colleges and Universities

Joseph P. Cosand, President, Junior College District of Saint Louis (Chairman)

Alan C. Rankin, President, Indiana State University, Terre Haute, Indiana

Edgar F. Shannon, Jr., President, University of Virginia, Charlottesville, Virginia

James M. Hester, President, New York University, New York, New York

Donald C. Kleckner, President, Elmhurst College, Elmhurst, Illinois

Herman R. Branson, President, Lincoln University, Lincoln University, Pennsylvania

Introduction

Mr. Chairman and members of the Subcommittee. You will see that the bulk of our testimony is not directed to any specific bill, but instead suggests what we believe the basic elements of a bill should be. The reason for our taking such an approach is that there are so many higher education bills before both Houses of Congress that we have not known how to bring them all into focus.

We would, however, like to supplement our basic testimony with some specific comments on S. 659, the bill authored by the Chairman and a number of his colleagues on this committee.

We would say first of all that if the bill were enacted just as it is written, and could be funded, higher education would be greatly strengthened. We see only one serious flaw in it, and that is that it does little to relieve the financial crisis in which all higher education, but particularly the private institutions, find themselves. We are no longer facing that crisis; it is upon us.

As noted elsewhere in our testimony, we are eager to see Title I of the Higher Education Act continued. We can also enthusiastically endorse the set-aside proposal in S. 659 that would authorize the Commissioner to make grants for projects seeking solutions to national and regional problems relating to urbanization and the like. In addition, the proposed metropolitan area program appeals to us greatly. The American Council on Education has recently established an Office of Urban Affairs because we believe that our colleges and universities have expertise in the area that has never been properly exploited. The American Association of State Colleges and Universities has long had such a division. This proposed addition to Title I, although modest in scope, might provide a breakthrough. Lastly, the provision for Evaluation is greatly needed. There are those who would abandon Title I, on the

grounds that it has failed. There are others who deny this, but add that if it has, it is because not much can be done with $9.5 million spread across the country. We in higher education and you in the Congress need something more than this kind of rhetoric. All we can say at the moment is that Title I is potentially one of the most valuable provisions in the Higher Education Act. The proposals in S. 659 would strengthen it.

We rely very heavily on the American Library Association and the Association of Research Libraries to provide the intimate knowledge the Committee requires of the way library programs must operate. We know that your Committee has heard extensive testimony from these experts. Nevertheless, we would make certain general comments about Part B of S. 659. First, it is impossible to overestimate the importance to colleges of the basic grants. Second, there is clear need for maintaining the training and research programs. Third, there is clear need for empowering the Commissioner to exercise discretion in the imposition of maintenance of effort requirements. Fourth, there are few examples in Federal legislation of a greater return on the dollar invested than in the Library of Congress cataloguing services. If it were not for this centralized service, our universities and research libraries would have to spend many times this amount, and with less completeness, in order to accomplish the same end.

Our basic testimony indicates the importance we attach to Title III--strengthing developing institutions. It is enough to say here that we support the language and the changes encompassed in Title III of S. 659. We particularly support the provision that empowers the Commissioner to waive non-Federal matching when, in his estimation, the matching requirement is unrealistic. There was something highly

ironical in the Administration's having announced some months ago that funds available for direct academic facilities loans were being reserved for the predominantly black institutions. The statement was made in good faith, and we in higher education supported it. Unfortunately, however, only two such institutions could make use of the funds, since the others were totally unable to raise the rest of the money necessary to build needed facilities. Matching requirements, to the extent that they stimulate a flow of funds from other sources, make sense. But in many cases, and especially in the developing institutions, they preclude the possibility of participation.

Our greatest concerns with the provisions in S. 659 revolve around Part D--student assistance. We can support entirely the thrust that lies behind this section, and we trust that we shall not seem overly wedded to the status quo if we fly a cautionary flag.

There is something basically appealing about the concept that every student should receive basic support as an entitlement if he comes from a family in given economic circumstances. We view the proposal for basic Educational Opportunity Grants as a kind of civilian bill of rights. It is greatly to be hoped that eventually every citizen may count on some form of basic support just as the returning GI can now do. Of course, that is the principle that lies behind our whole system of public education, which seeks (although it is a losing battle) to make higher education available to all at little or no cost.

We would question seriously, however, relating the stipend paid to each student to the income tax paid by his parents, or if he is independent of his parents, by himself. We say this for several reasons.

(1) If one were to determine the need of students by some rigid, arbitrarily imposed system of measuring financial strength, probably one would turn to the income tax system as the fairest that could be devised. Nevertheless, we know that it contains many inequities which we believe have been eliminated in higher education's development of need analysis systems.

(2) The tax paid by American citizens is subject to change because of economies unrelated to the costs of education. There are many in higher education who believe it essential that taxes be raised if the nation is to meet its social obligations. If this were to come about, parents trying to support their children in college would find that as their taxes were raised, the entitlement of their children to a basic grant would be lowered. Obviously then it would be necessary to rewrite the grant legislation each time the income tax laws were revised.

We believe that the system of student assistance already in operation, a system that you would extend in your bill, is adequate to meet current needs. We discuss this extensively in our basic testimony. If there are shortcomings in that system, they result primarily from an inadequacy of appropriations. If even close to the amount of money that would be required to fund your proposal for basic opportunity grants could be devoted to the existing programs, we believe that no student would face an insurmountable financial barrier to postsecondary education.

Under the existing system there is an incentive for parents to do what they can within the limits of their own resources to help their children through college. We would be fearful that under the income tax system, there would be every incentive for parents to declare their children not dependent, thus enabling them to qualify for the maximum grant.

A word may be in order about the provision contained in Section 409 that would make available a grant of $1,200, minus any tuition charged, to each institution in which a Federally assisted student enrolled. We feel sure that the Committee intended this as a form of institutional support and as an incentive for institutions to maintain or even lower their current fee structure. For public institutions that are struggling to keep fees low, this would be a tremendous benefit. For private institutions that must rely heavily on the student fees, since they do not enjoy state support and find that private philanthropy is lagging ever farther behind increased costs, the provision would be of no assistance. In general their fees are already well over the $1,200 figure.

Most of the rest of the proposals contained in S. 659 are covered in detail in our basic testimony. I would propose, therefore, that we move into our basic testimony. If the Committee has questions on other facets of S. 659 which seem not to have been covered, we shall be happy to answer questions or supply later responses for the record.

What I shall do, if it meets with your approval, is to summarize our positions briefly, and ask that our full statement be made a part of the record.

Intro-5

OPERATING GRANTS

In a time of fiscal constraints, it is imperative that first things come first. In the case of higher education, the first priority is, without question, grants to institutions for operating costs which will enable the higher education system to maintain viability and perform its basic mission.

There are three basic components in the maintenance of a system of higher education. One is students -- many of whom will need assistance to meet the costs of education. We agree with President Nixon that no qualified student should be barred simply for lack of money. But there is more to educational opportunity than that. The second component is capital investment to provide the plant - dormitories, classrooms, laboratories, etc. The third is operating money to meet the ongoing costs of institutions. These costs are accelerating rapidly. Light, heat, fuel, salaries, and supplies - all are increasing in cost. It is they which constitute the real financial crisis in higher education today.

As the higher education community and the Federal Government join in a partnership to educate our young people, it is necessary that the character of the financial problem involved in this endeavor be clearly understood. It would be cruel indeed if the hopes of young people were raised by promises which cannot be kept because institutional resources cannot meet them. If fiscal constraints seem to preclude the provision of adequate support, we should tax ourselves to provide the funds. In any event, there must be a proper mix of funds for student assistance, capital investment and operating costs in order to educate as many additional students as possible. Providing money only for students will magnify the other two needs, not make them go away.

No institution charges all its students the full cost of their instruction. An additional student, therefore, is no financial boon to a college; instead he represents an additional cost, which, somehow, must be met. To the college, success

in meeting the goal of wider enrollment results in fiscal hardship. Even if not a single student is added to future enrollments, colleges now are strapped for operating funds today because of the very substantial enrollment increases in recent years. A million and a half students have been added to enrollments since 1965. Institutions are stretched to the breaking point from this influx of students and from rising prices which escalating tuition charges have not been able to match.

If the Federal Government did not help a single additional student to go to college, the higher education system still would face financial strains of crisis proportions. If the Government adds to those strains by providing aid only for students, the predictable result will be disappointment for hundreds of thousands of young people.

What is needed now from the Federal Government is support to institutions to be used to meet their day-to-day operating costs. It should be understood that while cost-of-education grants to provide compensatory education for disadvantaged students are necessary, they do not constitute aid to the institution. They merely pick up the specific extra costs required for educating this kind of student.

What are the alternatives to general aid to the institution? One suggestion has been made that tuition be increased to cover the full costs of education, with long-term loans to students to enable them to pay the entire charges. We oppose this proposal. It makes the institution a marketplace where the student, as a consumer, has the exclusive right and the power to decide what is "relevant." It rests on the mistaken belief that only students benefit economically from higher education, a belief which ignores the substantial benefits to society. And, finally, it undoubtedly will reduce the number of students - just the opposite of the President's goal.

Another suggestion proposes that categorical aid (project grants) aimed at a

public purpose be the sole means by which the Government helps institutions meet the burdens imposed by rising enrollments. Project grants have been, and will continue to be, essential to higher education, but they alone cannot fulfill the institutions needs, since they can be used only for specific enumerated purposes and do not cover the ordinary costs of running any institution.

Some Principles for Operating Grants

At this juncture it should be useful to elaborate on what we are talking about - and what we are not talking about.

1. We are proposing direct Federal aid to all institutions, private as well as public. Operating grants should be made on the basis of objective, easily measured factors. Since the amount of the grant would not be discretionary, but determined by the application of objective criteria, there is no point in having the grants distributed by the states. This would merely add another administrative layer to the distribution process.

2. We are not recommending the substitution of aid to institutions for aid to students. We feel that aid to institutions and aid to students must be provided simultaneously.

3. We are not suggesting aid for operating expenses as a replacement for aid for construction of buildings. Buildings are as necessary to accommodate students as the money to make up the difference between what the student pays in tuition and the cost to the institution of instructing him.

4. Operating grants should not be restricted to any category of educational costs, such as faculty salaries, innovative programs, interest on indebtedness and so on. Operating grants should be unfettered funds, which each particular institution could use where and as needed to educate its students and operate its facility.

5. All regionally accredited institutions of higher education should be eligible for operating grants. Each type of institution serves a purpose, or a mix of purposes, important to society - from short-term vocational training to the

education of Ph.D.'s in science.

6. Operating grants will encourage innovation. A central barrier to innovation in higher education is that it costs money. Unless an institution has a reasonably firm financial base, it cannot afford to devote the leadership, talent and money to experimenting with new methods and devices. The idea that colleges and universities must be restructured and reformed before general support is provided is a prescription for disaster. Change and adaptation are needed, and support for operating costs is essential if large scale innovation is to come about.

7. Institutions should be accountable for the funds they receive in operating grants. Institutions of higher education already are accountable in varying degrees to their students, the students' parents, alumni, donors, foundations, trustees, the Federal Government, and, in the case of state institutions, to their legislatures. The addition of Federal grants for operating cost would merely add another link to this accountability chain. The academic community stands ready to work with others or on its own in developing guidelines for holding institutions accountable for the operating grants they receive.

The Size of the Program

A program for support of operating costs should provide a significant contribution to the general educational expenses of all eligible institutions. The minimum annual payment should be large enough to permit a meaningful contribution to the institution's educational capability.

A grant in the range of 4.5 to 5 percent of the institution's general educational expenses is a reasonable minimum level. A grant at this level has been found to provide significant, though not sufficient, assistance under the New York state program of institutional assistance.

The general educational expenses of institutions which would be eligible for grants approximate $10 to $12 billion annually. Accordingly, a grant in the 4.5 to 5 percent range would require from $450 to $600 million. In view of the desperate financial condition in which most institutions find themselves, we would hope that the authorized figure might approximate $1 billion.

How such a total sum would be distributed among institutions depends upon the formula used. The urgency of obtaining additional funds for operating expenses is so great that the details are secondary. Many good formulas already have been worked out. A satisfactory formula should be simple and equitable. It should recognize that lower division undergraduate education is less costly than upper division, and both less expensive than graduate work toward the master's or Ph.D. degree. The portions should be weighted accordingly.

A word should be said about graduate work and especially that which produces Ph.D.'s. Much is said currently about the surplus of Ph.D.'s, and indeed there is a temporary surplus in some fields. But the research capability which is tied inextricably to the production of Ph.D.'s is a national asset of inestimable value, costly to develop and almost prohibitively slow and expensive to replace if it is allowed to deteriorate. This capability was expanded by universities at the behest of the Federal government, which has now reduced its support about 12 percent in real terms below the peak level reached in 1968. Thus it is that apparently rich universities are sorely beset to maintain a national resource which should be the concern of us all. The temptation to over-react to short-term over-supply should be resisted.

We are grateful to the ranking minority member of the full committee, Representative Quie, for introducing in the last Congress and again in this 92nd Congress, a bill providing institutional support. (Its counterpart last year was introduced by Senator Dominick and his colleagues as S. 3817.) The formula in Mr. Quie's bill

would award aid on the basis of baccalaureate degrees awarded by each institution, weighted in such a way that smaller institutions would get a proportionately larger share. Community colleges are provided for by a 20 percent set-aside. Mr. Quie's formula is a good one. At the same time, formulas may be constructed many ways; and Mr. Quie has generously invited us, in an exchange with President Harrington last year, to suggest others.

We believe that a formula which recognizes the differences in costs of various levels of education and the variety of functions performed by institutions of higher education, would more satisfactorily distribute Federal assistance. Such a formula would employ an ascending scale of weightings which would begin with lower-division undergraduates and increase for upper-division undergraduates, master's degree students and doctoral candidates. Allotments would be based on full-time equivalency as measured by credit-hours earned. A double payment for, say, the first two hundred students in each of the undergraduate levels would accomplish the objective of increasing assistance to smaller institutions. This is the kind of formula we prefer because it is framed more flexibly to the costs that are actually sustained at the various levels of instruction.

T-6

Student Aid

We submit that existing student aid programs, created in a series of measures beginning in 1958, have, within limits of often inadequate appropriations, been remarkably successful. If they could be funded to meet the approved institutional requests for funds, we would come close to achieving the goal so often proclaimed--the removal of all financial barriers to postsecondary education.

The following elements in the existing programs seem to us sound, and we see no reason to change them.

1. The need of each student, or to put it another way, the resources a student and his family can provide toward the expenses of his or her education, is determined by the institution under systems approved by the Commissioner.

2. Opportunity grants of up to $1,000 are awarded to the neediest students. This in effect means that if a student can provide no resources of his own, he is eligible for the maximum grant. If he can provide as much as $800, he is eligible for only $200 in grant assistance.

3. Beyond this basic grant all students demonstrating need are eligible for work-study assignments. Theoretically, this means that they can earn as much as $720 during the academic year, assuming 15 hours of work per week at the prevailing minimum wage of $1.60 an hour. In fact, typical earnings are closer to $450. This reflects not only the fact that many students cannot possibly carry a 15 hour load of outside work but also that in many areas of the country and on many campuses there is not enough work available.

4. National Defense Loans are available to bridge the gap between the resources already described and the expenses the student must meet. They also are available to the student whose academic problems are such that he must devote full attention to them without the burden of a job during the college year.

It seems to us hard to fault this system. It assures that the greatest amount of aid will go to the neediest students. Equally important, it recognizes that need is not absolute, but relative, and that with college costs what they are, even families and students in the so-called middle income brackets require assistance.

The key to the system requires that it be institutionally administered. The student financial aid officer can determine need on an individual basis and put together an appropriate mix of assistance. He can take into account aid being received by the student from other sources, such as Social Security, Veterans benefits, and state and private scholarships and loans and adjust the mix accordingly. In 1958 when aid programs began with the National Defense Loan Program, there were few professionals in the field, and need analysis was in its infancy. That situation has changed. There are undoubtedly still institutions inadequately staffed with competent student aid officers, as, indeed, they are inadequately staffed with other professional administrators. They should be and are being helped by both the Office of Education and professional societies to upgrade their operations. But we would be reluctant in the extreme to see the present system abandoned and a new one established, when we see no evidence that the approach in the last decade and a half has failed or even has serious flaws.

We do have some suggestions for change in existing programs, and since we have testified on them in the past, we shall touch on them only briefly today. Many of them are designed to effect economies so that we may stretch available dollars farther.

The Guaranteed Loan Program. Ideally, we see this program as providing assistance--call it loans of convenience--to families and students who need to stretch out over a longer period of time the payment of college expenses. Viewed in this light, there would appear to be little need to subsidize the program, other than to guarantee payment to the lenders. The National Defense program should be the vehicle for loans where demonstrated need exists.

In practice, unfortunately, appropriations for NDSL have never been adequate to meet fully demonstrated needs, and, therefore, the Guaranteed program has picked up the slack. As long as this situation prevails, we would urge that the interest subsidy feature of the Guaranteed program be retained, but that the subsidy be available only when the lender is furnished a certificate by a college student aid officer indicating the amount of loan the prospective borrower needs to balance his budget. All other borrowers should pay the going interest rate as established by the Commissioner.

Interest Subsidy. We suggest that the committee discontinue the interest subsidy for all students under all programs five years after they have left the academic institution. By that time they should be launched in their careers and able to meet interest costs at market rates.

Forgiveness of loans. We continue to believe that forgiveness of loans for borrowers who enter particular careers serves little purpose and that the funds devoted to forgiveness might better be used to assist students when they have the greatest need, that is, when they are students. We favor its

total elimination, but can see certain merits in it where workers go into really deprived areas, rural and ghetto, at salaries not commensurate with those paid in more prosperous areas.

Flexibility. It will be clear from our testimony that we favor maintaining separate identity for Opportunity Grants, Work-Study, and NDSL loans. In financing students, each award is built on the foundation of the other. Nevertheless, we would favor authorizing a financial aid officer to shift funds back and forth among programs to to the extent of 10 - 15 percent of its institutional allocations. This would give him the flexibility he needs to meet the particular requirements of each student.

Secondary Market. Only with great reluctance would we see funding of NDSL removed from direct appropriations. With $1.9 billion already in the revolving fund, we see a real possibility of this program's eventually becoming self-sustaining, particularly if we eliminate forgiveness. Getting a program "off the budget" does not mean that the Government's commitments are any less. They may even be greater in the long run. Nevertheless, we sympathize with those who must manage the Federal budget and cope with its inability, unlike that in any other American enterprise, to distinguish between an outright grant and a gilt-edged loan. Therefore, we do not oppose, although we cannot support, the concept of getting NDSL off the budget. The Congress must decide, after hearing both sides, which approach in both the short and long run is economically sounder.

We do recognize that commercial lenders, and particularly banks, face a liquidity problem. This has nothing to do with yield or risk. Student loans must compete with all other demands for funds, and yet they are, by their very nature, long-term (10-15 years) with no return of principal or

interest for several years. With no expertise in how such an institution would work, we do, however, support the creation of a secondary market that would warehouse or buy student loan paper, issued by commercial lenders, that would give them the necessary liquidity to make new student loans.

Lastly, we would favor extending all student aid program to part-time students. There will be difficulties entailed, but we are confident that the financial aid community can work them out. As we move into an era of perhaps life-long, in-and-out, education we can no longer afford to think only of the 18-21 year old full-time student as worthy of support. We also think the time has come to support, through the various Federal programs, students in proprietary schools which are providing quality training. Many such schools offer the only rational programs available to many students. If the Congress sees fit to include students attending these schools in all Federal programs, we hope it will write the eligibility and accreditation requirements tightly and demand an annual report from the Office of Education on the ways in which it determines eligibility and ineligibility.

II-5

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Construction of Academic Facilities

As we mentioned earlier, the assurance of educational opportunities depends on the provision for physical space for, as well as financial aid to, students, and the necessary funds to keep colleges in operation. This Committee pioneered in establishing grant and loan programs to enable institutions to build new facilities in order to serve the increasing number of students entering higher education. Regrettably, appropriations in the last few years have not matched authorizations.

Let us examine the need as it exists today. Even if we could assume that all institutions, public and private, four-year and two-year, had adequate facilities at this point, they would still need aid for expansion to meet increasing enrollments that can be anticipated for the remaining years of this decade. Clark Kerr, in a Carnegie Commission study, estimated that enrollments would continue to rise until the late 1970's when they would peak; then level off during the 1980's only to pick up once again in the 90's.

A report entitled "Federal Support for Higher Education Construction; Current Programs and Future Needs", published by the Office of Education in the autumn of 1969, estimated that by 1977 there would be 3.2 million more college students than in 1969. The report stated that "there is an urgent need to begin the long overdue job of rehabilitating and converting obsolete and substandard academic facilities in many institutions." It further estimated that $2.8 billion per year would

be needed from 1970 through 1974 for construction of academic facilities.

The Administration's plan to aid economically disadvantaged students will, according to the testimony of Office of Education officials, bring into the colleges each year approximately 75,000 high school graduates who would not otherwise pursue a higher education. It is likely that other student aid plans introduced in pending legislation may have similar impacts on enrollment. These students will further swell the normal enrollment increases which may be anticipated.

The demand for new facilities takes many forms. In urban centers large numbers of students who a decade ago might not have considered the possibility of college-level education now are demanding it, and require accommodations. On well established campuses, the need for academic facilities is affected to an important degree by changes in instructional methods. New kinds of scientific laboratories and language laboratories are required. There is a growing demand throughout the country for training in such fields as allied health sciences, which may require specialized facilities that do not exist on enough campuses today.

The higher education community has been involved in experimentation with new forms of postsecondary education for some time. Special courses and programs for adults are being expanded. In urban areas colleges and universities are opening extension centers in storefronts to serve disadvantaged persons residing in the community.

While the term "facilities" generally connotes the idea of constructing new buildings, we wish to emphasize that colleges and universities are confronted with a need to alter and rehabilitate older structures as well as build new ones. At times, new students can be accommodated by converting an obsolete gymnasium into a classroom building, provided the funds are available for the necessary wall separations, corridors and the like. For example, in Denver, Colorado, a relatively new institution, Metropolitan State College, was established to serve the center city. It has been doing that, but its campus consists of 11 buildings strewn through the downtown area of Denver. Few of these buildings are new. The greater number consists of converted older structures. With better funding, the structures chosen for the campus might have been closer geographically and better suited to the needs of the students and faculty. It would be more efficient to operate that campus if students were not literally required to drive from class to class because of the distance between classrooms.

To meet the needs of colleges such as this, Federal funds should be granted for rehabilitation. Colleges and universities are very conscious of the shortage of funds for such improvements. Studies of new techniques are constantly underway to determine more efficient means of using existing facilities and how to get more facilities for the dollars available. But

institutions can do only so much with the existing space they have. Ironically, funds made available often may be used only for new construction and not for renovation. At the state level, funds for renovation are scarce to non-existent. For example, a recent study at the University of California indicated that the institution was operating with $6 million of deferred maintenance and needed tens of millions of dollars for alterations that would enable it to accommodate an increasing number of students. There has been no state money available.

The details in the 1969 Office of Education report previously cited make it clear that the Higher Education Facilities Act of 1963 played a major role in enabling institutions to add academic space providing a capacity for almost 700,000 students. It is worthy of comment that, while the Act was not focused on the disadvantaged, the fact that it increased the capacity of 1,600 colleges and universities made it possible for many of these institutions to admit more low-income students who were being assisted by Federal programs.

This panel, representing the great majority of institutions of higher education, recommends continuing both Federal grants and direct loans for the construction of academic facilities, as well as the program of interest subsidies on loans obtained in the private market. We feel, as we did in 1963, that reliance solely on loans will inevitably lead to increased fees for students. Therefore, we recommend $1 billion

annually in authorizations for grants for building needed academic facilities. We continue to support the direct loan program as well as the interest subsidies, since some institutions still find it almost impossible to borrow in the private market. We recommend that Congress authorize $500 million annually for the two loan programs.

Once again, we wish to emphasize that while we recognize the pressing need to increase student aid, we do not see how institutions can reasonably be expected to continue absorbing more and more students without the means of preparing facilities in which to educate these students.

III-5

Miscellaneous Programs

Finally we come to a number of categorical programs that have, through the years, proved their worth in developing specific competences or overcoming specific deficiencies in higher education. We would urge this committee to continue the authorizations for all of them. We refer explicitly to the following programs:

Aid for Disadvantaged Students. Three programs--Upward Bound, Talent Search, and Special Services for the Disadvantaged--are designed especially for students whose educational backgrounds are not on a par with their colleagues'. All three are needed--Upward Bound and Talent Search to seek out and prepare disadvantaged students for college, and the Special Services program to help colleges provide remedial and tutorial assistance to them once they are enrolled. We urge a generous authorization for the Special Services program, since these services are costly. Without extra help, colleges cannot provide them, except at the expense of other services and programs for the student body as a whole.

Aid for Developing Institutions. A sizable number of institutions, located largely, but not entirely, in impoverished areas of the country, are performing extraordinary service in educating minority students. Their resources are totally inadequate to their task. It was with great foresight that this committee sponsored a program especially for these institutions in 1965. With more and more minority students, particularly blacks, seeking a higher education as the years go by, it becomes even more essential to assist the developing institutions to upgrade the quality of their education.

Community Services and Continuing Education. Through the years, this nation has been generous with its agricultural extension funds, an investment which has paid a rich return. Surely in a nation now largely urban and suburban, the time has come to invest as handsomely in urban extension work. There is an acute need to marshal higher education resources to attack the many social and physical problems of the urban society. Many colleges and universities have in some measure related their programs to urban needs, but few have done as much as they could do if they had more adequate financial resources. Therefore, we recommend continuance of Title I of the Higher Education Act of 1965 with a substantial increase in the $60 million now authorized (but not appropriated) for this program.

College Library Resources. It is axiomatic that a college must have a good library to provide a good education. The library program under Title II of the Higher Education Act, though modest in its funding, has been a godsend to many institutions, and a major source for acquisitions for the libraries of the most impoverished colleges. Inflation has hit library materials costs, as well as other costs, since Title II was originally enacted. We would hope for a generous authorization for its continuance.

Instructional Equipment. The instructional equipment program under Title VI of the Higher Education Act is another example of a program which has produced results of greater proportion than the modest sums provided for it. The State Commissions responsible for allocating these funds are unanimous in their belief that few small Federal programs have been more beneficial to colleges and to students than this one. For many institutions, Title VI has afforded the one source of funds they could tap to make use of new educational technology.

Fellowships. The Administration has proposed phasing out the fellowship program enacted in 1958 under Title IV of the National Defense Education Act, on grounds that the nation now has an oversupply of Ph.D.'s. We feel that this would be a grave mistake. To cite an example, we recall that in 1951 there was an oversupply of engineers who couldn't find jobs. Immediately engineering enrollments in the colleges declined. Just a few years later engineering schools and industry were setting up enormously expensive crash programs to train engineers because the shortage of them was so acute.

We would caution against moving too rapidly in the current period of transition in the employment of Ph.D.'s. The long-range relationship between the demand for, and supply of, these highly trained persons is by no means clear. We may not need as many Ph.D.'s as we have produced in recent years; but neither can we afford to dig up the pipeline. We recommend, therefore, a continuation of the NDEA fellowship program at a minimum level of 1,500 new fellowships per year.

We also recommend a continuation of the program under Part E of the Education Professions Development Act to train college teachers and administrators at less than the doctoral level. This program is needed to train teachers with special skills for special kinds of teaching, and is of particular benefit to our burgeoning community colleges.

Language and Area Studies. The expenditure of modest sums under Title VI of the National Defense Education Act has enabled colleges and universities to develop a foreign language and area study capacity that was almost totally lacking when the ACT was passed in 1958. We now have strong centers spread through the country with competence in languages once rarely studied. It is essential to continue this program in order not to lose the expertise so long in building.

The Higher Education Foundation

We support the Administration's proposal to establish a National Foundation for Higher Education because we believe that innovation and experimentation in higher education are urgently needed, and because we are convinced that only support by the Federal government will make possible the range of innovation that we consider desirable.

In our judgment the five purposes of the Foundation as stated in Section 3 of H.R. 5192 are clear, important and attainable. The kinds of activities which the Foundation is authorized to support by Section 5 (a) of the bill are practical and of high priority in adjusting higher education to new needs and opportunities. The authority in Section 5 (b) to make studies in the field of post-secondary education, including studies related to post-secondary education finance, organization and management, are in our judgment an integral part of the activities of the Foundation, particularly because it must be able to assess critically the innovative efforts which it funds. Any bill which would state the purposes and activities in the general terms stated in H.R. 5192 would in our opinion be satisfactory.

We see no conflict or overlapping between the proposed Foundation and the proposed Institute for Education. The Institute will concentrate on research relating to education, concentrating but not confined to the pre-school, elementary and secondary levels. The Foundation will concentrate on innovation and implementation at the post-secondary level. The Institute will be heavily engaged in research on such matters as the learning process, motivation, family and cultural influences upon learning, curricula and so forth. The Institute would not be heavily engaged in supporting or evaluating innovative efforts in higher education, as would the Foundation. Since both organizations are related to education, there will be a border area where the legitimate interests of the two organizations should and will converge. Reasonable administrative judgment on the part of the Directors of the two organizations, together with use of authority to transfer funds, would resolve any problems that may arise.

We wish to commend the Secretary for modifying his proposal for the Foundation so that operating functions are removed from the Foundation. We advocated this removal, and now find the statement of objectives and the activities entirely acceptable.

Since the Foundation is a new concept, it is our earnest hope that the proposal will be discussed intensively with a view to arriving at a proposal which will become law.

As contrasted with the statement of purposes and activities, we see a need for further discussion and modification of the portions of the bill which spell out the relative authority and responsibility of the Secretary, the Director of the Foundation and the Board of the Foundation. Two separable but related problems are involved here -- the degree of independence which the Foundation should have, and how the independence of institutions of higher education is to be preserved when the Federal government can to some degree decide the direction and nature of change in higher education.

We consider it to be of the utmost importance that the Foundation be able to act with a high degree of independence. By this we do not mean that the Foundation should be another branch of government. It should be broadly responsive to the policies of the President. However, it should not be the machinery for administering to higher education prescriptions decided upon by government. The Department of Health, Education and Welfare and other agencies of the Federal government should be a source of ideas for the Foundation to consider, but it should not have executive authority to tell the Foundation which kinds of innovation should or should not be tried. In this connection, we were pleased to note that in his testimony before this Committee on March 18, Secretary Richardson was sensitive to this problem. He said: "I think it important to emphasize that we visualize the Foundation as operating under a strong higher-education Foundation board and a strong director. ...it is not, I can confidently say, a relationship under which we would expect the Commissioner to tell

the Director what to do but rather a relationship designed ... to try to make sure that the pieces fit together in a complementary way." Moreover, the Commissioner of Education expressed these views in testimony before this Committee on March 18: "The Director of the Foundation would not be a handmaiden, if you will, of a Commissioner; he would not be a person subordinate to the Commissioner in the sense of taking direction. I would see the roles as very compatible, collegial and mutually supportive."

However, we have some reservations as to the adequacy with which these concepts are stated in the Administration's bill. For example, it states (Section 2) that the Director of the Foundation, "shall perform such duties in carrying out this Act as are prescribed by the Secretary of Health, Education and Welfare." This conveys a tone of subordination rather than independence.

Without suggesting that the Foundation for Higher Education be outside the Department of HEW, we see in the National Science Foundation some structural principles and some internal arrangements which deserve careful consideration. This consideration is indicated because the functions of the proposed National Foundation for Higher Education and the National Science Foundation are broadly analogous. Both would provide governmental funds to institutions -- one for research and one for higher education. The innovative as contrasted with the research function of the Higher Education Foundation is stronger, but this is not a critical difference. Both would provide governmental funds to areas of activity that must be protected against the imposition of central authority. Yet both must have a set of broad purposes which will inevitably influence the actions of individuals and institutions.

One might say that science, as contrasted with higher education, is not beset by deep philosophical differences and involved in political decisions. However, science on the national scene is in fact as deeply involved as is higher education in fundamental and controversial questions relating to the purposes of the entire undertaking and the proper role of the Federal government. One need only reflect on

the deep disagreements as to the responsibilities of the National Science Foundation for the solution of social problems to realize the close parallels between the way in which science and higher education become politically involved. Incidentally, it is worth noting that the National Science Foundation has retained the respect of all parties concerned, and that it has not been politically dominated in a partisan sense, in large part because its structure and distribution of authority have been worked out with great care.

In the light of this background, let us look briefly at the structure and distribution of authority proposed in H.R. 5192. It is simple. The President appoints the Director, who performs duties prescribed by the Secretary of HEW. (Section 2) A Higher Education Foundation Board advises the Secretary and the Director on matters of general policy, and prepares an annual report to the Secretary. (Section 4). The President designates one of the members of the Board as chairman. (Section 4). The Secretary is empowered to make grants or contracts to carry out the purposes of the Act.

Proposals for Modification

Recalling the dual objective of giving the Foundation an adequate degree of independence and of protecting the independence of institutions of higher education -- objectives which we share with the Secretary -- the bill as written does not in our judgment present an optimum solution.

1. Authority of the Board. As a central means of assuring an adequate degree of independence, we suggest that the Foundation (as is true of the National Science Board) be given unambiguous authority to set the policies and priorities of the Foundation for Higher Education, after consultation with the Secretary. H.R. 5192 does not clearly state who sets the policies and priorities of the Foundation but this authority is not given to the Board. In fact, the Board has only two functions, as stated in Section 4. It advises the Secretary and the Director with respect to matters of general policy, and it prepares an annual report to the Secretary.

We believe that an annual report should be prepared by the Board, but that it should be sent to the Secretary for transmission to the President, and for submission to the Congress. We also believe, as in the case under the National Science Foundation, that the act should specifically empower the Board to make in its annual report such recommendations as it deems timely and appropriate.

This degree of independence of the Foundation does not relieve the Office of Education of authority and responsibility for innovation. The activities of the Foundation would simply demonstrate for the Office of Education, as well as for others, which experiments and innovative modes of higher education are productive and ready for large-scale application.

It is important to recognize that not all innovations work, and that all experiments do not succeed. One of the values of a Foundation is that it, to a greater degree than a standard operating arm of government, is designed to take chances on untried ventures and to lose some bets without being accused of incompetence, poor judgment or wastefulness.

2. Composition of the Board. In our judgment, the composition of the Board is an extremely important matter. H.R. 5192, Section 4(b) requires only that the members be broadly representative of the general public as well as the education community. We believe that this is highly desirable, but that twenty years of experience with the National Science Foundation have demonstrated that additional factors are important. For one thing, the members should be eminent in the field of higher education and public affairs. We do not want this Board to be a haven for mediocrity. The members should be selected solely on the basis of established records of distinguished service as the National Science Foundation Act provides. Finally, they should be so selected as to reflect views of leaders in all areas of the Nation and all major elements of higher education. We stress the need for broad representation on the Board.

In the selection process we believe that the President should be requested - again following the lead of the National Science Foundation Act - to consider recommendations of the National Association of State Universities and Land-Grant Colleges, the Association of American Universities, the Association of American Colleges, the Association of State Colleges and Universities and other educational organizations.

3. Chairman of the Board. To emphasize the independence of the Board, we believe that it should elect its own chairman, as is the case with the National Science Board, rather than to have the chairman appointed by the President.

4. Director of the Foundation. While we agree that the President should appoint the Director of the Foundation as provided in Section 2 of H.R. 5192, we believe that this authority should be greater and more explicit than the bill provides. As in the case of the National Science Foundation, we believe that the Director should exercise all of the authority granted to the Foundation (including authority delegated by the Board) and that all of his actions should be final and binding upon the Foundation. Under H.R. 5192 as written, the Secretary alone is authorized to make grants or contracts. While he would undoubtedly delegate this authority to the Director, the ultimate authority (including authority to set conditions under which the delegation would be withdrawn) would remain with the Secretary. We suggest that failure to lodge authority to make grants and contracts in the Director, together with the requirement that the Director carry out such duties as the Secretary prescribes, reduce the independence of the Foundation to such a low level that it will be difficult to attain the goals which we share with the Secretary.

Incidentally, we wish to point out that the National Science Foundation has devised a system for making grants and contracts which has the full confidence of the higher education community. It is based upon a concept often missing in governmental operations -- wide and open participation and involvement by the groups concerned with decisions, and avoidance of predetermined answers. A National Foundation for Higher

Education free to adopt the principles and procedures for contracts which have made the National Science Foundation such a conspicuous success would be welcomed by higher education.

Finally, the Director should be required in exercising his executive functions to consult with the Board to ensure that the programs which he formulates are in conformity with the policies set by the Board.

5. Place of the Foundation in the Department. We do not have a precise formula for stating the place of the Foundation in the Department, and the relationships between the Foundation, the Secretary and the Commissioner. Some of the suggestions made above relate to this question, but they do not provide a complete answer.

We suggest that the Foundation be considered as an element of the Department with a collegial relationship with the Secretary, as the Secretary and the Commissioner have proposed. We also suggest that the Commissioner of Education be a non-voting member of the Board of the Foundation in order to ensure a close working relationship between the Department and the Foundation. (We suggest a non-voting status not to reduce the status of the Commissioner, but to retain his freedom of action in adopting or rejecting ideas put forward by the Board.) Finally, we suggest that the budget proposed for the Foundation be presented by the Secretary to the President in a single lump sum for contracts, plus another sum for administrative expenses. For reasons stated above, we believe that the Foundation should be empowered to make grants and contracts and to do so under terms and conditions set by the Foundation. Finally, we note that Presidential appointment of the Director and the Board are means of ensuring the proper degree of responsiveness to the general policies of the administration in power.

Consideration of suggestions of this sort should lead to a reasonable resolution of this thorny problem.

Conclusion

Our proposals are made with the intention of establishing the principles, structure and relationships which will attract the best people, enhance confidence in the

independence of the Foundation, protect the independence of colleges and universities while encouraging them to be responsive to needs for change, lead to the formulation of superior programs, and enhance the quality of administration. We do not make these proposals dogmatically or with the feeling that we know the ultimate answer to all of the problems, but with concern that the existing proposal needs modification in the general direction which we suggest.

In conclusion, we wish to emphasize our belief that innovation and general institutional support are related. General support is needed if productive changes are to be widely adopted. Poverty can, and often does, inhibit change. On the other hand, specific funds for innovation and experimentation are necessary to show what will and will not work.

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Senator PELL. The final panel today is the Panel on Legal Education. Prof. Alfred Conard, president of the Association of American Law Schools, will act as the de facto chairman of the group.

STATEMENT OF A PANEL COMPOSED OF PROF. ALFRED F. CONARD, UNIVERSITY OF MICHIGAN LAW SCHOOL, PRESIDENT, ASSOCIATION OF AMERICAN LAW SCHOOLS; HON. EDWARD F. BELL, CIRCUIT JUDGE, WAYNE COUNTY, DETROIT, MICH., AND PRESIDENT OF THE NATIONAL BAR ASSOCIATION; PROF. MORRIS L. COHEN, BIDDLE LAW LIBRARIAN, UNIVERSITY OF PENNSYLVANIA LAW SCHOOL, PRESIDENT, AMERICAN ASSOCIATION OF LAW LIBRARIES; EDWARD W. KUHN, ESQ., MEMPHIS, TENN., CHAIRMAN-ELECT, SECTION OF LEGAL EDUCATION AND ADMISSIONS TO THE BAR OF THE AMERICAN BAR ASSOCIATION; WILLIAM PINCUS, ESQ., NEW YORK CITY, PRESIDENT, COUNCIL ON LEGAL EDUCATION FOR PROFESSIONAL RESPONSIBILITY, INC.; PROF. MICHAEL H. CARDOZO, EXECUTIVE DIRECTOR, ASSOCIATION OF AMERICAN LAW SCHOOLS

Mr. CONARD. Mr. Chairman, and Senator Javits, we are very happy to appear to present the special interests of legal education in the general cause of higher education.

Senator PELL. May I interrupt you here to say how much I welcome you, how much I regret not having taken advantage of the facilities you offered many years ago, being in a minority of the Senate who is not a lawyer, and wishes he were.

Mr. CONARD. Thank you, Senator. We wish you were, but lawyer or not, you have long shown a deep and sympathetic interest in legal education, for which we are deeply appreciative.

On my immediate right is Prof. Morris Cohen, president of the American Association of Law Libraries, and on his right is Edward W. Kuhn, past president of the American Bar Association, and chairman-elect of the bar association's section on legal education, and on his right is the executive director of the Association of American Law Schools.

On my immediate left is Judge Edward F. Bell, of the National Bar Association, the president, and circuit judge of Wayne County, Mich., and on his left is William Pincus, president of the Council on Legal Education for Professional Responsibility.

Accompanying us, also, is John Tracy, of the American Bar Association, Washington office, and Peter L. Wolff, of the AALS Washington office.

We will be brief because we know of the long-time and loyal interest and support which you, Senator Pell, and Senator Javits, have given to higher education and to legal education.

We are here to mention the special needs of law schools as they are differentiated from other higher education needs. In the first place we would like to stress the importance of tailoring all higher education programs so that they do not omit professional education, and particularly legal education, and this has often happened because the main educational pitch is commonly divided into undergraduate education and Ph. D. education.

The health sciences commonly get grants under separate order, and consequently legal professional education is frequently neglected.

To take a specific example, we called attention in our last year's report to the fact that educational opportunity grants had been so stated that they applied only to undergraduate students.

We think that is particularly appropriate that they should include law students, because we believe that nowhere more than in the law do the underrepresented fractions of American society obtain an opportunity of access to positions of influence and power, and consequently recognizes that part of our social crisis today is the uniting of our minority groups with the establishment, we think there is a special importance that legal education opportunities should go pari passu with other educational opportunities.

Furthermore, we think the crisis in our society today, the crisis in our society, the crisis of minority rights, of civil rights, the crisis of safety in the streets, the crisis in our international relations are problems of justice and the study of justice and the education of people for the administration of justice is a central problem throughout society and it must not be neglected.

I will ask you to simply incorporate my printed statement in the record and I will only mention to you at this moment, Senator, three principal points that are involved in it, if I may.

Senator PELL. I might add here that all the statements will be incorporated in full in the record, and I appreciate that, because we have questions of a specific nature that we would like to ask as well.

(The prepared statement of the Panel on Legal Education follows:)

ASSOCIATION OF AMERICAN LAW SCHOOLS

OFFICE OF THE EXECUTIVE DIRECTOR
Suite [illegible], One Dupont Circle, N.W.
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STATEMENT OF ASSOCIATION OF AMERICAN LAW SCHOOLS

on

Legislation for Higher Education

March, 1971

I. Background

The Association of American Law Schools renews the urgent plea for federal support of clinical teaching in law schools and other specific programs of benefit to legal education that it made during last year's hearings held on legislation for higher education. Our plea remains essentially the same as that made last year, and we reiterate in summary form that plea.

We wish particularly to stress our belief that sound and effective legal education is vital to the success of our legal system. The lawyers of the nation, numbering about 330,000, have a crucial role in preserving liberty, in maintaining equality before the law and equality of opportunity, and in providing the framework necessary for ordered progress in all aspects of our national life. A legal profession worthy of its responsibility is crucial to sustaining and reaffirming the validity of the democratic process of this nation. Our law schools, through their teaching function, are the wellsprings for the profession. They can also, and should be, increasingly important centers of research into the workings of justice in the community and sources of public understanding of the proper role of law, legal institutions and processes. This function of the law schools and of the legal scholars in their faculties can, if adequately supported, make a truly significant contribution to the solution of the problems of society in the nation and even beyond its borders. We seek the help of this Committee to obtain the Federal support needed if the law schools are to fulfill their function.

As we pointed out in our testimony in the spring of 1970, the dimensions of legal education have been increasing steadily and steeply. Enrollment

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NOTE: The position on behalf of legal education was presented to the House Special Education Subcommittee on April 15, 1970, and appears in Part 2 of the printed Hearings on H.R. 16098 and related bills (91st Cong., 2nd. Sess.), the "Higher Education Amendments of 1969", at pages 1059-1116. A formal statement was also filed with the Senate Subcommittee on Education, and appears in Part 1 of the printed hearings on S.3474 and related bills (91st Cong., 2nd. Sess.), the "Higher Education Amendments of 1970", at pages 858-894.

in all law schools in this country increased from about 49,000 students in 1962 to over 72,000 in 1969. The growing desire of college students to attend law schools has suddenly taken a phenomenal turn, with enrollment in 1970 rising to about 86,000 students. The number of students taking the law school admission test during this "test year" appears to have increased over the previous year by about 45%, meaning that approximately 110,000 college students will have taken the test to help determine if they have been equipped by their prior training for the rigorous demands of modern law schools.

A survey conducted by the American Bar Association a few months ago revealed a threatened shortage of space for any more law students, despite the growing number of applicants. The universities have relied heavily in the past years on the Higher Education Facilities Act for law school buildings, and Title II of the Higher Education Act of 1965, for assistance to law school libraries. In view of the growing number of students applying for admission, assistance of this kind from the Federal Government will be urgently needed in the next few years, and we emphasize the importance of continuing these programs.

The increase in the number of law students, and of applicants for admission, from minority groups, spurred by the encouragement of the law schools and the legal profession, is also striking. In our testimony last spring, we commented in some detail on the very great increase among not only black law students, but among Mexican-American and American-Indian students. The trend this year has continued at a strong forward pace, although at this time final enrollment figures are not available.

Another concern of the law schools has been improving the opportunities of women in the profession. We reported in our testimony last spring that the number of women law students had increased from about 1,800 in 1962 to nearly 5,000 in 1969. The number is now over 7,000 women law students, an increase of almost 50% from the previous year, while the total law school student body was increasing about 20%. The members of the Association of American Law Schools are hopeful that this promising increase in the number of women law students will be accompanied by improved opportunities for women lawyers. The recently adopted amendment to the Articles of Association, now makes it clear that "equality of opportunity in legal education without discrimination or segregation" on the ground of sex is of parallel concern with equality of opportunity regardless of race, color, religion, or national origin. Further, at the annual meeting in December of 1970 the membership of the Association amended the Association policy to discourage discrimination in law school employment and in career placement practices at law schools.

II. Financial Assistance for Students

Law students generally have received less financial aid from all sources than any other group of graduate or professional students. It is often the student who is not from a minority or educationally disadvantaged

group, but who is from a financially secure but salaried family, who is frequently placed in a position of gravest financial disadvantage, because even available forms of financial aid rely on family means tests. Such tests are commonly irrelevant for law and other graduate students who often are, in fact, emancipated, and even heads of families themselves. Furthermore, reliance on loans exclusively is generally not helpful to students at this level of education because so many of them have already built up a staggering loan obligation through their undergraduate years.

For the present, however, a major concern of the legal profession and the law schools is making legal education available to students from minority and disadvantaged backgrounds. Particularly notable in this area has been the work of the Council on Legal Education Opportunity (CLEO), organized by the leading national bar associations and by the associations representing the law schools. In addition to the summer training institutes provided through the Council's program, law students assisted by these programs have received stipend assistance through their law school years. The law schools themselves have granted tuition scholarships for these students and the private bar has contributed heavily in various places to supplement these programs. The tuition scholarships alone, it is estimated, averaging approximately $1,000 per student per year, have already aggregated over $1,000,000. During the three years after the establishment of CLEO in February of 1968, its particular program was financed primarily by private foundations and the research and development funds of the Office of Economic Opportunity. However, thereafter the supporting foundations indicated that they could no longer continue providing the necessary finances. We have no question, however, that support for a program of this nature is now an appropriate responsibility of the Department of Health, Education, and Welfare. We are anxious to be sure that the Department is given the appropriate statutory authority to provide stipend assistance to disadvantaged students in schools of law regardless of which bill is ultimately passed.

This can be accomplished by consolidating existing special services programs in a new provision in the Higher Education Act of 1965, providing for the indentification of low-income students with "academic potential," preparing them for post-secondary education (which would include legal education) and making available special services for such students in institutions of higher education. Such a program would have to include disadvantaged law students encompassed by the CLEO program and other programs having a similar purpose. The Administration's bills, H.R. 5191 and S.1123, contains some provisions along these lines, in Section 461, but we are concerned that this new Section limits stipend assistance to $30.00 per month unless there are "exceptional cases as determined by the Commissioner." We support these provisions in principle, as they would allow for the development of guidelines permitting administrative flexibility in providing essential support. Such flexibility would be necessary because $30.00, or any comparably small amount, per month is patently inadequate for disadvantaged students in law and other graduate study.

III. Experimentation and Innovation in Teaching Methods and Curriculum

There has always been some experimentation and innovation in legal education. One of the most striking recent developments in teaching methods in the law schools has been teaching law through the clinical method. Supported by funds from The Ford Foundation, a large number of schools have exposed students to experiences with real "clients" outside the classroom, but under the close supervision of experienced instructors. In 1968, the Congress recognized the value of experimentation of this kind, and, to this end, enacted Title XI of the Higher Education Act, authorizing appropriations for clinical teaching in law schools. Unfortunately, funds for this program have never been appropriated. We hope there will be appropriations under Title XI for the next fiscal year, or that a new authorizing provision, and appropriation, will be enacted this year.

We are encouraged that such an authorization would be continued by H.R. 32, introduced by Congressman Perkins, and by S.659, introduced by Senator Pell. We are distressed that H.R. 5191, drafted by the Administration, actually repeals Title XI. We understand, of course, that the repealer provision in Title VI of that bill was inserted with the intention of transferring the basic purposes of that innovative and experimental program, along with a number of other Titles from the 1968 Amendments, to the proposed National Foundation for Higher Education, described in H.R. 5192 and S.1062. Of course, we hope that this important program in legal education will be considered worthy of Congressional support.

Another program of particular interest in legal education is that part of the Educational Professions Development program that authorizes the funding of clinics aimed at the improvement of teaching. Such a clinic has been funded by the Department of H.E.W. to permit a number of younger law teachers to participate in a program expounding new and traditional teaching methods.

Mr. CONARD. I would like to emphasize the needs, one of which is for educational facilities. The number of admissions to law schools have multiplied. Last year, we admitted about 20 percent more students to legal education than a year before, and a survey by the bar association shows there is not space for more than about 700 more students in the law schools.

The Cook Quadrangle, and the Sterling Quadrangle, again were made by private gifts. The private gifts do not exist any more, and we have to have public funds for additional facilities.

We need money for financial assistance for students, and this is a feature which has already been emphasized in prior testimony. We would like to stress its importance for law.

The lending programs are very important, but they have certain weaknesses.

In the first place, persons from poor backgrounds have very little confidence in their ability to earn and pay back those loans. I would say students from middle-class, even lower middle-class families with assured prospects of employment in corporations and law offices are not afraid to take those loans.

The loans are not adequate as a way of introducing minority groups, under represented groups, into the legal profession.

Finally, there is the matter of experiment and development in legal education, and we recognize as has been already remarked, that the program has got to get better.

It has to relate more to the problems of today. There are many areas in which law schools have been innovating, have been experimenting. For example, computerized program education is an interesting development where we teach the Federal Rules of Civil Procedure through a computerized method.

It is very helpful.

There are tremendously hopeful innovations in international legal education. At the time I moved up to this seat, a group of foreign students as part of an international legal program had entered the hearing room.

I believe they are still here. They are led by professor Walter Gelhorn, of Columbia University and a past president of our association, and their group is an illustration of the international education activity in law schools.

Finally, though, I want to mention the type of the innovative program which I think, of all others, calls for support, and that is one Senator Pell, in which you have taken a special interest, the clinical education program.

On behalf of the Association of Law Schools, I would like to say we are grateful to you. We are aware and conscious of the effort you made in 1970 to fund this program, and we want to ask that in the higher education legislation that authorization for this very important program is continued.

Senator PELL. It is the appropriations. The amendment to which you referred to was in the appropriations bill.

Mr. CONARD. Yes. I realize that. I mentioned the authorizations, because that is the subject of the higher education act. I would like to give an opportunity now for statements to be made by my colleagues on the panel.

Senator PELL. Mr. Kuhn.

Mr. KUHN. I represent the American Bar Association's section on Legal Education and Admissions to the Bar. We are deeply concerned over the phenomenal increase in applications for admission to our law schools. I see from an article appearing in today's edition of the Washington Post that the local situation is comparable to the situation that exists throughout the United States.

According to that article, Georgetown has room for about 600 new students each year, and they have reported applications of 3,578 students, and they could reach 6,000.

The National Law Center of George Washington University said applications for next fall already total 4,300, compared to a corresponding figure of last year of only 2,287, and they can only admit 400 students.

We have made a survey of the need for space in our schools, and we find out that as of last year only 16 schools indicated that they could enroll more students. All of them together could accommodate only about 650 new students, which is 2 percent of the first year students enrolled in 1970.

DOUBLE SESSIONS

Senator PELL. When you say accommodate, that means on a one session basis, but if you use the classrooms for two sessions or two stages, couldn't you double the enrollment?

Mr. KUHN. Not for the first year classes. We have only so many seats in the law schools, and the students just have to have a seat.

Senator PELL. The seat is filled for 8 hours a day. How about the other 16 hours?

Mr. KUHN. Of course, I don't know——

Senator PELL. You can have two shifts, I would think.

Mr. KUHN. Well, we do have day classes and night classes in a number of schools. Of course, legal education is not an around-the-clock classroom attendance process, because the students have to spend 2 or 3 hours every day for every class that they attend in preparation.

Senator PELL. I well realize that. All I am saying is that there is a question of cost effectiveness here, and there is nobody more willing to help you more than this committee, but the fact is that you say there are so many seats. There should be ways of getting around the number of seat limitations. Professors are a different thing, but seats I would think, you could handle on a shift basis.

Mr. KUHN. I am sure the schools are trying every way they can to accommodate the students who want to attend, and of course we have only so many professors to go around for each class.

Senator PELL. I am just suggesting that maybe shifts could be used to increase the capacity of the classrooms. At any rate, carry on.

Mr. KUHN. I am sure your question could be better answered by Professor Conard, of the University of Michigan.

I do want to bring to the attention of this committee, the phenomenal increase in the applications for law schools. I understand from the LSAT which administers the law school admission test, that they expect to have 110,000 candidates take that test this year, and obviously that means that there are going to be something like 62,000 students who are going to apply for the 32,000 seats in the law schools.

We have also experienced a phenomenal increase in ladies aspiring to be lawyers. It appears that ladies are going into the law at a greater rate than any other class.

We are also pleased to note a continuing increase in the applications from the minority groups, and we are encouraging that in the United States.

There are no new law schools opening. We have no prospects in the next 2 or 3 years of any new law schools being established, nor do we have firm plans for existing law schools to expand their facilities.

We did establish some new law schools in the past 5 years, but at the present time there are no firm plans for new law schools.

I believe that brings to the committee's attention the great expansion in applications for legal training. I want to emphasize and underscore the chairman's remarks about the necessity for educating our youth in the law in order to bring about the social changes necessary in this Nation.

I also want to stress the great emphasis now being placed on international and comparative law in many of our schools. The schools are training students for representation of our interests abroad, including business and cultural interests in all parts of the world.

We need assistance to train these men to take part in the affairs of the world, not only from representing their clients, but also in bringing about a better place for the people to live.

ALTERNATIVE POSSIBILITY

Senator JAVITS. Mr. Chairman, may I ask a question? I did want to ask you one question, as a lawyer myself. Could you give us now or later your collective judgment as to what, if any, other alternative program you might suggest that would be of help to the law schools which could fit into the pattern of what seems to be indicated as aid to higher education that might not necessarily be this particular item of clinical teaching?

It may be that we could help you in some other way, maybe not in this way. In view of the fact that the administration seems to want to shift this particular program, you may find yourself falling between two stools or beating a dead horse. So I think it would be helpful to us if you could, somewhat in the same order of magnitude, suggest one or more other programs.

I am a lawyer and very interested in the profession. Aren't you a lawyer?

Senator MONDALE. One of the best. [Laughter.]

Senator JAVITS. There are quite a few lawyers on the committee, and we are very sympathetic.

Senator Pell is sympathetic as he himself has said. We may be helped with alternatives which you gentlemen could suggest if we cannot, for whatever reason, structurally or otherwise do anything under the program you are here on.

Thank you.

Senator PELL. Don't you want to reply to that now?

Mr. CONARD. Thank you, Senator. I think we can probably give you a written statement most effectively. In our statement filed in 1970, we made a number of suggestions, but we would be happy to make a supplementary statement.

Senator JAVITS. Would you cost them out?

Mr. CONARD. Yes; we will give a shot at it.

(The information referred to and the prepared statement of the American Bar Association follow:)

STATEMENT OF

AMERICAN BAR ASSOCIATION

on

LEGISLATION FOR HIGHER EDUCATION

March, 1971

The American Bar Association associates itself with the statement contemporaneously filed with the Committee by the Association of American Law Schools.

Throughout its century of existence, the American Bar Association has been deeply concerned with the quality of the preparation of those who enter the legal profession. We recognize that the quality of the legal services that the American people and their institutions receive is dependent upon the quality of America's lawyers. Their competence and their commitment to the best traditions of the legal profession are, in turn, critically shaped by the character of American legal education. Representing almost one-half of the nation's 330,000 lawyers, the

American Bar Association is vitally interested in the capacity of the American law schools to present sound programs of legal education. American legal education in this century has a fine record. Greater demands than ever are now being made on it to prepare an ever larger number of students for more demanding profession. The national interest will be served by providing from federal funds the added resources that will enable the law schools to meet the new challenges.

We understand that the statements filed last year by the American Bar Association and the Association of American Law Schools are considered by the Committee to be still before it. Therefore, we understand that we need not restate the material presented there for the Committee's use. These two statements describe well and in detail the general needs of American Legal Education.

Demand for Legal Education. American law schools are experiencing an unprecedented demand for legal education. Enrollment in American Bar Association-approved law schools has more than doubled in the past decade, having grown from 40,381 in 1960 to 82,041 in the fall of 1970. Over one third of this growth occurred this past fall, when total enrollment grew by 13,655. The American Bar Association survey shows that almost all of the approved law schools enrolled as many entering students

this past fall as they had room for; the 659 of "unfilled seats" represented less than two percent of first year enrollment.

The demand for legal education this coming fall will be even greater. Almost all approved law schools require their applicants to take the Law School Admissions Test. The current registration figures for this test (nearly 110,000 as against 74,092 last year) suggest that the number of applicants for entrance into law school this fall will be about 45 percent greater than last fall. This unprecedented and unexpected growth in interest in legal education will occur at a time when there is no expansion of opportunities for legal education. Although several universities have announced decisions to establish law schools, no new law schools will open their doors this fall and no firm plans have been announced for the opening of any new law schools in the fall of 1972. Further, several law schools are reported to be considering expansion of their existing programs to accommodate more students, but none are reported to have made firm plans.

While we have no precise data to explain this remarkable increase in the number of law students and in the unanticipated surge in applicants for the fall of 1971, several factors are apparent. Women are finding the law to be a more attractive and viable professional opportunity. The number of women taking the Law School Admission Test has quadrupled in the past four years and the number

of women enrolled in law schools is 2 1/2 times that of four years ago, having grown from 2678 in 1966 to 6937 in 1970. Many young people have come to believe that the law is where the action is; they want to express in the practice of their profession their social concern. They want to work within the system for orderly change. The shortage of opportunities for holders of other graduate and professional degrees is certainly another factor.

Student Financial Aid. Federally supported programs of student financial aid are obviously not needed to encourage an interest in the legal profession on the part of qualified college students. They are necessary, however, to avoid screening out on economic grounds deserving and qualified students.

Minority and Disadvantaged Students. The American Bar Association is proud of the role it has played in establishing in 1968 and in supporting the Council on Legal Education Opportunity (CLEO) and its program for increasing significantly the number of minority group and disadvantaged law students. The Office of Economic Opportunity has funded CLEO's summer institutes and foundations, including the American Bar Endowment, has funded the scholarships for the successful participants in the summer institutes with the law schools granting tuition scholarships. Supplemental funds have been furnished by lawyers and local foundations in many areas. The national foundations have declared

that they cannot continue to fund the scholarship program; it is at a scale in time and amount that requires federal funding. We support the establishment of this program on a permanent basis with adequate government funding.

Innovation and Experimentation. Because we believed that clinical legal education represented an important opportunity to enrich the students' legal education, the American Bar Association has been a major advocate of Title XI of the Higher Education Amendments Act of 1968. Although this program has not been funded, the moderate support that the Council on Legal Education for Professional Responsibility (CLEPR) has been able to give for experiments in clinical legal education persuades us that this is a legal education method that deserves to be exploited with the aid of federal funds. We prefer explicit statutory recognition of the program.

Law Buildings. The major deterrents to the establishment of needed, additional capacity for legal education are the capital expenditures needed to build the necessary buildings and to acquire the law library collection. The grants made under the Higher Education Facilities Act helped importantly in the last decade to increase American legal education's capacity to serve more students. The present unprecedented increase in the demand for legal education suggests that the reactivation of that effort would serve the national interest.

Library Development. The establishment of a new law school or the major expansion of an existing one requires a significant capital expenditure for library collection. Federal programs addressed to this could assist institutions in responding to phenomenal increase in the demand for legal education. Other law library needs are generated by the changes in the profession and in legal education. The broadening definition of the lawyer's tasks and what materials are relevant to legal questions has had an important impact upon the law library. This and the accelerating growth of strictly legal material is straining library budgets. Growing interest in foreign legal systems adds a further demand. The changing character of the legal education experience means less reliance on the traditional classroom dialogue. Among other things, this development places the student in the library for a larger portion of his time. All of this means a demand for more books and, even more importantly, a demand that the library share in the teaching function.

International and Comparative Law. American interests, governmental, business and cultural, in other parts of the world continue to grow. The practitioner and legal scholar can play an essential role in this development. With government and foundation help, the law schools during the past two decades have responded to this development. The study of American law, by students

and scholars alike, is enriched by the comparative study of foreign law and legal systems. Teacher exchange programs and travel grants for American and foreign scholars and teachers can, at modest cost, make a significant contribution. The International Education Act, if funded, would have made an important contribution to American legal education.

ASSOCIATION OF AMERICAN LAW SCHOOLS

OFFICE OF THE PRESIDENT FOR 1971
UNIVERSITY OF MICHIGAN LAW SCHOOL
ANN ARBOR, MICHIGAN 48104

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May 21, 1971

Honorable Jacob K. Javits
United States Senate
Washington, D. C. 20510

Dear Senator Javits:

When representatives of legal education appeared before the Subcommittee on Education on March 31st to testify in connection with hearings on higher education legislation, you requested that I submit for the record some suggested programs that might be considered as alternatives to law school clinical experience, in the event that this program could not be continued by the Congress. Since my understanding was that you were primarily interested in alternative innovative programs in legal education, I have prepared a short memorandum outlining three possible programs, with some indication of costs included, which I enclose with this letter.

In thinking about this request, it also occurred to me that it would be not inappropriate to stress the importance of providing adequate financial assistance to law students as a priority program in legal education. You have heard us discuss in great detail the program for minority and disadvantaged students, currently operated by the Council on Legal Education Opportunity. There are, however, other concerns in the area of student financial assistance, particularly with respect to the middle income student who so frequently finds himself not covered by any adequate program for financial aid. Many of these students attend law school on a part-time basis, but are discouraged to discover that they are ineligible for federal financial aid because they are part-time students. I would urge that consideration be given to extending elibility to part-time students for programs of financial assistance, as you have done by your proposed amendments to the Education Opportunity Grant Program.

I would also like to stress the importance of the Work-Study Program. Some of the pending bills appear to make this Program unavailable to graduate and professional students, and to limit this assistance only to those working toward an undergraduate, or baccalaureate, degree. To remove graduate and professional students from elibibility in this Program would work a great hardship on large numbers of law students and also on the operation of many of our law

schools. In this connection, Dean Frank J. Trelease, of the University of Wyoming College of Law, has written a very eloquent letter concerning this matter, and I am also enclosing with my letter to you an excerpt from Dean Trelease's letter concerning this matter of the Work-Study Program.

Very respectfully yours,

Alfred F. Conard
President

Enclosures:
1. Memorandum on Innovative Programs in Legal Education
2. Excerpt from Letter of Dean Frank J. Trelease

cc: Honorable Claiborne Pell
(with enclosures)

April 29, 1971

INNOVATIVE PROGRAMS IN LEGAL EDUCATION

1. Video-tape Equipment

Substantial gains in instructional effectiveness can be obtained through the use of video-taping equipment, involving a television camera, a video-tape recorder, a video-tape viewer, with appropriate carts, cords and lenses.

Video-tapes can be used in three ways to augment instruction. First, they are useful for students of oral advocacy, who can see a reproduction of their conduct and their voice. This is far more practical than attempting to provide individual coaching, which requires too many expensive personnel. (In athletics, coaching is concentrated on the "varsity" while the ordinary student gets none.) Furthermore, many students react defensively to coaching. Seeing and hearing themselves, especially in comparison with other people recorded on the same medium, is the best way for them to learn. It permits each one to perfect the style which he himself wants, rather than what somebody else wants him to have.

A second use of the video-tape recorder is to record a professor in his class, and let him play it back later. By viewing and hearing himself, he can perceive ways in which his teaching techniques could be improved. Since professors are even more sensitive to student criticism than students are to professional coaching, the video-tape offers a uniquely valuable means of improving teaching.

A third purpose of video-tape recording equipment in legal education is to tape a short course of lectures which a student or group of students can play at their convenience. This is particularly desirable in order to permit students to take a brief capsule treatment of subjects in which they do not want to take a full course. Since the possible subjects of study in a modern law school far exceed what any one person can take, it is essential to find means of quick absorption. Video-tapes are preferable to books because they permit the addition of personal emphasis and coloration which can never be present in the printed word. Moreover, the professor may use props, models and charts of various sorts to augment the spoken word.

A fourth possibility is to make video-tapes of regular classes, so that absent students can pick up what they miss. This is a convenience, but must be regarded as a low priority reason for the video-tape system. Since most students are expected to be present, the cost per absent student runs rather high. Moreover, in order to take such tapes of all classes for all absent students, one would need a multiplication of equipment which is not otherwise necessary.

Every law school should have video-tape recorder equipment. Probably large schools would need several sets, but there is insufficient experience to show how many sets will receive sufficiently intensive use to merit duplication. The initial cost of one set of reasonably priced equipment was recently estimated at the University of Michigan to total $3,500. Repair service is estimated at $200 a year. The equipment will probably be obsolete in five years, so that the entire cost should be regarded as $700 a year obsolescence plus $200 a year maintenance, or $900 a year per school. For approximately 150 accredited law schools in the United States, at one set of equipment per school, the cost of a five-year program would be slightly under $700,000.

2. Closed Circuit Television of Court Proceedings

Closed circuit television offers an effective way of exposing students to what really goes on in a courtroom without the tremendous waste of time involved in visiting courts. Although it may seem like a good idea for students to take a trolley car down to the courthouse and see justice at work, there is usually a tremendous waste of time involved. Aside from the time in going and coming, trials are constantly recessed while onlookers sit by twiddling their thumbs. Furthermore, there is no opportunity in the actual courtroom for a professor to explain to the student what is going on. Even if the professor were to waste his time by sitting in the courtroom waiting for something to happen, he would not be allowed to lecture to his students there.

A solution to this problem has been found in the creation of an adjunct courtroom in the law school, connected by closed circuit television with the courtroom downtown. A major problem in this connection has been satisfying the court that there is no violation of the canons against broadcasting of court proceedings. There is no broadcast, because the proceedings are visible only in a particular room, which is subject to the same rules as the courtroom itself. It is open to the public, it is uninterrupted by commercials, and there is no opportunity for editing.

Another consideration which has disturbed some people in this connection is the fear of cluttering up the court with whirring cameras and klieg lights. This is completely unnecessary. It has been found possible to mount a television camera in a remote corner of the courtroom which plays upon the trial area, and which can be pointed and zoomed by remote control from the adjunct courtroom in the law school. There is no special lighting, and absolutely no noise in the courtroom. Only a detective can even detect in the courtroom that a television camera is playing on the scene.

This device makes it possible for students in the law school to become familiar with what is going on in court without wasting time going to and fro. When proceedings are recessed, the professor may interpret the court proceedings, or the students may pursue their own reading.

Successful experience with closed circuit television in an adjunct courtroom has been conducted for over ten years at the University of Michigan.

The initial cost of equipment, including installation of coaxial cable, was about $15,000. Yearly maintenance charges are about $500. Assuming a five year obsolescence for such equipment, the annual costs would be approximately $3,500 per school. For 150 accredited law schools in the United States, the total cost for five years would be about $2,625,000.

3. Computerized Programmed Instruction

The classic dream of education has always involved a "dialogue" in the literal sense of a conversation between two persons -- Socrates and Phaedo, or Mark Hopkins and a student on opposite ends of a log. Unfortunately, one-to-one instruction has never been available except to a very few privileged persons, like the Emperor Marcus Aurelius and his philosopher-slave, Epictetus.

One-to-one conversation on a technical topic has been made possible on a mass basis by computerized programming. On the subject of the Federal Rules of Criminal Procedure, Professor Arthur Miller has prepared a program in which the computer flashes a question to the student, giving him a choice of answers; if he answers one way, he is presented with a further question or comment; if he answers the other way, he has different responses coming from the computer. The student can thus be given a dialogue on the Federal Civil Rules which will cover every point in them, and will make him think as he proceeds. The same dialogue can be engaged in by hundreds or thousands of different students.

Similar programs could be developed with regard to other statutes. A prime example would be the Uniform Commercial Code.

Requirements for the program are a terminal or "console" with keyboard, and a data bank. Most large universities now have a data bank, so that the expense is simply the service time for recording the program, and then for use of the terminal by the student. A terminal can be rented for about $100 a month.

To make effective use of the Federal Civil Rules program, with a class of 100 students, probably 500 hours of computer time (approximately 5 hours for each student) should be allowed, along with the cost of a contribution to development and maintenance of the program, which might be roughly estimated at $1,000 a year. Thus $3,500 a year could sustain a computer program on this one subject. For 150 schools this would involve a cost of $525,000 for one year, or $2,625,000 for five years.

ASSOCIATION OF AMERICAN LAW SCHOOLS

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FEDERAL WORK-STUDY PROGRAM

Excerpt from Letter dated March 26, 1971, from Dean Frank J. Trelease of the University of Wyoming College of Law

* * * * * * * * * *

"I've been informed by our student personnel office that there is an administration bill that would remove graduate students, including law students, from eligibility for *** work-study eligibility. I don't have the references to the bill. This will be a serious blow not only to the students at this school but to the school itself. Our law library is practically run by work-study students, who act as clerical help, reference librarians, monitors, man the desk, keep the library open during the late hours and weekends which law study demands. Some work-study students are research assistants to law professors. The administrative office receives clerical and office boy help from the program. We have an internship program with the United States Attorney funded in part by these funds. But most important, our clinical programs, the Wyoming Defender Aid Service, under which students assist the appointed cousnel for indigents, and our Legal Services office, in which students given legal aid to disadvantaged students and members of the community, are both manned in the summer time by work-study students. We would be literally crippled without this help. The worst effect, of course, would be upon the students themselves. This is a poor man's law school. Most of our students are married. Most are independent of their families and are supporting themselves. Many are older than the typical law student fresh out of college. The work-study program has been not only a help but the only way in which many of them can finance their legal education."

(5/21/71

Senator JAVITS. Thank you.

Mr. CONARD. I would like to present Judge Bell, who will respond to the evening program, because this is an area in which he has had special experience.

Judge BELL. Senator Pell and Senator Javits and Senator Mondale, I am a graduate of the Detroit College of Law, and at that school we did have a day program and a night program. There are two other law schools in the city of Detroit which also have like programs.

I think that is the effective utilization of the space you are talking about, and I think the answer to your question is why is that not being done in large universities; and quite frankly, I see no reason why it is not being done, or could not be done.

I do not envision necessarily the addition of a great many faculty members to accomplish this purpose. I am sure that most of those who are on the faculty would be delighted to receive some additional remuneration for teaching an extra course, law professors being notoriously underpaid.

Senator JAVITS. I might tell you, Judge, that I am a product of a law school from 4 to 8, and I think that, I feel that my education—certainly I have been up against the best—was reasonably adequate. I did not fall asleep in class.

Judge BELL. I would like to further respond to Senator Javits, if I might. I think perhaps one of the answers to your question is contained in this longhand statement that I was compelled to prepare, and if I am permitted to read it, and it is very brief, it will sort of indicate why, and I think perhaps it occurs to me that a legal clinic program has in many instances been associated with minority students, and I am not prepared to say that that may be the reason the administration is frowning on it, but I do think the legal clinical program is necessarily related simply to minority students.

I would like to indicate where.

Senator PELL. I would like to indicate in the record that the counsel of the subcommittee is a product of the 4-to-8 law school.

Senator MONDALE. I guess I am the only one who went to a respectable law school. [Laughter.]

Judge BELL. I am president of the National Bar Association and a judge in the Wayne County circuit court. That court is in Detroit, and is one of general and original jurisdiction, having both a criminal and civil docket.

Let me eliminate some of this, because it simply indicates that when I left yesterday I had prepared both an opinion dealing with the lawsuit that I had heard on recission of a contract, then also a statement that I was going to read here this morning, and I must now confess my mischief, and tell you that had I not reviewed that statement this morning, I would have read to you this morning a brilliant discourse on the rights of a defrauded party to rescind a contract.

I will forward this to you in writing as soon as I return. My brothers who sit here with me at the witness table have forcefully argued the need for clinical legal training in law schools and how and why it is needed to help minority students. When I say minority students, I refer to the blacks, Mexican-Americans, Indians, et cetera.

The position they have taken on the value of such clinical training with its effect on minority students is shared by the National Bar

Association and is consistent with my view as the president of that organization. That position is by now well known to the members of this subcommittee. It is not my wish to persuade you on these points by exhausting you with repetitious facts and figures.

I would like, rather, to tell you how I as a judge view some often neglected but positive effects of the legal clinics. Detroit has one of the major metropolitan court systems in our country.

We do not have a unified State court system, but the problem of which I speak would be present no matter how the courts are structured.

I refer to the tremendous backlog of docketed untried cases that prevail in large cities or large urban areas. Let me share first with you in the Philadelphia experience in the Federal courts.

In an effort to resolve docket congestion, an analysis was made of the kinds of cases pending. Having broken this down into types of cases, a further analysis was made as to the law firms that were trying these cases.

It was discovered that a certain type of case which comprised approximately 40 percent of the docket was being handled by about six law firms—not the small neighborhood law office, or the single practitioners, but the large establishment-oriented law firms.

The chief judge of the district organized conferences with these law firms, and it was discovered that despite their tremendous size in terms of personnel, only a small number actually did the trial work.

They further claimed that those who did were the only ones qualified to do so. After some general and gentle urging by the chief judge, backup men were designated, and the law firms had to send an untrained lawyer into the court with an experienced lawyer.

Within a 6-month period, the trial docket was significantly reduced. The same kind of situation is true in Detroit. There, the law firms will say that their lawyers who do trial work are tied up.

It was determined that about eight lawyers were responsible for over 60 percent of the docketed cases. The criminal-courts judge refused to permit those lawyers to accept any other cases until they disposed of the ones they had on the docket.

These lawyers complained they had to employ unskilled lawyers. No matter, within a period of a time less than a year, the docket was reduced then so that the average trial time of 8 to 9 months was now approximately 4 months. I submit that clinical training would fill this void in terms of having experienced lawyers for trial work.

Docket congestion can be reduced if we meet the challenge of producing lawyers with those skills. I share this with you because you understand that the need for excellence is not just applicable to minority students.

Applicable training in the kinds of situations it is designed to meet goes a long way to attaining a higher degree of professionalism in our young lawyers. The classroom can never be replaced, yet for the most part it is a sterile situation.

Just a simple technique of introducing an exhibit into evidence has produced a minor trauma in an otherwise competent lawyer.

That is one example, and I submit to you there are others. In closing, let me say that my departure from clinical legal programs for minority students is in no way intended to minimize that argument.

Certainly that is one of the most cogent reasons for funding the program. Rather, I have seen how the legal professions and the community as a whole would benefit from the creation and continuation of these clinics.

I would suggest that the application of these clinics would in fact have just that effect on our dockets in our major metropolitan areas, and I think that is one of the most persuasive and cogent reasons we could have for funding this sort of operation.

I hope that answers your question.

Senator PELL. Thank you.

(The prepared statement of Judge Bell follows:)

PREPARED STATEMENT OF EDWARD F. BELL, PRESIDENT, NATIONAL BAR ASSOCIATION, AND JUDGE OF THE WAYNE COUNTY CIRCUIT COURT IN DETROIT, MICH.

Mr. Chairman, my name is Edward F. Bell. I am the President of the National Bar Association and a Judge of the Wayne County Circuit Court in Detroit, Michigan. That Court is one of general and original jurisdiction, having both a criminal and civil docket.

During this past weekend, in the midst of preparing a statement for this Honorable Body, I was also engaged in writing an opinion on a lawsuit that had been tried before me which involved a breach of contract and the remedy of rescission. Upon concluding my Court session yesterday afternoon, I grabbed what purported to be my statement for this (Sub) Committee and fairly raced to the airport so as not to miss my flight. Following my customary procedure, I decided to review that document for the purpose of making last minute revisions. Had I failed to do so, you gentlemen would have heard an absolutely brilliant discourse on what a defrauded party to a Contract must do in order to avail himself of the equitable remedy of rescission. At any rate, I have confessed my mischief and stated publicly that even Judges are mortal.

I would therefore request permission to read into the record what I feel is an embodiment of my original statement and again with your indulgence, I shall forward the same in writing immediately upon my return to Detroit.

My brothers, who sit with me at the witness table, have forcefully and I hope persuasively, argued the need for Clinical Legal Training in law schools and how and why it is needed to help minority students. When I say minority students, I refer to the blacks, Mexican-Americans, Indians, etc. The position they have taken on the value of such clinical training with its effect on minority students is shared by the NBA and is consistent with my view as the President of that organization. That position is by now well known to the members of this (Sub) Committee. It is not my wish to persuade you on these points by physically exhausting you with repetitious facts and figures; Rather, I would like to take a moment to tell you, how I as a Judge, view some oft neglected, but some very positive aspects of the cause of legal clinics, we now champion.

Detroit, as you know, has one of the major metropolitan court systems in our country. We do not have a completely unified state court system as I see it, nevertheless the problem about which I speak would be present no matter how the courts were structured. I refer to the tremendous backlog of docketed, untried cases that prevail in large cities or highly concentrated urban areas. To comprehend the point I am about to make, let me share first with you the Philadelphia experience in the Federal Courts. In an effort to resolve docket congestion, an analysis was made of the kinds of cases pending. Having broken this down into types of cases, a further analysis was made as to the law firms who were trying these cases. It was discovered that a certain type of case which comprised approximately 40% of the docket was being handled by about 6 law firms. Not the small neighborhood law office or the single practitioner, but the large establishment oriented law firms. The Chief Judge of the district arranged conferences with these law firms and it was discovered that despite their tremendous size in terms of personnel, only a small number actually did the trial work. They further claimed that those who did were the only ones qualified to do so. After some very gentle urging by the Chief Judge, back up men were designated and most of the law firms had to begin to send an untrained lawyer into Court with the experienced trial lawyer so that the cases could be disposed of. What happened

is now history and suffice it is to say that within a 6 month period, the trial docket of pending cases was significantly reduced.

The same kind of situation is present in Detroit. The large law firms will say without any reluctance, the guys who do our trial work are tied up in trials in other courts. Their position is not unlike the legal firms in Philadelphia, namely they just don't have the trial lawyers. In our criminal court in Detroit, it was determined that about 8 lawyers were responsible for over 50% of the docketed cases. The criminal court presiding judge refused to permit those lawyers to accept any more cases until they disposed of the majority of their cases on the docket. These lawyers complained, sometimes bitterly, that they had to employ unskilled lawyers in terms of criminal trial work, to assist them. No matter, within a period of time less than a year, the docket was so reduced that the average trial time of 8 to 9 months was reduced to approximately 4 months. I submit that clinical training would fill this void in terms of having experienced lawyers for trial work. Docket congestion can be significantly reduced if we meet the challenge of producing lawyers with these skills.

I share this with you, because it is most important that you understand the need for excellence is not just applicable to minority students. Clinical training in the kinds of situations it is designed to meet, goes a long way toward achieving a higher degree of professionalism in our young lawyers. The classroom can never be replaced, yet it is for the most part a sterile situation devoid of the basics so necessary for today's lawyer. Just the simple technique of introducing an exhibit into evidence, I have observed, has produced a minor trauma, with an otherwise competent lawyer who has received no prior courtroom training. That is one example. I submit to you, there are many and if you have questions regarding them, I shall be happy to respond.

In closing, let me say that my departure from clinical legal programs and minority students in no way is intended to minimize the validity of that argument. Certainly that is one of the most cogent reasons for funding this bill. Rather, I have attempted to show how the entire legal profession and the community as a whole would benefit from the creation of and the continuation of these clinics. In closing, it was the great Dean Roscoe Pound who said and this may not be an exact quote, "The law is a social mechanism and must be judged not by the majesty of its logic, but by the results it achieves."

Thank you for having invited me.

Mr. CONARD. Professor Cohen?

Professor COHEN. We support the statement of the Association of American Law Schools, but urge that law library assistance be included in legislation.

The details of our need are set forth in the formal statement which I submitted, but the problem rests on the fact that existing legislation in aid of higher education or in aid of libraries, have not made specific provision for law libraries. As a consequence, we have received virtually no benefit from any of the existing legislation. Neither the Higher Education Act, the Library Construction and Services Act, nor the other programs have not been effective in reaching our needs.

None of the pending bills I have read included any substantial provision for law libraries, and as a consequence I think the result would be the same. We have been left out of these areas of legislative assistance.

Law libraries are an essential part of legal education, and of the administration of justice in this country. We are faced with two problems, a bibliographic problem with respect to the amount of material we have to handle, and a financial problem in supporting our collections and services.

At a time of increased need, neither the law schools nor private philanthropy, nor the State governments have been forthcoming with funds to meet this situation.

Senator Metcalf mentioned computer applications in legal research and Senator Javits mentioned computer applications in higher ed-

ucation. We in the law library field are excited by these possibilities but we lack the resources to do anything about them.

The Higher Education Act provided help for research in the information sciences. But, again, we have not had receptive responses from the agencies involved in the administration of these programs.

As an example, the Library Services and Construction Act had regulations promulgated under it, and these regulations specifically excluded law libraries, among other specialized types of libraries. (See 45 C.F.R. 130.1[h].)

It would be very desirable to have a law library assistance act, like the Medical Library Assistance Act of 1965. Failing that, we think that amendments could be made to the pending legislation to include specific reference to law school libraries in the higher education acts, in order to get assistance in these areas, the areas of research, library networks, training of librarians and collection development.

We have been in a way the forgotten children in these programs, and we therefore strongly urge you now to make specific reference in the legislation.

With your permission, I would submit a supplementary statement indicating specific provisions in the programs which could be so amended, and to save time now I would be glad to submit that for the record at a later time.

Senator PELL. We would be very grateful. When the record is closed, the staff will examine all the suggestions that have been made, and then we will see what can be done with each one of them.

(The information subsequently supplied follows:)

HIGHER EDUCATION ACT AMENDMENTS APPLICABLE TO LAW LIBRARIES

The specific provisions in the Higher Education Act which we would like made expressly applicable to law libraries are Part A (College Library Resources) of Title II (College Library Assistance and Library Training and Research); Part B of that Title (Library Planning and Research); Title III, Strengthening Developing Institutions, particularly Section 304(a)(5) of that Title; Title VIII, Networks for Knowledge; and Title XI, Law School Clinical Experience Programs.

These various provisions do not now offer any assistance for law library collections, staffing, research and development, but are potentially very useful for improving the contribution of law libraries. If specific reference could be made to law libraries and law librarianship as objects of your intended assistance, either in a catchall provision of overall applicability or in each of the individual sections, we would be assured of the support which we so badly need to improve the contribution of law libraries to both legal education and the administration of justice in this country generally.

COMPUTERIZED LEGAL REFERENCE

Senator PELL. Is there any computerized law library in the United States today?

Professor COHEN. Not as such. Computer experimentation has been going on in a number of institutions.

Senator PELL. Is there any place in the United States or the world where you can take, say, a particular crime, a particular class of offense, and then have all the opinions come out on a series of cards?

Professor COHEN. No. This is a promise that has been held out in the past few years by various groups. It does not seem to us a very realistic

one in the near future. There is a program in Pittsburgh, whereby the State statutes of all 50 jurisdictions have been computerized, so you could run a search through statutory material on a crime, and get references to every statute that is in effect today which would apply with respect to that situation.

However, this has not been done with respect to judicial experience yet.

(Additional information subsequently supplied and the prepared statement of Mr. Cohen follows:)

SYSTEMS ANALYSIS APPROACH TO RESEARCH IN THE LAW

Question. The subject of systems analysis has been discussed in many industries. Has there been any thought given to the systems approach to research in the law?

Answer (Mr. COHEN): We have given a great deal of thought to the utilization of systems analysis, computerization and other developments in information science and administrative management. We have had many discussions in our professional forums and meetings and a substantial literature has developed on these possibilities. There have also been several interesting experiments with respect to the automation of some aspects of legal research and a few attempts at commercial development of computerized research.

However, as was indicated at a recent conference on automation in law libraries held at the University of Chicago, there are many more possibilities for development than there are opportunities to pursue them. Our big problem in this regard is financing. While the scientific information specialists, including those in the field of medical bibliography, have been supported in extensive research and development by Federal funds, we have not had the same stimulus for research and implementation of the ideas now available. For that reason, we strongly urge the amendment of pending bills, both the administrative measure and that introduced by Senator Pell, to make specific reference to law librarianship and law school libraries as intended recipients of funds for these purposes.

AMERICAN ASSOCIATION OF LAW LIBRARIES
53 WEST JACKSON BOULEVARD
CHICAGO, ILLINOIS 60604

Statement of

Professor Morris L. Cohen, President
American Association of Law Libraries

before the

Subcommittee on Education
Committee on Labor and Public Welfare
United States Senate

For Hearings on
Legislation for Higher Education

March 31, 1971

(829)

Statement of Morris L. Cohen, President
American Association of Law Libraries

Before the Subcommittee on Education
Committee on Labor and Public Welfare
March 31, 1971

The American Association of Law Libraries, on whose behalf I appear, is a non-profit educational association of libraries and individuals interested in law librarianship. Among our approximately 1400 members are included practically all of the law school libraries in the United States. We support the statement of the Association of American Law Schools, but, by virtue of our own professional interests and problems, are particularly concerned with the plight of law school libraries. This statement is designed to describe the needs of academic law libraries and to urge that any legislation relating to libraries in higher education specifically designate its applicability to law school libraries.

The law library is at the center of the educational and research program of the American law school. It serves, at once, as a teaching facility for legal research, as a laboratory for the study and analysis of legal problems, and as an archive in which the traditions and sources of our legal system are made available, not only to scholars and students, but also to the bench and bar, legislators and government officials, and the general public. Among the many law libraries in the United States, those in law schools occupy a leading position and render many services beyond the immediate needs of their own institution.

Despite these increasing demands, law school libraries are not now receiving the financial support necessary to acquire the materials, provide the staffs, and offer the services required by their users. The law school library is probably the single most expensive component of a law school's budget. However, the law schools have been unable to develop adequate libraries and now cannot even meet the steadily rising costs for books and materials (10% a year in many cases) and provide the library staffs required for today's law libraries.

Law libraries are unusual in having to provide not only a broad collection of legal materials from the past, but also a complete range of the latest developments from legislatures, courts and administrative agencies. Increasing need is also being felt for foreign, comparative and international legal materials, which, although very expensive, are essential to a fuller understanding of our legal problems, as well as to our relations with the rest of the world. The compounded demands for materials from the past and the present, from foreign countries as well as our own jurisdictions, and from all branches of government which contribute to legal development, require new sources of financing for law libraries.

In 1968, the Association of American Law Schools formulated new standards for law school libraries, including minimum requirements for collection, staff, budget, and facilities. At the

present time, well over one-third of the libraries of member schools in this association have less than the minimum of 60,000 volumes required by those standards. A recent statistical survey showed that 52 of 137 libraries were below the standard in that regard and over 90 libraries had less than 100,000 volumes, which is much closer to an adequate law school library.

Among the other standards adopted was one calling for a minimum book budget of $40,000 for new acquisitions. Thirty-five law school libraries are not presently receiving that very low minimum sum. Most law school libraries are finding it impossible to maintain even the continuations which are essential to provide the current primary legal materials of American law. Such fixed commitments are taking between 75% and 90% of law school library budgets and leave very little for new publications and improvement of the basic collection.

The new developments projected for legal education in the statement of the Association of American Law Schools are having and will continue to have considerable impact on law school libraries. These developments require increased outlays for law school libraries in the following respects:

(a) New methods of instruction in legal education increase the use of library facilities and the demand for additional materials.

(b) Clinical work in legal education requires practice manuals, form books and other tools of the practicing attorney which are not usually acquired in law school libraries and are among the most expensive of legal materials.

(c) The increase in law students from minority and low income groups results in special demands on the library's collection and facilities.

(d) Introduction of new subjects in the law school curriculum, such as environmental law, local government and urban affairs, poverty law, and computer technology, requires major additions to law library collections.

(e) The increase in the law school's interest in foreign and international legal problems requires great expansion of collections in those areas. There are only a few law schools in the United States today with libraries sufficient to support those programs. To provide a really useful foreign law collection in addition to Anglo-American materials, would require a balanced library of at least 300,000 volumes and only six law school libraries now reach that size.

Present salary levels for law school librarians are not adequate to attract and hold personnel with the necessary qualifications. The median salary for all professional librarians (exclusive of head librarians) in the law schools surveyed recently was only $9856. Low salaries of approximately $7000, however, were

reported in several libraries in all size groups. Head librarians, who generally have graduate degrees in both law and library science, show a median salary of $17,112. In the category of libraries with less than 100,000 volumes, however, the median goes down to $13,225 and lows are reported of $7500 and $8000 for libraries of less than 50,000 volumes and between 50,000 and 100,000 volumes.

Financial restrictions affect law school libraries of all sizes. The two law libraries with the largest budgets in the United States are not law school libraries and in fact only one law school library has a budget over $160,000. The average book budget of the thirteen largest law school libraries is only $112,016 and the lowest of those is $89,500. Among the fifty-four libraries with less than 100,000 volumes, the average book budget is a meager $46,415 and the low is $6,700. If we view the expenditure in terms of books per full-time student, we find an average of $158 for law school libraries of all sizes. The number of volumes per full-time student averages only 279 volumes for all groups. Both of these are very low figures in view of the heavy library use in legal education.

Despite this situation, there has been very little private or government assistance to law school libraries. College and university libraries have gained significantly from federal legislation; the nation's medical and scientific libraries have been aided by special legislation; elementary and secondary

school libraries and public libraries have also received wide legislative support over a period of years. However, there has been almost no benefit to law school libraries from any of this legislation or from federal aid to higher education. Law school libraries are rarely the beneficiary of grants from private foundations and are not usually favored as an object of alumni giving.

Although we support the proposed Education Amendments of 1971 and similar legislation, there are a number of areas in which specific improvement should be made to extend its benefits to law school libraries. Where grants are authorized to assist college and university libraries, specific mention should be made of law school libraries as possible beneficiaries of those funds, or at least reference made to subject-oriented academic libraries or professional school libraries. Very little money has filtered down to us from grants to academic libraries under prior legislation of this kind and specific reference is necessary to encourage such allocation. Where grants are continued for library research and the training of librarians, specific reference to the needs of law librarianship, or at least to those of special libraries, would encourage the use of funds for those groups and perhaps assure more adequate consideration from the agencies charged with the administration of those provisions. Finally, if allocations for law library purposes were included in all

grants made to law schools, that would also assure a more adequate degree of the support we do badly need.

The American Association of Law Libraries submics that present financial support for law school libraries is inadequate. As a result, many law school libraries are presently below established standards with regard to collection, staff and budget and most are unable to meet the increased needs of their users and provide the services required of them. We feel that specific governmental assistance is necessary to remedy this situation which is detrimental to legal education and to the whole legal system in our country.

Table I

Number of Law School Libraries in the United States according to Size

Size	Number of Libraries
Very Small (less than 50,000 volumes)	40
Small (between 50,001 and 100,000 volumes)	54
Medium (between 100,001 and 200,000 volumes)	29
Large (over 200,001 volumes)	14
Total	137*

*total number reporting

Table II

Salaries of Head Law Librarians in the United States

Size of Library (in volumes)		Salaries High	Salaries Median	Salaries Low
Very Small	(up to 50,000)	18,800	11,450	8,000
Small	(50,001--100,000)	27,376	15,000	7,500
Medium	(100,001--200,000)	24,480	17,000	12,100
Large	(over 200,001)	31,452	25,000	16,900

Table III

Salaries of Full-Time Professional Law Librarians in the United States
(Excluding Head Law Librarians)

Size of Library (in volumes)		Salaries High	Salaries Median	Salaries Low
Very Small	(up to 50,000)	11,400	8,316	7,950
Small	(50,001--100,000)	18,000	9,300	7,000
Medium	(100,001--200,000)	20,000	9,966	5,101
Large	(over 200,001)	18,500	11,843	7,032

Table IV

The 15 largest law school libraries

University of California (Berkeley)	241,000 volumes
Yale University	470,000
University of Illinois	206,000
Northwestern University	271,000
University of Chicago	265,000
Harvard University	1,149,000
University of Michigan	400,000
University of Minnesota	321,000
Cornell University	234,000
Columbia University	501,000
New York University	325,000
Ohio State University	270,000
University of Pennsylvania	213,000
University of Texas	311,000
University of Virginia	201,000

Over 1,000,000 volumes:	1 law library
From 400,000 to 999,999 volumes:	3 law libraries
From 300,000 to 399,999 volumes:	2 law libraries
From 200,000 to 299,999 volumes:	9 law libraries

Table V

Book Dollars spent per Full Time Faculty Members and Students in the 13 largest law school libraries*

	per Full Time Faculty Member	per Full Time Student
Average	$3,252	$148
High	$5,123	$326
Low	$2,000	$ 36

Book Budgets of the 13 largest law school libraries*

Average	$112,016
High	$160,000
Low	$ 89,500

*excepting Yale Law School Library and University of Chicago Law School Library

Table VI

Book Dollars spent per Full Time Faculty Members and Students in 29 law school libraries having between 100,001 and 200,000 volumes

	per Full Time Faculty Member	per Full Time Student
Average	$2,801	$146
High	$4,858	$322
Low	$1,050	$ 34

Book Budgets of 29 law school libraries having between 100,001 and 200,000 volumes

Average	$67,716
High	$106,872
Low	$ 37,010

Table VII

Book Dollars spent per Full Time Faculty Members and Students in 54 law school libraries having between 50,001 and 100,000 volumes

	per Full Time Faculty Member	per Full Time Student
Average	$ 3,653	$ 180
High	$16,875	$1,709
Low	$ 958	$ 38

Book Budgets of 54 law school libraries having between 50,001 and 100,000 volumes

Average	$ 54,159
High	$169,608
Low	$ 17,990

Table VIII

Book Dollars spent per Full Time Faculty Members and Students in 39 law school libraries having less than 50,000 volumes

	per Full Time Faculty Member	per Full Time Student
Average	$3,570	$159
High	$6,458	$336
Low	$ 500	$ 8

Book Budgets of 39 law school libraries having less than 50,000 volumes

Average	$54,159
High	$169,608
Low	$ 17,990

Table IX

Volumes Per Full Time Student

Law School Libraries having:	Percentage of Total of Law School Libraries	Volumes per Full Time Student
Less than 50,000 volumes	29%	187
Between 50,001 and 100,000 volumes	40%	216
Between 100,001 and 200,000 volumes	21%	273
Over 200,000 volumes	10%	439

Senator PELL. We have one more witness.

Mr. CONARD. Mr. Pincus.

Mr. PINCUS. Thank you, Professor Conard. If it would be possible, Mr. Chairman, I would like to submit for the record a brief editorial in the new and current issue of the American Bar Association Journal, entitled "Clinical Legal Education."

Senator PELL. It will be received.

(The information referred to follows:)

[From the American Bar Association Journal, March 1971]

CLINICAL LEGAL EDUCATION

Clinical training for law students is burgeoning like the flowers that bloom in the spring. A new booklet, *A Survey of Clinical Education Programs at American Law Schools*, prepared by Robert W. Brown of the University of Illinois College of Law and distributed by the Law Student Division of this Association, indicates the number of programs and their variety.

Clinical legal education programs are calculated to serve several purposes. They please those practitioners who feel that law school should teach students how to find the courthouse. They please those students who have become bored with the traditional courses in the curriculum. And if, as is usually the case, the program has a *pro bono publico* aspect, it enables the participants to feel that they are doing something "relevant".

If these programs are judged purely from an educational standpoint, how good are they? On this question there are conflicting views.

One has been expressed by William Pincus, President of the Council on Legal Education for Professional Responsibility (an offshoot of the Ford Foundation), writing in the November, 1969, issue of the National Legal Aid and Defender Association magazine, *The Legal Aid Briefcase*. According to Mr. Pincus, a student learns several things from clinical exposure that he cannot from the classroom:

"First, he learns a standard of performance, a standard that most students will never have the opportunity to learn as they are catapulted into the marketplace and have the pressures of paying secretaries, office rent, and other expenses at the same time they are learning to conduct a practice. Second, a student learns how much of a commitment he can and should make as a human being to a client. . . . Third, the student can learn . . . a sense of injustice, and instinct for needed reform in the machinery of justice and in the social system. . . . Fourth (and related to the third point just mentioned), the law student should learn the distinction between what he can and should do as a professional and what he should be doing as a responsible citizen. The two are not always the same."

On the other hand, Erwin N. Griswold, former Dean of the Harvard Law School and now Solicitor General, recently voiced the hope that Harvard would not go overboard on "so-called clinical training". He conceded that student activities such as legal aid are useful, but he thinks their usefulness and their relevance to the law school's basic function are limited. He said in part:

"There are forces today which are going far, it seems to me, to turn the law schools back to trade schools in the area that is called, somewhat grandiosely, "clinical legal education." This is financed by a large grant from the Ford Foundation and advanced with considerable fanfare and singleness of purpose . . .

"Such work has the pleasure and attraction of immediacy. On the whole, though, it has little intellectual content. There is something to be said for it as an incidental along with the basic law school work. But I would hope that it would not be allowed to displace truly substantial and difficult intellectual work . . .

"I have done a measure of practical work of one sort or another during my professional life, and I feel reasonably sure that my efforts have not suffered from lack of clinical training in law school."

Dean Griswold seems to be answering the argument, often aired by various writers in this magazine, that law schools do not place sufficient stress on practical training. But that is not Mr. Pincus's argument at all. Practical training may be a useful by-product of clinical legal education programs, but it is not what they are aiming for primarily. They seek to provide a new dimension to the student's academic experience and to heighten his appreciation of the actual

ministry of his chosen profession. They are aiming at something more intangible than practical training—the quality which distinguishes the true professional from the craftsman.

Whether clinical training will fulfill this promise remains to be seen. Experience with the experiments now under way should provide the answer.

Mr. PINCUS. Since Judge Bell has been so cogent and eloquent in his statement about clinical legal education, I would like to stress a few points in connection with that. Our organization, the Council on Legal Education and Professional Responsibility has been the source of philanthropic funds for government in this field.

I would like to underscore what Judge Bell said in this area, in this way, that there are more than 80,000 law students in the United States now. This is literally an army of manpower which in the legal field, and I am leaving aside the educational values of clinical education, because they have been well expressed and will be in your record, and are included in fact in summary in our first biennial report, copies of which I have left with Mr. Wexler.

But leaving aside the educational aspect. I would like the Senators to particularly give the law schools consideration because this army of manpower in getting a better education can make an indispensable and so desperately needed contribution to the administration of justice.

We don't have in the legal machinery of our country the kind of contributions by law schools, and this is what we would like to make with your help, as we have in the case of medicine.

As Professor Conard pointed out, the medical students don't have to come to your committee. They are being considered as part of the health services of the United States.

Can you picture what the situation in health services would be if there were no medical students and no medical interns and residents working as part of the health machinery, the health process, or the process of providing health services?

What we are trying to do and say in the law schools is that we can have a better education for the law student and by bringing those law students into the machinery of justice and the delivery of legal services do like the medical schools do for medicine.

I think I would just like to underscore that public benefit aspect and to ask in that connection, which I know your bill does, Senator, to try to have clinical education specifically recognized as in title XI, and not lost in the shuffle somewhere as it easily can be in a general authorization for experimentation and so forth where the administrator may or may not ever become aware of the importance of clinical legal education.

That is all I have to say at this point. I appreciate your courtesy.

Senator PELL. Thank you very much indeed for a very valid point.

BAR REQUIREMENTS

How many States in the Union do not require graduation from accredited law school in order to become a lawyer?

Mr. CONRAD. I think we decided yesterday there are two in that category.

Mr. PINCUS. We could present a statement on that. These are historical remnants of a situation where you could become a member of the bar before that time without going to law school in any State.

ASSOCIATION MEMBERSHIP

Senator PELL. Is being a member of the bar and a member of the American Bar Association two entirely different things.

Mr. PINCUS. Yes.

Senator PELL. Thank you. I think you said more than half the lawyers belong to ABA.

Mr. KUHN. Approximately half do belong, yes. However through the house of delegates, the American Bar Association represents the legal profession in the United States, because while you have to be a member of the American Bar Association to be a member of the house of delegates, we have delegates from the State and local bar associations, affiliated professional organizations, and other categories, so the American Bar Association does represent all of the lawyers in the United States.

Senator PELL. I would like to ask Judge Bell, president of the National Bar Association, how many Negro lawyers are members of the bar and how many non-Negro lawyers are members of the National Bar Association.

Judge BELL. We have nonlawyers who are members.

Senator PELL. Do you have non-blacks?

Judge BELL. Yes, we have nonblacks too who are members.

Senator PELL. What would be the rough percentage?

Judge BELL. Less than 20 people; let me say something else, we number approximately 4,500 in the National Bar Association and there are occasions when we dispute that the American Bar Association represents all of the lawyers in the United States.

Senator PELL. Also how many Negro members are there in the American Bar Association?

Mr. KUHN. I can't answer that question, but there is a considerable number. I don't know just exactly how many belong to the American Bar, because we dont ask the question on the membership application.

Senator PELL. Would you have an informed guess?

Judge BELL. I would have an informed guess. I would say less than 500.

Senator PELL. Less than 500?

Judge BELL. Yes.

Senator PELL. Is there any possibility of both law associations amalgamating, is that on the horizon?

Judge BELL. Not as I view it at the present time, simply because there are certain basic fundamental differences in positions that the American Bar takes as opposed to the National Bar Association on issues, and I think that prevents an amalgamation.

We feel that black lawyers represent a special interest group, the black people, and we have to be in a position to be independent and to speak on behalf of black people on any given issue at any time.

Senator PELL. You can belong to both?

Judge BELL. Oh, yes.

Senator PELL. What are the dues?

Judge BELL. Our dues are $30 a year.

Mr. KUHN. ABA membership dues range from $7.00 per year for attorneys newly admitted to practice law to $40.00 per year for those admitted prior to 1960.

Judge BELL. So it is not exorbitant in terms of cost.

Senator PELL. This was off the subject but I wanted to be informed.

I will ask my good colleague, the former Attorney General of Minnesota if he has any questions.

Senator MONDALE. Let me express my appreciation to the chairman for having the panel of legal educators. It is important, and I appreciate his scheduling this testimony.

I wanted to make one comment about part time law schools. All the law schools we have in Minnesota—full time and part-time—perform a very important function, and in what I say, I don't wish to denigrate any of them, because they all do terribly important work. I think, however, that should pursue a policy in this country of encouraging full legal education, with a full focus on what kinds of responsibilities lawyers have.

I have a very high impression of what a lawyer ought to be, and I think our law schools should reflect the highest standards of the profession, so that their students do not become just tradesmen, but really social philosophers and educators as well, who understand the philosophical and social implications of the profession in the cases and the work they are doing.

This takes a good law school, and it takes a good student a lot of time. You can't wholesale it, and I think if I have any criticism of legal education, I don't think we do enough of it. We don't turn out as many broad gage attorneys as we should.

I think we have been doing well, but making a B or an A minus when we should be getting straight A's.

So just to have a treadmill to turn out lawyers is not enough. The second point I want to make is that I think there is something wrong with the way Congress has approached legal education in all of its aspects, and we must take responsibility for that, but there must also be something very wrong with the way the legal profession approaches the Congress.

We have a lot to learn from the medical profession. You have a lot to learn from Lockheed Aircraft, and the Pennsylvania Railroad, and North American Aviation.

The legal profession and what it brings to this country is desperately needed. We need many more talented lawyers, we need them in many positions.

The organizations have done wonderful work is supporting the legal services program. Indeed, without their efforts there would have been no legal services program, or it would have been one which was hardly worthy of the name.

Senator PELL. I would like to throw out a comment here, that the Senator from Minnesota has fought like a tiger to get a legal fee provision in a presently pending education bill. Indeed I believe his support for these programs, is as strong as anybody in the Senate in that regard.

Senator MONDALE. I appreciate that comment. We also have this new proposal for a separate legal services corporation to preserve the independence of the attorney in representing the poor and disadvantaged.

But I still believe that the legal profession and those of you who represent it must do a far better job of making your case, not just formulating it tacitly on a record, but in a political sense, like you did when the Murphy amendment was up.

In that case the American Bar and the rest of you really did the job,

and that is the only reason the Murphy amendment was dropped and the legal services program was saved.

Mr. KUHN. They did a good job on the 25th amendment, too, Senator Mondale.

Senator MONDALE. That is right.

You are a tremendous lobby if you will work at it. I think we have to look at the pittance for the legal services program, practically nothing for the CLEO program, and nothing for an existing title for a clinical legal education program, and library programs which for no good reason at all excludes law libraries—this reflects a failure not only on our part, but on your part, on the part of the profession to make its case.

I suspect one major reason we are seeing the phenomenal jump in the number of people wanting to go to law school is that young people with a social conscience are more than ever seeing the importance of the legal profession in making this country adjust.

The Ralph Naders are the real reformers in America today, and they are lawyers. The legal services staffs have done remarkable things around this country, and they are lawyers. One of the best arguments we have for a gifted young person who is about to turn off American society is what these magnificent young people are doing in the legal professions.

They are now responding by now wanting to go to law school and learn the same skills, and we have to meet that need, it seems to me, with adequate financial assistance for these students and with good law schools, with good law libraries, with good clinical legal programs, with outreach programs for the gifted young black and brown and red because we need people who are sensitive to the problems of the poor and disadvantaged—and we need a strong CLEO program.

But we don't have it. I would be glad to cooperate with in any way possible on any of these proposed amendments if no one else wants to. I would be glad to sponsor it and try to make certain that our higher education bill clearly includes all those proposals.

I am sure we could get bipartisan response and sponsorship on any of these proposals, and I would be glad to work with you. Then we get to the point that the chairman talks about, which is funding.

You know, we are always authorizing dreams in this committee, and then we appropriate peanuts, and we need your help on the appropriation side as well.

I remember the last time—in the 1969 OEO amendments—we really made a strong recommendation for CLEO. We suggested $5 million. What did they come up with?

Mr. CARDOZO. CLEO has been batted between OEO and HEW under programs that are labeled for other things. In OEO, it was the legal services program funded, and then in HEW it is going to be another program that it has been fitted into.

So there is no line appropriation for CLEO. We had to get it, as far as the Government is concerned, from the other funds.

Mr. PINCUS. I think it was $800,000, Senator.

Senator MONDALE. Yes, and we suggested $5 million. We had some bargains with them up there. The man who made the bargain got canned, but the other man that——

Judge BELL. There is a point that I would like to bring up. If in fact the funding of these kinds of programs is made on strictly a minority-type basis as an aid to minority students, I suspect that you are always

going to have a problem with funding, which is principally the reason I switched my thrust and started to talk about improving the overall administration of justice, and I think that is something that is salable.

If you go to some of your colleagues in the State houses and senates and you start talking about we are going to do this for black people, you can be shut out at the gate. But if we can do it as, again, I say, from an overall picture of helping the entire spectrum, the entire overall administration of justice, we can show how that will be improved by these programs, that is pretty hard not to buy, as I view it.

Now, I could be totally naive in this aspect but as I view it, I think that may be a better route.

Senator MONDALE. There is a point in the association of law schools statement that I agree with, and that is that it is not just very poor who are having trouble going through good law schools. The cost of legal education today is so high that the average middle class family has trouble funding their son through law school, or their daughter. They all need help.

I agree on that, but I don't think we should underestimate the importance of continuing to focus on the particularly difficult problems of the disadvantaged. Now, we say there is a dramatic rise in Indian education. How many Indian kids are there in law school in the country today?

Judge BELL. Less than a hundred, I would say.

Mr. CARDOZO. I would say it is close to a hundred.

Mr. PINCUS. I have met five now in the University of Montana Law School. I believe they and the University of New Mexico are about the only places that have sizable contingents.

Senator MONDALE. Does the Association of Law Schools have estimates, or do you keep records, on the approximate number of minority students, black, brown, and red?

Mr. CARDOZO. We do make an annual survey of the number from minority groups, and we have the number of blacks and Indians and so forth that were in the law schools last year. We have not got it for this year, because the survey has not yet been made.

Senator MONDALE. Could we have, for the record, the figures from last year?

Senator PELL. I think it would be very helpful.

Mr. CARDOZO. We put them in the testimony last year.

Senator MONDALE. Could we have, for the record, the estimated number of minority students in law schools around the country who graduated?

I would like to know how many graduated. I would like to know how many students were a part of the CLEO program, what the breakdown of those students were, I would like to know how many students there are, which law schools have them, and I would like to have somebody submit, I guess, a proposed series of amendments to deal with the problems—I see Mr. Tracy back there. He can probably see this is done.

I think it would be helpful to have those things for the record and then proposed amendments.

Senator PELL. It is a very good idea indeed.

(The information referred to follows:)

COUNCIL ON LEGAL EDUCATION
FOR PROFESSIONAL RESPONSIBILITY, INC.
280 PARK AVENUE
NEW YORK, NEW YORK 10017
697-6800

April 2, 1971

Honorable Claiborne Pell, Chairman
Subcommittee on Education
Committee on Labor and Public Welfare
United States Senate
Washington, D. C. 20510

Dear Senator Pell:

On March 31, 1971 when I appeared before your Subcommittee, you requested me to submit two paragraphs on the nature of clinical legal education to be inserted into the record of the hearings.

Clinical legal education, properly defined, is experience in lawyer-client work under law school supervision for credit toward graduation from law school. This involves work with clients from initial interview through court appearances, if the case goes to court. While students in every jurisdiction work in the pretrial stages as lawyers with clients and also assist their supervisors in court, 33 jurisdictions now authorize students themselves to practice as lawyers in court -- the number having doubled in only two years in order to encourage law school clinical programs. A clear definition is found in the Maryland rule for student practice adopted in 1970: " 'Clinical program' is a law school program for credit, held under the direction of a faculty member of such law school, in which a law student obtains practical experience in the operation of the legal system by assisting in the handling of cases before the courts." This definition of clinical legal education is reiterated in part of the statement of the Association of American Law Schools filed with your committee last year as follows: "The simplest definition of clinical legal education is any program which takes students out of the classroom and into the presence of 'clients' in the outside world. A typical example is letting students work on actual live cases -- civil or criminal -- under the supervision of a licensed lawyer. Usually this takes place in a legal office, an OEO-funded neighborhood law office, a public defender agency, a prosecutor's office, or a legal clinic operated by a law school."

There are other field experiences -- not clinical -- which may add to the education of a law student, as they would to the education of any student in higher education. These include experiences as observers, as interns in private or governmental agencies, or simply field research. Such experiences should not be mislabelled "clinical". They are not unique to legal education. Political science, economics, journalism and sociology students, among others, are increasingly turning to such field experiences. But clinical legal education -- the pretrial lawyer-client experience, and the preparation and trial of cases -- is the unique opportunity and responsibility of law students and their teachers. It expands legal education itself, producing better prepared and better lawyers -- the hope of an improved bar. It also puts more than 80,000 law students into public service, providing legal services to the poor, helping public defenders and prosecutors, and helping the overburdened judiciary. All this public service is done as a normal part of professional education in clinical work just as medical students provide an army of manpower for health services. Both the educational and the service aspect depend on the proper definition of clinical education given above and its distinction from other field experiences.

I hope these comments will help you and your colleagues to frame legislation which is specific and directed to clearly understood purposes. I stand ready to be of further assistance to the committee.

It was a great pleasure to appear before your subcommittee.

Sincerely,

William Pincus
President

WP:mb

ASSOCIATION OF AMERICAN LAW SCHOOLS

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May 25, 1971

Honorable Walter F. Mondale
United States Senate
Washington, D.C. 20510

Dear Senator Mondale:

When representatives of legal education appeared before the Subcommittee on Education on March 31st to testify in connection with hearings on higher education legislation, you requested that we submit for the record some information concerning the program of the Council on Legal Education Opportunity. You were particularly interested in the number of students who were part of this program, how many have graduated and schools attended.

We think the best way to answer your questions is to enclose with this letter a copy of a draft of a report which was recently prepared by the CLEO staff detailing the operation of this program, which was begun in 1968. Of course, the CLEO students are only a small part of the total enrollment of the minority and disadvantaged students in law schools around the country. Unfortunately, enrollment statistics for the current academic year are not yet available, but we are under the impression that there has been a significant increase in the number of these students from that which we reported for the 1969-70 academic year in our prepared statement submitted for the record last year when the Subcommittee on Education was considering higher education legislation. This appeared in Part 1 of the printed hearings on S.3474 and related bills (91st Cong., 2nd Sess.), the "Higher Education Amendments of 1970", at pages 858-894. The information specifically about enrollments appears at page 866.

One of our principal concerns, as you know, is that federal financial support for the continuation of the CLEO program be assurred by the granting of appropriate statutory authority to the proper federal agency or department to insure this result. In the prepared statement which we submitted to the Subcommittee on March 31st, we briefly reviewed the history of funding arrangements

for this program from private sources and through the research and development funds of the Office of Economic Opportunity. We further indicated that, in our view, support for a program along the lines of the CLEO program seemed to us to now be a proper responsibility of the Department of Health, Education and Welfare, in the absence of any other existing appropriate federal agency. Thus, we noted our concern that the Department be given the appropriate statutory authority to provide stipend assistance to disadvantaged students in schools of law. In this connection, you will note that we commented on the proposed new Section 461 in the Administration bill (H.R. 5191; S.1123) which would grant authority to the Commissioner of Education to provide stipend assistance to such students. We support this provision in principle, but we feel that the limitation of $30.00 per month, or any comparably small amount, is patently inadequate for disadvantaged students in law and other graduate studies. Perhaps the proviso that exceptions may be made in "exceptional cases as determined by the Commissioner" will alleviate this problem, especially if it is understood that this language would encompass all of the students covered by a program of the CLEO type.

Very respectfully yours,

Peter L. Wolff
Assistant to the
Executive Director

Enclosure

cc: Honorable Claiborne Pell

CLEO

GENERAL DESCRIPTION

CLEO (Council on Legal Education Opportunity) is a federally funded program, begun in 1968, seeking to enable the "minority" or "economically disadvantaged" student, with "marginal" or less conventional admissions credentials, to have an opportunity to attend law school. To this end, CLEO inspires and cosponsors recruiting programs to inform and encourage students, particularly minority students, to choose law as a career; operates six-week summer institutes, with the cooperation of many law schools, so as to provide the selected students with a vehicle to identify their capability to succeed as law students and to become acclimatized to the process of law study; and provides an annual living stipend to those summer students who continue on in law school. CLEO is sponsored jointly by the American Bar Association, the Association of American Law Schools, the National Bar Foundation and the Law School Admission Test Council.

For the 1971-72 program year CLEO will be funded by both O.E.O. and H.E.W. Approximately 85 per cent of the total federal funds will come from O.E.O.'s Legal Services Division and the balance will come from H.E.W.'s Office of Education. These funds will provide for the operation of seven regional institutes this summer, accommodating 200 students. These 200 students will then receive $1,000.00 per year to help defray their living expenses while in law school. The conditions on this grant are: (1) the student must enter law school in September, 1971; (2) he must continue on in good standing for the three consecutive years; and (3) the law school in which he enrolls must provide for the student's tuition in the form of a grant, loan or combination of the two.

Most summer institutes are operated by a consortium of law schools, with the host school assuming primary responsibility for administration. This year's host schools for summer institutes are:

1) Howard University

2) University of Florida

3) Tulane University

4) St. Louis University

5) Texas Technological University

6) University of Denver

7) University of California - Davis

All of the institutes will conduct six weeks of course study. They will provide students with exposure to three substantive law school courses and a legal writing course. The courses will be taught by experienced law faculty. In addition, the institutes will be staffed by student assistants. These student assistants are minority students already attending law school.

CLEO enrolled its first class in 1968. Of the 93 students who began law school in September, 1968, six graduated mid-year of this academic year, and the bulk of the 65 remaining will graduate this June. These students receive an annual living stipend of $1500.00, provided by a grant from the Ford Foundation. The class of 1969 was considerably larger than that of 1968 and the funds for stipends has been a patchwork of various private sources. For those of the 399 students of the class of 1969 who entered law school in September, 1969, and continue in good standing, the level of support is fixed at $800.00. The 1970 class is the first to receive its stipends from federal funds. Beginning that year O.E.O. Legal Services not only provided for the costs of administering CLEO but granted funds for a class of 200 sufficient to provide stipends in an average annual amount of $1,000.00.

PROGRAM DATA

During the past three summers, 1968, 1969, 1970, CLEO has sponsored a total of twenty-two Regional Summer Institutes enrolling a total of 817 students. Established and operated very largely on an experimental basis, the purpose of these institutes has been varied: some were primarily compensatory or remedial, some were primarily screening devices to identify students who showed promise of success in law schools and others aimed primarily at orientation and conditioning students for the law school. All had mixed purposes.

Although the target groups for CLEO were originally designated as "Negroes, Spanish-Americans and American Indians," applications have appeared from a very wide spread of ethnic, geographic groups. On the face of it, it is very clear that CLEO's existence and its activity in pursuing its goals--particularly through summer institutes and recruitment conferences which it has also co-sponsored--has stirred enormous interest on the part of minority and disadvantaged group members in the law as a profession. Likewise, great interest and support on the part of laws schools of the Bar has been stimulated.

The Summer Regional Institutes and Law School Admissions:

Seven of these Regional Summer Institutes, lasting six weeks, were held in 1970 at Miami, Florida, Washington, D.C., Philadelphia, Detroit, Seattle, Tempe, and Houston. A total of 211 students were

registered in these institutes, of whom 195 were certified for final admission to law school. Detailed statistics on the performance of all three classes of CLEO students are shown in the following table:

Total number of students all CLEO Institutes, 1968-70----------817
Total number of CLEO students entered Law Schools 1968-70----------677
Total number CLEO students enrolled in Law School Sept., 1970------584
Total number CLEO students receiving Financial Aid Sept., 1970-----577
Total number Law Schools Enrolling CLEO students, all classes------105

1968 Class -- Total number post-senior CLEO students 122

No. of Students Entering Law School	Year	No. of Law Schools Enrolling
93	1968	33
2	1969	31
6	1970	28
101	1968-1970	33

77 at present (September 30, 1970) enrolled in law school;
8 of original enrollees failed;

The others either resigned from the program or left it temporarily while in good standing for good cause such as military service. Contingency eligibility is possible under the terms of the funding grant only for the 1968 class. Hence, of those who left temporarily in good standing, six have returned to law school this year. Six more of those who have deferred entrance for military service have indicated that they will enter law school in 1971.

1969 Class -- Total number post-senior CLEO students 444

No. of Students Entering Law School	Year	No. of Law Schools Enrolling
399 *	1969	91

* Includes 16 post-juniors from 1968 class

322 at present (September 30, 1970) enrolled in 80 law schools
44 failed
24 did not enroll because of military service or other good cause
9 status unknown

322 at present (September 30, 1970) enrolled in 80 law schools and receiving financial assistance. Of original enrollees, 44 failed; 24 withdrew or did not re-enroll because of military or other good cause; 9 status unknown. Of the 61 students in this class who did not enter in 1969, approximately 25 entered first year in law school in September, 1970, or returned after having withdrawn during the previous year.

Since the grant of financial assistance for all who did not register, or who failed or withdrew during the year 1969-70 was vacated, it has not been possible to ascertain precisely how many of this group are presently in Law School. Apparently, therefore, there is a total of approximately 340 CLEO students of the 1969 class and juniors of the 1968 class at present in law school.

1970 Class - Total number post-senior students 211

No. of Students Entering Law School	Year	No. of Law Schools Enrolling
187	1970	70

3 failed to enroll in law school for reasons unknown
5 status unknown
16 failed at the Institute

The first CLEO graduate is expected to finish law school in December, 1970. The main portion of the class, numbering 68, should complete law school in June, 1971.

Financial Assistance to CLEO Students:

Financial assistance at varying levels has been provided all CLEO students who successfully completed the Institutes. It cannot be argued that the amount of assistance available for any class has been as large as hopefully it would be. Consequently, within the limitations of funds received, and the terms of the grant, the members of the 1968 class have received $1,500 for living expenses only for each of their three years in law school, while the law schools provided tuition and fees. The members of the 1970 class will receive an overall average of $1,000 per year for living expenses for each of their three years in law school.

For both the 1969 and 1970 classes, the law schools provide tuition and fees by grant, loan or a combination of the two in accord with the policy of the law school applicable to all other students. Unfortunately, it has only been possible to guarantee the 1969 class $800 per year one year at a time. Furthermore, it has been necessary to reject all contingency eligibility for this class because of lack of funds. In fact, for each of the classes the careful husbanding of funds available has been necessary in order to meet the demands made upon them.

Financial Assistance to CLEO Students in Law School:

Financial assistance while in law school to the 1968 class was provided from a three-year grant of $450,000 made in 1968 by the Ford Foundation. By its terms, the grant was to provide $1,500 per year to each of 100 successful members of this class for living expenses only, and the law schools were to provide for tuition fees. Assistance to the 1969 class has been provided grants in 1969 and 1970 totalling $689,400. Two of these grants, from the Ford Foundation for $250,000 and Rockefeller Brothers Fund for $225,000 were three-year grants. The remainder is provided from annual grants totalling $194,400 by the American Bar Endowment and $20,000 from the International Business Machines Corporation. Nevertheless, the funds raised for support of the 1969 class fell far short of our expectations. Consequently, since more than three times as many students were to be supported in this class than in the 1968 class, it has been possible only with greatest of care to provide these students with assistance at the level of only $800 for 1969-70 and 1970-71. At the present time, it is not possible to guarantee even that figure for their third year in law school (1971-72).

For the class of 1970, a more encouraging situation exists. The terminal renewal of our grant by the Office of Legal Services of OEO included an item for the in-law support of the 1970 class of 200 students for three years at an overall level of $1,000 per year, totalling $466,000. One of the conditions of this grant, however, presupposes an annual attrition of 30%, at the end of the first year and 10% at the end of the second. This may actually be too high for the second and almost certainly for the third. Because of the more rigid screening of the 1970 class, the second year re-enrollment may well be larger than the anticipated 140 and the third year larger than the anticipated 126.

The following is a summary of funds received for financial assistance:

	1968	1969	1970	Totals
Ford Foundation	$450,000	$250,000	----	$700,000
Rockefeller Brothers Fund	----	225,000	----	225,000
International Business Machine Corp.	-----	20,000	----	20,000
American Bar Endowment	----	194,400	----	194,400
Office of Legal Services, OEO	----	-----	$466,000	466,000
	$450,000	$689,400	$466,000	$1,605,400

A note should be made of the very substantial contributions of law schools in form of tuitions and fees, and funds raised by the state and local bar associations, and some individuals for the support of minority and disadvantaged law students. Some of these efforts have been independent of CLEO and some have been in cooperation with, or as consequence of CLEO's efforts. Unfortunately, it has not been possible to list all of these efforts or to give the total amount of the funds thus raised. Finally, the Ford Foundation has provided one additional source of financial assistance to minority students by establishing a guaranteed loan fund through the United Student Aid Funds, Inc. of New York.

Recruitment of Minority and Disadvantaged Students for Law Schools:

During the winter of 1968-1969, CLEO co-sponsored with certain law schools and local bar associations and the LSAT Council two Recruitment Conferences. In the winter 1969-1970, the number was increased to ten, held at Boston, Cleveland, Washington, Atlanta, Chicago, Santa Fe, El Paso, Tempe, Denver, and St. Louis. In addition, a special circuit-riding type of recruitment conference was staged jointly by the four Louisiana law schools, CLEO and the LSAT Council. With the exception of the Louisiana effort, these were one-day affairs, and were deemed highly successful. Six one-day conferences were held in the winter of 1970-1971, as well as a group of conferences geared especially to the Southwest and the special conditions of that area.

The Information Clearinghouse and the Toledo Review Symposium:

There has been established at the University of Kentucy Law Library an Information Clearinghouse, containing a collection of reports, published articles and other materials relating to the problem of the mincrity group lawyers, and legal education and minority group members. This material has been catalogued and prepared for lending on an inter-library loan basis. A catalog or index of materials included in the collection will be available shortly.

There also was publication in November of a special issue of the Toledo Law Review, devoted entirely to a symposium on "Disadvantaged Students and Legal Education--Programs for Affirmative Action." It is a double issue, containing 31 articles. CLEO has participated in the organization, editing and support of the symposium in this issue of the Review. Some copies are available for distribution by CLEO and others will be placed in the Information Clearinghouse Collection at the University of Kentucky Law Library.

CLEO Funding, 1971

At the time the last grant authorization for the support of CLEO was made, OEO arrived at two important conclusions. First, it concluded that CLEO was an extremely valuable and productive endeavor. Secondly, it concluded that given the limited financial resources available to OEO and the apparent aura of uncertainty surrounding that agency's future funding, it was in the best interests of both OEO and CLEO that CLEO seek out permanent funding from some other source.

Various meetings have been conducted with OEO and HEW officials; and CLEO has analyzed HEW legislation, and prepared various documents on the existing legislative authority pertaining to its program design. It is clear that present legislation severely limits the power of CLEO to serve the community.

THE CLINICAL COMPONENT
IN
UNIVERSITY PROFESSIONAL EDUCATION

by
William Pincus, President
Council on Legal Education for Professional
Responsibility, Inc.

On the occasion of the Centennial Celebration of
The Ohio State University
Columbus, Ohio
November 3, 1970

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THE CLINICAL COMPONENT IN UNIVERSITY PROFESSIONAL EDUCATION

In other times and circumstances one might take up clinical education directly for its intrinsic merits within the professional school curriculum without reference to other problems of education. We might forego examining even briefly the university and higher education outside the professional school. But the broad title of this program, Professional Education in the Contemporary University, suggests a wider look at the university and higher education, at least for perspective. An even stronger incentive for such a look comes from the recent upheavals on campuses in which physical violence became commonplace.

Because of such an abundance of wide-ranging social protest with tactics and philosophy of destruction, it is in order to point out that there are critics of the university who are friends of the university and of higher education, and who are concerned with preservation of human values and improvement of education through reform. Advocates of clinical experience in the law school count themselves as such critics.

What is the clinical component in university professional education? The clinical component is that in which the professional actually performs a specialized service for a person who needs his particular skill. It is the practice of the profession as a student

under faculty supervision. When done in a professional school as part of qualifying for the professional degree it is properly called clinical education since it involves the teaching, supervising and rating of the student's performance by someone representing the professional school. In medicine the customer for the service is called a patient. In law he is called a client. The same or similar terms are used in other professional-customer relationships.

I. CLINICAL EDUCATION AND THE UNIVERSITY

In the overall scheme of higher education, because it takes the advanced student out of the classroom, clinical education in the professional school is a corrective for the deficiencies inherent in a long process of classroom type education where the student has larger and larger doses of so-called knowledge pumped into him over a longer and longer period of time on the assumption that it is all good for him. Educators tend to overlook the corrosive effect of so much confinement to the campus on the human personality. The student's role is passive. He is locked away from the rest of the world in the sense that he is a consumer and not a producer of foods, services, or even ideas. He reaches and passes well into adulthood still being spoonfed from various sources, and most especially by the university and its faculty whom he sees more than anyone

except his fellow students. At most the student may have an occasional opportunity to become an observer in some field experiences. He fails to find anything that is peculiarly his as a contribution to the world. He suffers from an increasingly poignant sense of lack of fulfillment. A fundamental part of the student's personality is retarded in its growth - that part which takes us through life with at least that small sense of security which comes from the knowledge that we can do something of consequence to others in the larger world. The older we get, the more we need to participate in a productive way in the larger world and not just in the university world, for we know instinctively that somewhere out there is the real world for all of us; and that for most of us formal education is the preparation for the real thing - not the real thing itself.

Because human development also requires learning through doing clinical education is a necessity at the professional school level in higher education. It gives the student a real life role in the world as an integral part of his education. Though not the whole answer to what is best for the human personality and soul in a prolonged educational process, the clinical element can serve to make educators aware that they should concern themselves with the whole being which is the student as well as about how to make a

better technical or intellectual contribution in their specialty. For we will not truly educate, or even know the tranquility we need to educate, if we do not also address ourselves to the basics in human development, as well as to cutting out the cancer of war, the vices of society at large, and even the corruption in the university. For it is the innate restlessness of the frustrated and unfulfilled adult student, as well as these other factors, which results in the phenomena we are witnessing on campuses.

We shall continue to be shortsighted if we do not read these signs correctly. Certainly educators have to be concerned about what appears on the students' placards, although they do not have to adopt the same viewpoints. But they also need to be concerned about what is not on the posters and placards. How long should higher education be? Can the students afford the price, psychologically and otherwise, of so much exposure to intellectual brilliance? Or could they do with a semester or two less here and there along the way? Universities are not organized at all, let alone organized to consider such problems. But they will have to reorient their thinking along these lines if the definitions of the problems and their answers are not to be dictated from the outside.

Unfortunately, even educationally-oriented foundations have not awarded attention to

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such fundamental educational matters. They have catered to and encouraged questionable propensities in universities, instead of acting as constructive critics whose strength comes from steadfast support of higher education. Philanthropy has been uncritical instead of being the private, friendly critic higher education needs. Its record is not good enough. How many grants have been made for quality education in fewer years as contrasted with grants encouraging longer years of study? How many have even raised the possibility of going one way rather than the other? Perhaps the fact is that philanthropy too has viewed higher education so much in terms of the teacher that the student is all but forgotten. Foundation grants have tended so much to encourage research, consulting, travel, etc. - all activities which by and large reduce teacher-student contact, rather than increasing it. How to reverse these tendencies involves tough problems worthy of the best brains in philanthropy and in higher education. The directions we need to take may be indicated by suggesting that we should get agitated over what we may be doing to our students, as well as for them. Clinical experience in the professional school is a force for making us confront this issue because it does make the student an actor as well as a spectator.

Peculiarly enough the isolation of students in prolonged higher education of the traditional type also leads the student to assume an air of intellectual arrogance and superiority. There is a prevailing tendency always to substitute great thoughts for the apparently small deeds which human existence calls for. One can detect such arrogance even in the so-called revolutionary campus rhetoric and most certainly in the actions of those who perpetrate deeds on the academic community in the name of change or revolution for the better. In this sense, it appears, the student learns too well some of the lessons of the academic community. The longer he stays on campus the more he deals in the currency of the realm; large issues; masses of people; intellectual gymnastics; verbal fireworks - either hissing sparklers or exploding charges.

The human experience is distilled into abstractions, necessarily so, for the purposes of teaching. But there is a dehumanizing element in all this. Individuals and their petty lives become reduced in size and consequence. We forget that smallness and decency are more of the essence of humanity than greatness and brutality. We don't learn how to deal with one person's problems, or even with those of hundreds or thousands. These become intellectually expendable. Physically removed on the campus from the masses, teachers and students seem to believe that their thoughts grow in importance as

they deal with millions and with larger issues. Smaller quantities of people can be ignored or brushed aside. We do it subliminally in the educational process at the higher levels, particularly in law and in the social sciences.

It is an easy leap from learning about life in this dehumanized way to believing that this is the way actually to approach the solution of life's problems: exclusively on a grand scale. Think big! This is the lesson the students learn well, capitalizing as well on the natural affinity and need of the young for arrogance. Analysis on a global or cosmic scale leads easily to "solutions" on a global or cosmic scale.

Clinical education, in its confrontation with the individual's share of the world's headaches, humanizes the educational process. It teaches that while the professional's intellect dissects the larger problems and places the individual's plight in the larger setting, the professional's dedication and skill also has to be used in solving the individual's problems for the sake of the individual and not for the sake of the answer to the big problem. In the person-to-person helping role, the professional, still as a student, begins to add to his intellectual competence a feeling for humanity and decency. He learns through the insistent demands of another personality the necessity of placing restraints on his own leanings: to work out approaches that are suitable to more than his own inclinations, to

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repress the arrogance which would dictate answers for others.

Related to this is clinical education's value in inculcating a bent for persistence and application, for sustained constructive effort, despite the inevitable frustrations of life. It should be easier to appreciate the destructive inclinations in many today, when all of us have heard the shrill exhortation to burn and otherwise destroy, coupled with the assurance that the aftermath of an orgy of destruction is bound to be paradise on earth. Some of us may suspect that, instead, the intervening fires of hell may serve as the model for the ensuing state of affairs. But the important thing is the recognition that the educational process has to take into account the development of maturity by encouraging experience which teaches us how to live with frustration as well as achievement, in fact to use each frustration as a launching pad for achievement.

It is not surprising that the rage of rebellion vents itself so fiercely on the university. Thus it is in regard to those from whom we expect the most. Rage against parents can be savage. A whole profession of psychotherapy has been built on this phenomenon. The university inherits the same unenviable position. It becomes the object of fury stemming from frustration when the young discover the imperfections in their parents and in the

university, and, of course, in the rest of the world. When we are small we instinctively strike out at the loved one when we do not get what we want. As we mature, we learn to turn our propensity for violence and destruction because of frustration into an energy for constructing our own version of the world. We realize instinctively that there is no merit to destruction per se. We enjoy decreasing satisfaction in what others can hand over to us. We move to constructive action for ourselves in what is known as responsibility. We learn how to live with loss as well as with gain along with those who say: "You can't win 'em all."

Clinical education contributes to accelerating this passage to maturity and to constructive behaviour. It rewards the person with an instinctively well-ordered direction and philosophy by giving him the opportunity to move toward his goal by tangible acts. Clinical education teaches that, no matter how well-conceived a grand scheme, it takes dedication and work over a long period to move toward realization of the scheme. It also instructs that no scheme, however brilliant intellectually, has any meaning if it cannot be translated into the demands of human existence and individual lives. Clinical work prepares us additionally for life as people and professionals by making us able to mov ahead in spite of loss and frustration, by giving us enough avenues of forward motion and

new opportunities, because there are always individuals who can open avenues of success for us, in addition to those who are our companions in failure.

There is still another aspect of higher education which stands to be humanized by clinical education. The reference here is to the phenomenon of so-called credentialism and the self-centered outlook it engenders. Parenthetically it should be noted that self-centeredness is also at the root of other problems already referred to: educators who see the schools as serving their purposes with an accompanying lack of concern for students; educators and students who develop an arrogance that they know best for the rest of the world; and students who want what they want and now, so that persistence beyond frustration is not considered an important human trait to be cultivated.

American higher education has provided, and continues to provide, credentials for those who did not inherit them, making it possible for such persons to move to higher positions professionally, socially, and economically. With all of the criticism that any aristocracy is subject to, credentialism based on higher education is like democracy "the worst system except for all the rest." It needs to be improved, not scrapped - at least until a better system is devised.

Being so widely available in this country, higher education has contributed enormously to social mobility. In the process it has been sold on the basis of economic and social benefit to the individual. Statistics have been marshalled showing the higher life earnings of a college graduate. There has been little subtlety in this effort, because the purpose has been to appeal to the strongest personal motivations of the young generation, and of their parents who pay the taxes and vote the public policies which are the foundation of support for institutions of higher education.

If these motivations are strong at the college level, they are stronger at the graduate and professional school level. They have to be, to justify the added investment of time, money, and everything else. They are, because the professional school is even more clearly designed to lead into a paying occupation of high standing.

Thus there is a powerful element in education stressing that it is for the personal benefit of the student. Probably the unspoken assumption is that society benefits this way - according to Adam Smith - as each one pursues his own end.

While these motivations are essential, educators can and do take steps to broaden the outlook and the development of the student beyond his own career ambitions. To be effective this must go further than intellectual content of teaching or exhortation. Clin-

ical work involves the student in the problems of other people as a central part of training for a profession. Without undermining the personal motivations, clinical work perforce exposes the student to the fact that he has to serve another in order to bring respect to himself and his profession, as well as earn from others the income which determines his standard of living. In clinical work the student learns to give as well as to receive, to do it with grace and compassion, with understanding and satisfaction, and also that his professional education is for rendering service to others and not just to be exploited. All this is learned as part of, and not separate from, formal education, broadening its content and meaning, and making it more than the acquisition of a personal benefit in the form of credentials.

In the Age of Aquarius how does one tell the spurious? How does one distinguish non-values or false values from genuine values? It is difficult and there is no single answer. But education has to deal with this problem as well as with data. This involves the development of judgment, an indispensable asset, as well as the acquisition of knowledge.

The difficulty of teaching as well an appreciation of, and sensitivity for, true and

lasting values is made greater by the fact that man does not live by bread alone. He must have diversions and entertainment as well as the company of other human beings, in short: theatre and community. Monotony and solitude result in madness - even the monotony of good works and good causes. There is such a thing as too much of a good thing. It leads to restlessness, and restlessness has made man move upward and forward, or downward and backward, as a geology professor used to say, "to the mesozoic slime." The choice of directions is dictated in large part by responsiveness to values as distinguished from distraction by entertainment or happenings as powerful as the pull of the latter is. In our age some of the best examples of good theatre are outside the traditional theatres themselves. In fact the enchantment and delight broadcast by theatrical performances has invaded the world of teaching, research, and other university activities - the latter category being constantly enlarged by so-called innovative and creative projects in which there is indeed greater and greater difficulty in telling the educationally sound from that which is spurious. Undoubtedly this is characteristic of a dynamic age. But here too clinical education can help in part as a yardstick for the developments of a time with so much emphasis on change. It does so by returning us regularly as part of education to

the context of service to another human being. It brings to the forefront an important criterion for measuring true value: Is what we are doing a benefit as well for other individual human beings in our society? This helps to balance the attractiveness of newness and innovation per se, suggesting that the new garments ought to be cut to fit the real needs of real people, rather than the other way around. It should sometimes encourage a second look to examine whether something is new, and to what end. It should reduce the propensity to embrace false advertising and false claims in the merchandising of educational and social gimmicks. There is no prospect, however, that anything will eliminate completely our desire to be fooled occasionally - all the more reason why we should try to develop as sound a judgment as possible in and through clinical education, given the clash of needs in the human personality.

What has been suggested up to this point is that those in higher education cannot educate if they maintain a stance that education is only concerned with the student and not with the person. Educators are dealing with people, and clinical education involves students as people. It returns educators to the function of general practitioner and expands their role beyond that of brain specialist.

It is significant that in some professions like medicine, social work, and teaching below the college level some clinical work is a well established part of professional education. There seems to be the realization that the professional here is dealing with people's lives in a profoundly important way, and that he should begin to learn how to do this while he is still in professional school. Indeed, it is assumed that he cannot learn his profession without such experience. Also evident is the fact that these professional schools have a fairly clear vision regarding the school's goal: It is to prepare members of a practicing profession. This is their acknowledged role, although it is understood that some graduates go off into other occupations - some related, some unrelated. To put it baldly: there is no hangup about the fact that the schools are there to produce the practitioners for a given profession.

In preparing for college or graduate teaching - another profession - the schools have gone to what might fairly be called the opposite extreme. There is no clinical work - indicating that teaching is not considered the real goal of the outstanding college or university professor. The extra hours of credit required for the Ph. D. are not important, nor are the oral exams. The payoff is in the written dissertation - a demonstration

of research and writing capacity. This is not a preparation for teaching but for subsequent research and writing - the hallmark of a good college or university professor. He writes and performs primarily for his colleagues, and possibly for the world. He is rewarded for this in the form of bonuses. What he does to educate his students is incidental. From this he derives his base pay - almost as a matter of routine. As a practical matter teaching encroaches on the time required for research, and very often is incompatible with the research temperament. It is assumed that the important thing is the knowledge gained from research; and that anyone can, or at least can learn how to, teach in a relatively short exposure to students. The graduate - read professional - training of professors is as though they were all to be practitioners in some vast research institute not as though they were going to be teachers of generations of students. This may in part account for the fact that educators and administrators in higher education do not dig into the total development of the student, preferring to limit themselves to the intellect of the student.

To recapitulate up to this point: First, clinical education at the professional school level is especially important at this time in higher education because it serves to correct

certain tendencies now encouraged and which need modification. It does so by putting the student in a practitioner-client relationship as a normal part of his professional education. The particular ways in which it helps are:

a) It brings the student out of the classroom in a prolonged period of higher education - serving as a half-way house,if you will,on the way to the outside world.

b) In so doing it makes educators view the student as a whole person, and also view the effect of higher education on the person as well as the student.

c) It helps to offset the development of arrogance - a self-satisfied intellectual elitism. It gives reality to other people whom the professional serves, and puts them in the picture, so to speak, as partners in life with a worth of their own.

d) It teaches the necessity of persistence and application, and develops the fiber to withstand the crushing effects of frustration. It develops the capacity for constructive work for change of a sustained character, and lessens the emotional attractions of instant destruction.

e) It diminishes the self-centeredness of higher education - the all-consuming drive for credentials to cash in - by placing the professional-to-be in a helping relationship to another.

f) Finally, it helps to develop the judgment which instinctively leans toward the real values over the spurious ones - reducing to proper proportions the natural attraction of the theatrical, the entertaining, the new, per se.

II. CLINICAL LEGAL EDUCATION AND THE LAW SCHOOL

In its flight to the university setting from the practitioner-apprentice tradition legal education has up to this point built itself a niche away from the professional schools frankly preparing practitioners. Legal education is closer to the graduate faculties of social sciences with their bias for research as opposed to the practice of teaching; a bias in favor of self-improvement as a scholar; a belief that mankind will benefit automatically as the scholar or researcher pursues his own interests whether or not there is any apparent link to the tangible needs of others.

In this self-imposed segregation from the practitioner, legal education has stretched to the limit, and possibly beyond, the thesis that practitioners are not teachers, and teachers are not practitioners. In doing so, the self-styled national or quality law schools, which are the "Establishment" of legal education, have even professed that they exist not to produce practitioners, but to be the intellectual progenitors of the philosopher-kings of Plato, men and women who can rule in a democracy because of their merit (demonstrated

by admission to and graduation from these outstanding schools), and by virtue of the legal education received (again from certain outstanding schools).

While the bulk of the law schools have not and cannot lose sight of their mission - to prepare practitioners - they too are put in conflict and in some confusion by the so-called leaders in legal education. This has been the situation in legal education until quite recently. It has only begun to change, although the indications are that there will be more changes in legal education than any of the experts have been imagining. The principal agent for change in the law school is clinical education, a growing phenomenon. The effects of clinical education will be felt not only in the law school, but at the college level, and, of course, in the administration of justice and the society.

Clinical education in the law school will exert a profound influence on legal education, probably by moving legal education closer to the professional schools like medicine and social work, where the avowed purpose is to produce practitioners and to be involved in the delivery of professional services to the public. As has just been mentioned, in the flight from the apprenticeship system the so-called leading and image-setting law schools in the university have modeled themselves on graduate faculties in those disciplines where

the professional preparation through the Ph.D. is for research and writing, and not for practice, as teachers. Yet in both law and these other disciplines, the professional degree (Ph.D. or J.D.) is used to admit to practice as teacher or lawyer. Clinical education will serve to change this development which is more understandable historically, than justified by the needs of the public, the machinery of justice and the legal profession.

To focus more specifically, clinical legal education, in its stress on practice with a client, should help to clarify the real mission of the law school, which is to produce practitioners. This is always a plus, for we can always do better when we understand what we are about. There is every reason to be proud of the American system of legal education, but not because its teaching produces better lawyers than any other system of teaching the law. In fact there is not one shred of evidence to suggest that the American law schools produce better practitioners than the system in England, where there are no law schools as such.

The important distinction between the American law school and the British scheme, where legal education per se is so much in the hands of the practitioners, is that the American law school has opened entry to the bar for all classes. Both systems seem to

prepare good practitioners. The American system makes possible more open access and more upward social mobility. The schools essentially control who studies for the bar, and not the profession. In this sense the law school here is part of the social revolution wrought by the American colleges and universities. For these reasons successively upward mobile groups have sought the benefits of what has been called credentialism, which for all its drawbacks, has achieved an overriding social purpose of opening the paths of entry into the American Establishment. Catholic law schools are in part an evidence of this phenomenon, as are the substantial disparities in resources among law schools generally. The point is that many law schools with poor resources have been the launching pads to achievement for many financially poor boys and girls who were rich in talent.

These are the real facts of American legal education which are often lost sight of in a fog of shibboleths, the result of much oft-repeated talk among legal educators when they gather in professional conferences and meetings. An almost impenetrable miasma is caused by talk about the law schools producing - not lawyers - but so-called public leaders, as though the methods and curriculum for doing so exist, and even more important, as though this would be a desirable enterprise in a democracy - a kind of

West Point for all important jobs outside the military. Clinical legal education is an imperative to save us from this immoral, anti-democratic, and thank goodness, nonsensical talk because it says the job of the law school is to produce lawyers first - some of whom will become leaders.

Those who talk about producing public leaders are making around the facts, choosing what they like, just like at a smorgasbord. In all of this there is a lot of fuzzy thinking, promoted by narrow-minded self-interest, frequently embellished by high-sounding phrases. Of course, lawyers are bound to be public leaders. One whole branch of the government is largely a monopoly of lawyers. This is judicial administration. It includes public positions, like that of prosecutor and judge, as well as those who represent persons. In addition, because of the link to politics in the judicial system, lawyers move quite easily in and out of legislatures and executive posts. Lawyers, like the military, have a well staked-out governmental and political base. It is not strange that they too are a strong power group in government and out. Any assignment of an area of government to any segment of the population turns over substantial power, and also enhances the self-image held by the members of such a group - in this case, the lawyers. Such a situation quite readily leads some in the preferred profession to believe that what

the public has given or allowed them to take "is an inalienable right", in recognition of some special virtues not possessed by other members of the society. The same attitude begins to pervade the professional school, although significantly the perceptions are different in different schools.

In most law schools there always has been and there still is a fairly clear vision that the role of the school is to prepare practitioners to serve people; that the rewards of public office, if any,come because of this. But there are some schools which have reached the point of skipping over their reason for being - to produce lawyers for legal services. If they recognize the reality of practice,it is to practice, as they sometimes put it, "in the grand style." Keeping their eyes on the stars, so to speak, they are avowedly in business really to produce those earlier referred to as Plato's philosopher-kings: those who will wield important power and rule society because of their self-evident intellectual superiority and educational attainments.

Perhaps the culmination to date in this kind of thinking is the announcement by a well-known Northeastern university of its intention to start a law school to train "policy makers." Presumably because the public has not yet accepted the validity of such a degree from a university, the prospective students were advised in a footnote

that they would also be prepared to take the bar.

One can begin to suspect in the circumstances that "quality" and "standards" in some of these schools are almost synonyms for aristocratic and elite, rather than standing for what all would strive for: bettering legal service to all the people. By incorporating the reality of lawyer-client work through clinical education the law school may prevent its severance from the people without losing its opportunities for intellectual freedom.

Clinical legal education should help to restore balance and proper perspective. By its nature - lawyer-client work - it should inject into the life of the law school an instinctive appreciation of the fact that the legal profession and the professional schools which serve the profession exist to serve the people: whenever a client believes he needs legal service, as well as when the professional feels prepared to give service. It should also bring back an understanding of the democratic principle that power is given by the people to those who serve them and because of this deserve the delegated power, and also that those who a priori assert a special claim and competence for public power are not living in the democratic tradition. This can be true of professions

and professional schools, as well as of others.

Finally on this point - it is rather difficult to understand why those connected with a law school will not readily respond to a query on function and rationale with a proud response that their business is to prepare persons for the practice of the law. Is there anything disgraceful or demeaning about such a statement? If there is then the teacher-lawyer and the practitioner-lawyer had both better clean up the house they both live in. They should look to their responsibility for doing so, rather than attempting to avoid it.

A large part of the impetus to avoidance of such a direct response as to role comes from the fact that the confusion about the role of the law school thrives on the failure to deal directly with how one prepares law teachers as distinguished from law practitioners. Though unstated as a rule, the practice seems to be that the graduates of certain favored law schools are best qualified to teach, especially if on law review cum post-graduate experience with an appellate judge. This surpasses in unfounded presumptiveness even the non-sequitur treated above in discussing the use of the Ph.D. as a license for college teaching. Nevertheless there always has to be some system,

"the system" only being the one inveighed against at the moment by those pushing for change. Since not all the graduates of these favored schools choose to become law teachers, these same schools have invented a so-called graduate degree in law, to be bestowed upon those who wish to teach although they were not fortunate enough to receive their first degree in law from these schools.

Only rare and passing attention has been given to the possibility that it might be desirable to have law teachers have some experience in practice before joining a faculty. All of this contributes to a gap between law teachers and law practitioners, as though they are not really members of the same profession. It is not a desirable state of affairs. Clinical work in the law schools also should help to give everyone, whether he becomes a teacher or practitioner, the feeling that he is a member of a practicing profession and honored by being part of such a profession.

Sad to say, history suggests that in and of itself clinical work as in medical education, for example, does not guarantee a greater concern with medical services for all. There is this one respect at least in which the records of medical and law schools coincide: They both have atrocious records of disregard for the problem of

better professional services for all, regardless of the ability to pay. Only recently has this started to change. In this respect the records of the respective practicing professions are not much better, although in each case the practicing professions are doing much more now than the professional schools. In medicine there certainly was a first-hand awareness that working class and poor people get sick. There just was no attempt to insure service. In law schools and in the upper echelons of the legal profession the mythology was created and propagated that working class and poor people don't have legal problems, or certainly not any "intellectually challenging" to law faculties: a landlord might have legal problems with a tenant, but a tenant became part of the landlord's problem, and not a human being who required his own legal counsel and representation. It would appear that the outside society has to impose its requirements for better professional services for all. When this happens clinical work can help too by preparing law graduates, as it does in medicine, to be better able to serve as practitioners.

It is also important to recognize that there are certain areas where the intervention of law schools through clinical work is an indispensable element for improving

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the administration of justice. For the foreseeable future law students and law faculty are the only ones who can do something which holds promise, day in and day out, of upgrading the machinery of justice.

Investigations, reports, reorganization are occasional actions with an impact of their own. But the continuing pressure for improvement must come from the permanent addition of a new factor in legal institutions. This can only be the ombudsman-like role of law students and their professors, which is in addition to their service as lawyers and what they learn in the process.

The ombudsman role and its effect will come from clinical work in such places as the local courts, police stations, prosecutor's offices, and jails and prisons. Experience already indicates that the physical presence of law students and their teachers in such locations has a salutary and elevating effect on practitioners, judges, and various public officials. It also has strengthened confidence in justice on the part of those who have not had the legal advice and assistance required. The law school which is satisfied with an occasional study of one of these settings is far from discharging its responsibilities. Over and above studies the law school can provide the continuing impulse to improvement

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through using such settings for some of its clinical programs. Incidentally, this creates the process through which the law school can much more readily be in touch with situations requiring study.

There is much to be learned about how to conduct clinical education in such settings. Some judges and opposing counsel have not taken kindly to zealous students who have forced them to go back to the library and look up cases. The same has been true of the reactions of some others. But by and large the effects have been accepted - if not heartily welcomed at first - and the public has benefited.

Is it all right to assume that the life of law students is to be comfortable in the future, as it has been up to now? Or that they even want it thus? It is taken for granted that medical students have to spend nights, weekends, and even summers learning the dirty work on emergency calls, in wards, etc. Why not law students to advise those who are arrested in the middle of the night? To provide counsel in certain lower courts on a regular basis? To do the same in jails and prisons? If not the law schools through clinical work, then who? The answer cannot be that this is no concern of the law school. Nor can it be that law students are incapable of doing the job - because there is enough

experience to show that they are able to do it very well, with some training and supervision, the latter being the task of the law school.

Unless clinical education grows and expands into these areas there is no likelihood that the law schools and the legal profession will succeed in cleaning up their own house - the machinery of justice. This is not a suggestion that law schools should not have other and more general concerns. It is only a strong plea to make the necessary contribution where they are uniquely qualified, and where no one else will or can contribute as much.

Once the law school becomes involved as the place to train practitioners, and as a center working to reform the machinery of justice through clinical work, it will adopt a different posture about matters relating to practice. No longer will the law school take the position that "the bar" can do it better as though "the bar" is a foreign agency. The bar itself can help in making things better, but it too needs the disinterested and specially-endowed machinery of education.

The improvement of the machinery of justice is a responsibility of the law school, but equally important is the teaching of such responsibility to the law student in the setting

of the practice of the law. In several of its newsletters the Council on Legal Education for Professional Responsibility (CLEPR) has set forth the major educational values of clinical legal education for the law student. Teaching responsibility for improving justice has been described as follows:

> ".... clinical legal education.... can develop in the future lawyer a sensitivity to malfunctioning and injustice in the machinery of justice and the other arrangements of society, as they are reflected in the individual case. It is the lawyer's work on the individual case and with his individual clients that constitutes the essence of his professional job. It is in this environment, therefore, that he needs to learn to recognize what is wrong with the society around him - particularly what is wrong with the machinery of justice in which he is participating and for which he has a special responsibility. This is a special social aspect of clinical legal education, apart from the delivery of legal services by the law student."

"Some legal educators have argued that a law student can learn more, or at least as much, about social problems by an adequate exposure to certain kinds of research including field and empirical research. There is no doubt that this is so. This is also so for students in any social science discipline - or indeed in any discipline. For a good research experience per se can yield extraordinary insights into social problems. However, the future lawyers are not going through law school to learn how to conduct social science research projects on social problems. They are going through law school to learn how to serve persons who need legal services. This is still the primary function of the law school. Consequently it is important for

the person training to become a lawyer to develop an instinct which leads him to perceive, from the specific facts of a case involving a client, a general social problem. For this is the form in which he will be exposed as a lawyer to the social problem, and not by way of the opportunity to make a special study of the problem apart from the handling of individual clients and cases. Of course law students should have the benefit of participating in good social science research - but not in lieu of a clinical experience with clients and cases."

A considerable part of the machinery of justice is the practice of the law. It happens to be a private practice but lawyers are officers of the court. This has to be recognized and dealt with explicitly. Clinical work in the law school plunges the law school into the myriad of matters involved in how the law is practiced. It moves the law school closer to the practicing bar, closing the undesirable gap between the two which has hitherto been referred to. It gives the professional school the opportunity to deal with standards of practice and behavior in a way which holds more promise than mere academic discussions of ethics. It takes up directly the fact that the machinery of justice creaks because of the disparity in standards of practice among different segments of the bar. We have written about responsibilities of the law schools in this respect, drawing attention as an educational value

".....to the teaching of standards for the performance of the basic skills involved

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in service to a client and a cause by a lawyer. By this we mean such skills as interviewing, collecting facts, counselling, writing certain basic documents including pleadings, preparing for trial, and conducting trial matters, as well as following up after the conclusion of a trial. For years legal educators have eschewed the task of working these areas. The most commonly given reason has been that the law graduate will learn these skills best when he enters on his practice. The result has been to leave most law graduates to their own devices for they will have no postgraduate tutorial experience as an intern. Even those who will be tutored as interns after law school should gain from what they can learn in law school, for even in the best of settings and with the best of tutors there are certain commercial or institutional forces which restrict the young lawyer's efforts to the purposes of his employer and client as quickly as possible. In no institution outside the law school is there as much tolerance for abstract perfectionism and repeated efforts at refinement."

One of the most important standards to be taught is behavior in the sense of the professional managing his own emotions and intellect, and resolving the clashes which occur in him. We have described this as

".....the opportunity for a law student to learn about the management of his emotional commitments to a client and his cause."

"In the law school, removed from the necessity to earn a fee, the law student has his best and possibly his only opportunity to learn about managing a proper commitment to a client and his cause. The student can learn what a high order

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of commitment should be. He also should be able to learn when a commitment becomes distorted in a professional service setting, when it may become destructive and counter-productive both for the lawyer and his client. There is a delicate sensibility about involvement and restraint which continues to be developed through extended life experience, but the law school can provide the best start at training these faculties. It should be the place first to become aware of these nuances in the rendering of professional services. Every experienced practitioner will recognize the tensions created in attempting to strike the proper balance in each lawyer-client relationship, and between one client and another."

"In the live setting the law student will have to respond in a way that is fundamentally different from the response he is asked to give to a written problem. In the live situation the facts do not come in the relatively orderly sequence which is provided by writing. In real life the facts come quite often in a chaotic way. Indeed, the facts will not come without hard work at eliciting the facts. Quite often the source of facts turns out to be an abrasive or even abusive human personality. Yet this person is typical of many personalities who will be requiring legal services from the practicing lawyer. Instead of the comfortable and convenient printed page, the law student will be confronted with someone who may seem to be more of an antagonist than a person asking for his assistance. Still this is how people behave in periods of stress and strain when legal services are required. It is important that the law student be rubbed by a repetition of such experiences to find out how to maintain his capacity to think and to be useful as a lawyer under such circumstances."

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These are indeed dimensions which legal educators are only beginning to explore as they enter the realm of clinical teaching. These areas have to be thoroughly developed if there is to be a more complete education of the lawyer, as well as a concern with the total machinery of justice which includes the private practice of the law as well as public rules, laws, and institutions.

There is already enough experience to suggest that student reaction and faculty involvement are moving quite rapidly to recognize the values of clinical education for the student. They do see the hastening of professional maturity and competence as a legitimate and vital function in legal education, as well as the benefits in broadening student involvement in the problems of reforming the administration of justice.

But while the goals are accepted there are still troublesome paths to be traveled on the way to achieving the goals. In fact there are painful choices as to which paths to travel.

Some of the greatest agonies, where they exist, come from a struggle in law faculties on how clinical legal education changes their existing world. It also comes from the uncertainties of a transition period when the unknown is so much more threatening

than the known. There is a strong unsettling factor in the prospect that clinical legal education may become an important part of the law school curriculum. It is probably the greatest change proposed in legal education since the creation of law schools as the replacement for the apprentice system. On this point we have said:

> "Legal clinics provide the opportunity to turn the constructive analytical skills of law teachers on law teaching itself in a way that goes beyond discussion of tweedle-dee and tweedle-dum, altogether different from the usual consideration of curriculum reform. The usual discussion of curriculum reform involves such alternatives to existing courses as using the problem or case-method; including written materials other than cases alone; experimenting with films, video tapes or simulations; or even devoting so-called new courses or seminars to the latest substantive area 'discovered', be it 'poverty law', 'urban law', or 'environment'."
>
> "It is remarkable that in a professional school like the law school discussions of new subject matter and methodology have so largely ignored and avoided the educational potential of the real practice setting involving clients and practitioners."

It is often a favorite pastime to stress the great change that came from so-called hornbooks to so-called casebooks. Yet such discussions really show a willingness to manipulate apparent changes through teaching materials as against a real change such as

happened by taking the law student out of the law office where he wasn't being taught adequately by lawyers, and placing him in a law school under professional teachers. Since that time nothing of equal significance has happened in legal education, although law professors have filled publications with articles on the assumption that changes have occurred, in the meantime urging more of the same - non-change or pseudo-change. These are good in-house pastimes, even if unimportant from the viewpoint of the world at large.

Clinical legal education does promise to make some major changes because it means taking some of the time now used for lectures and seminars and devoting it to the practice of law, step by step, under the tutelage and guidance and supervision and rating of law school faculty. It confronts the law school with putting together a curriculum and teaching staff which may be quite different in its various parts, instead of variations on the same theme played by the same kind of artists.

After two years of experience the Council (CLEPR) has learned much and seen certain trends developing. Everything that has been learned has come from the experience of the more than half of the ABA approved law schools which are involved in some clinical legal education effort with the aid of one of the 70 CLEPR grants made to date, and from

the experience of other schools which have involved themselves in clinical legal education without any financial assistance from CLEPR.

Certain things are apparent and should be considered as indicative of what lies ahead in the development of clinical legal education. Most schools which placed law students in legal services offices operated by other agencies have discovered that it is too difficult or even impossible to supervise their law students through the attorneys working in the office. Those who are operating lawyers cannot do justice to a workload and teach students at the same time. The workload in legal services offices is too heavy per attorney to successfully impose an additional burden on these attorneys. In addition there is always the question of whether every attorney is temperamentally suited to being a teacher-supervisor.

To get away from farming out their students in such situations law schools are setting up their own clinic operations. Some schools have started and operate their own legal services office. Others have taken over a part of an existing office and installed their own teacher-supervisors.

In having their own clinics the law schools have enhanced their potential for

supervision. Students and teachers are clearer about the educational part of the venture. An accompanying phenomenon has been the restriction of caseload in order to permit more teaching and emphasis on quality work.

Along with such developments has come an increasing allocation of time and credit for such clinical work. It has become obvious that clinical work is very time-consuming; that it is easier to earn 2 or 3 credits in a class or seminar with a limited work liability. Clinical work is open-ended - much more so than regular classroom work. Live clients and the dynamic legal process do not fit neatly into a predetermined few hours a week. Law schools, therefore, are becoming involved in experiments with several days a week being devoted exclusively to clinical work, or even with clinical quarters and semesters. Credits awarded for such work have gone up correspondingly. In some cases the credits have gone up to the point where few traditional classroom courses are required to round out a semester. This too frees the student for more clinical work.

Except in one case the schools have not bridged the gap between indigent clients and those who are more affluent. Clinical work is still largely a practice of poverty law - civil or criminal. Neither have the schools worked out a way to utilize the practicing bar as part-time teachers - as is done in medicine. Both of these problems are

unsolved and not being given enough attention.

As the states enact student practice rules, enabling students to appear in court, there is more attention to preparation of students for clinical work. The rules put the onus for certifying a student on the dean of a law school. This formality encourages attention to what the school should require for certification. This is good because schools are starting to set up a sequence of experiences and teaching situations which precede the privilege of going into court. In so doing schools are also beginning to consider what preparation a student should have before even interviewing and counseling a live client.

Not much attention has been given to the role of judges as students move into court. As they do so judges are inevitably drawn into the teaching process. They are tolerant of and helpful to students and their teachers, but they must temper this cooperation with an abiding concern that the judicial process must function quickly and effectively in the interest of the public. As the role of the judge develops he will undoubtedly be drawn into a more explicit teaching relationship with the law school and the bar.

There is, of course, also the question of who the clinical teacher should be and the difference between clinical education and apprenticeship. Viewing developments as

they are occurring, we have had the following to say on these points:

"We should emphasize briefly the difference between clinical education and apprenticeship. The former belongs to formal educational institutions. The latter belongs to the practitioner-employer. One cannot substitute for the other, although either or both may be omitted at a price paid in terms of educational benefit (clinical experience) or proficiency (apprenticeship). Proficiency comes from the kind of repetition of a task or tasks on the job which educational institutions cannot provide for any student. Educational benefits can be found and exploited in law school supervised clinical work."

"The teachers who are and will be clinicians may not be the same kind of personality as the teacher who enjoys the reflective life, research,and who teaches mainly through lecturing. Perhaps the clinician will be more like the practitioner in personality. But he has to combine some of the practitioner's qualities with a desire to teach. He is the counterpart of the ideal classroom teacher who is supposed to combine the qualities of a scholar with a desire to teach. What is needed is as much tolerance at this stage for the practitioner-teacher who falls short of perfection as the tolerance we have developed for the scholar-teacher who doesn't quite measure up. We shall probably find a few practitioner-teachers who are really only practitioners, just as we find a few scholar-teachers who are really interested only in scholarship. And most likely we shall find teachers who fall down a bit on practice, just as their counterparts do on scholarship."

It may then be asked what the legal education of the near future may look like.

First, one would hope for a reduction in the total number of years spent in college and law school. If the consideration of higher education reaches the fundamentals touched on at the outset of this paper, this would become a matter of highest priority, although perhaps the most painful for educators to confront.

Six years, instead of the present seven, should be enough time for college and law school. Like some other professional and graduate schools, law schools should require certain courses to have been taken at the college level. An entering law student should have had certain courses in the social sciences, particularly in political science and public administration. And efforts should be undertaken immediately to have jurisprudence and the legal process made an integral part of these disciplines at the college level. Is there a valid reason for having college students learn how a bill goes through Congress while they remain totally ignorant of judicial proceedings and other parts of the legal process? A college graduate ordinarily knows nothing of the organization and selection of juries (on which he will be expected to serve) or of the difference between a civil and criminal trial. Why shouldn't all college students and particularly one who intends to go into the bar have such knowledge before he enters law school? Of course,

a great deal of this needed material simply does not exist even at the law school level, and there will be work for some time to come while the materials are developed and put into use.

There needn't be a sharp break between college and law school. Those intending to go into law should be able to take certain basic law courses in their fourth year of college. This would help to ease the transition, and also to make it easier to make the final commitment to continuing into the fully professional part of the curriculum.

The first year in law school should be devoted to the basic law courses, torts, contracts, property, criminal law - those that teach the basic relationships being regulated by law between man and man, and man and organized society. The summer between the first and second year of law school should be devoted to clinical work in interviewing and counseling and to observation of trial work by way of preparation for clinical work. The second and final year of law school should be all clinical, including trial work.

If such a basic reform makes the academics unhappy it will at least serve far better the needs of society for adequate legal services and a profession which is practice and people-oriented. Clinical legal education should help to move higher education in this direction.

Mr. CARDOZO. Since you have urged us, as other members of Congress have, in the past to use our clout more, and you used the word "lobbying," I hope you bear in mind that section 501(c)(3) of the Internal Revenue Code puts a sword in the hands of the Internal Revenue Service Commissioner to take away our tax exemption if we do a substantial amount of lobbying.

Senator MONDALE. I understand that, but that is a favorite refuge for many associations. There is a constituency here. There are lawyers that can lobby, there are associations that can make their points of view known. You must obey the law to retain your tax exemption, but I was around here when we had the assault on foundations and I was impressed by how they could make their point of view known consistent with the law.

I can't believe that if this is a legitimate concern that the associations are prohibited from writing their membership or from making these points strongly in their own professional journals.

If worst comes to worse in light of this need, there ought to be a nontax exempt lobbying clearinghouse for the legal profession in Washington which strongly makes the case in this whole spectrum.

It is absolutely fantastic that we have a major national and long overdue debate about the Nation's health needs, and I am glad we do, and Senator Pell agrees, I am sure, but why didn't we see the same need in the legal field?

Because we have not made the case. I think many times disaster is visited upon the poor and not so poor because they can't afford a lawyer. Indeed, the more I study the laws, whether it affects the migrants, student assistance, civil rights, education, or Indian rights, I don't care what it is, I am always appalled by the degree to which these laws are ignored, or perverted, or twisted after we pass them.

I don't think you could do that for a law that was passed to help General Motors, because they would not stand for it.

But what do the poor do, and why have we been so unable to make this case? This is law and order, this is justice, but we have not made our case as well as we should. We are beginning to. But I think we have got to make it better. This is one of the reasons the poor have turned us off.

Judge BELL. That is right.

Senator MONDALE. Did you see that Senator Inouye just walked around Washington and went into a welfare office. Three cops came up to him and nearly threw him out. They said, "What are you doing here?"

They almost wanted to fingerprint him. That is what poor see. One of the reasons they see it all the time is that they know no lawyer is going to show up.

I know that in one county where there is a good legal services program, every time a welfare representative went for food stamps, he took a lawyer with him, because if he had a lawyer with him he got food stamps, and if he did not, he went hungry.

Sometimes it is a matter of life and death. As lawyers we know this, but for some reason it is just pennies, just a pittance, and we have to get effective and militant on behalf of justice.

This is a due process appeal. This is why we have conservative attorneys as well as liberal attorneys, who can agree on this. Look at the

cosponsors of our Legal Services Corporation. It covers every political philosophy in the Senate, and that is part of our strength, but I don't think we are even scratching the surface.

I am trying to get some money in the desegregation bill to reimburse successful private law suits. I think it will do more good than the whole bill will. More and more, I think, if we pass a law around here for poor folks, or for the average American, if we really want to do work, we ought to couple it with a private legal remedy. This is where we need the bar associations and our profession.

That is my speech for today.

CLINICAL APPROACH

Senator PELL. Thank you very much. I have two further inquiries here. Would you give me a couple of brief descriptions for the record explaining what you mean when you talk about the clinical approach, which you are emphasizing more now than you did in the past; would you describe it?

Mr. CONARD. I think I would like to ask Mr. Pincus to do that.

Mr. PINCUS. Would you like it in writing, or now?

Senator PELL. In writing will be fine.

Mr. PINCUS. I will be happy to present that.

(The information subsequently supplied follows:)

816919

COUNCIL ON LEGAL EDUCATION
FOR PROFESSIONAL RESPONSIBILITY, INC.
280 PARK AVENUE
NEW YORK, NEW YORK 10017
697-6800

March 12, 1971

Stephen Wexler, Esq.
Counsel
Subcommittee on Education
Committee on Labor and Public Welfare
United States Senate
Washington, D. C. 20510

Dear Mr. Wexler:

I have received from Mr. Cardozo of the Association of American Law Schools advice that your committee is holding hearings on legislation relative to higher education, and that on March 31st the Association would like to testify. I understand the Association also suggests the presence of representatives of the American Bar Association and the American Association of Law Libraries.

It is most appropriate for these organizations to appear and give testimony, because of their interest in legal education. I am anxious that the Congress be as informed as possible when it frames legislation. Therefore, I am taking the liberty of writing you this letter and sending you some material because clinical legal education is the priority item for Congressional attention in connection with the law schools.

We are the principal proponents and financial supporters of clinical legal education at present. Our Council is particularly interested in the future of the Title XI authorization for support of clinical legal education and in actual appropriations which have hitherto not been provided. Created and funded by the Ford Foundation, we have in the last two years granted about 2-3/4 million dollars to support clinical experiments in 66 of the 146 ABA-approved law schools. We expect to support more such experiments, but we can only do so on a "shoestring" basis for a very brief period of time. This is the limitation of private philanthropy.

The important thing for the members of Congress to be aware of is that this movement for clinical work in law schools is the first real move for change since legal education was taken out of private law offices and placed in schools. Clinical work in law schools breaks down the wall between academic, classroom instruction and the kind of instruction which is based on practice with clients under law school supervision. It follows the medical school model. It is a movement for change which

improves legal education per se, and also brings substantial benefits to the society where they are desperately needed right now: in the neglected and forgotten areas of the law, such as criminal and juvenile law, legal services for the poor, and in the lower courts generally. For these are the places where the students and their teachers do their clinical work. It is important to remember that there are more than 80,000 law students. This is manpower for these parts of the machinery of justice where no one else is going to invest much of his professional career at present. Moreover, these 80,000 students will be better members of the profession because of their clinical work.

Clinical legal education is not just an arid theory about legal education. It doesn't simply decry how bad things are in our lower courts, in jails and prisons, in legal services for the poor, etc. It doesn't merely agree that the third year law school is being wasted. It is doing something tangible about improving, at the same time and in one effort, both the school and the machinery of justice, as a normal, constructive part of professional education. It is bringing an excitement to legal education which it never has had for students or for faculty.

The importance of clinical legal education is also evidenced by the fact that the supreme courts of the various states are moving quickly to endorse clinical legal education. In the last two years, 14 states have adopted student practice rules -- making a total of 36 jurisdictions with such rules at the end of 1970.

All human institutions are blessed and afflicted with our human propensities. One of these propensities is resistance to change. Law schools and legal educators are no exception. Change in the form of the movement for clinical legal education has overtaken the law schools and the law faculties. The ABA and the AALS are represented on our Council. It is good that they are supporting what is happening in legal education by way of clinical work.

However, Title XI owes its existence to the work of General Charles L. Decker, the former administrator of the National Defender Project of the National Legal Aid and Defender Association. And, before and since Title XI, initial and sustained support for clinical legal education has been the work of this Council and its predecessors. We vigorously advocate strong and ample support of clinical legal work in the law schools by the Congress. It presents a rare opportunity to spend public funds for better education and for an immediate public benefit by way of the services performed by law students in the course of clinical work.

If you wish, I could appear in person to acquaint your committee in greater detail with the Council's program and activities. In the meantime, I am enclosing copies of two of my papers in which I have dealt with the basic concepts underlying clinical legal education. The shorter statement will give you a quick perspective.

We now have at the printer a pamphlet containing and analyzing all the thirty student practice rules in effect at the end of 1970. Also at the printer is our first biennial report. It tells our story and explains our grants. Copies of each of these should be available by the end of the month and will be sent to you then.

Sincerely,

William Pincus

William Pincus
President

WP:mb
encs.

COMMENTS BY WILLIAM PINCUS, PRESIDENT, COUNCIL ON LEGAL EDUCATION FOR PROFESSIONAL RESPONSIBILITY, INC., AT THE PANEL DISCUSSION ENTITLED "TO MAKE LEGAL EDUCATION MORE PRACTICAL," ASSOCIATION OF THE BAR OF THE CITY OF NEW YORK, NOVEMBER 20, 1970

When I agreed to chair a panel on clinical legal education I hadn't the slightest idea that I was to be part of a two-day discussion entitled "Young Lawyers and the Legal Revolution." I doubt that what we at the Council on Legal Education for Professional Responsibility are trying to bring about can be termed a revolution. We are trying to reform the law school curriculum, and the reform we are promoting, if clinical experiments work out, is the first real reform since the establishment of law schools as separate educational entities.

Law teachers are inclined to discuss at length changes in teaching methods and materials in the classroom as though they are real changes in legal education. They are not, and this goes for the much-vaunted and often referred to change in the case system pioneered by Professor Langdell and now studied everywhere.

The first and last change of consequence until now in legal education in the United States took place when the education of future lawyers was moved out of the law office and into the law school, with the accompanying demise of the apprentice system. Few will argue that this was not a move for the better, in view of the abuses of the apprentice system by the practitioner, who too often saw it as a source of cheap office help rather than as a responsibility for teaching a future lawyer. In this respect lawyers were no different from other professions and crafts who did and still use the apprentice system.

In the move from the law office to the law school there was created a chasm between the schools and the practicing bar which exists to this day. The results are not healthy for legal education or for the bar. What is needed for the benefit of both and for the public is a rapprochement—a new partnership, in which education remains under the law school roof, but in which clinical practice with live clients under educational supervision for credit assumes a major role in the education of the law student. This is the real reform CLEPR is trying to bring about—the second reform in the history of American legal education. We would take the law student out of the classroom again to work with live clients—this time only for part of his legal education, and under educational supervision. The law schools can and do utilize members of the practicing bar for supervisors and teachers, just as medical schools do, but the entire enterprise must remain under law school auspices just as the classroom work has been.

CLEPR is a specialized foundation making grants to law schools to encourage experiments in clinical legal education. Its money comes from the Ford Foundation for a period of ten years for this work. Established in 1968, CLEPR is the successor to two predecessor councils, also Ford supported, which worked toward the same end although on a much more modest scale.

To date CLEPR has made 71 grants, totaling about two and one-half million dollars. Most ABA-accredited law schools have a clinical program of some kind. In New York City three of the six law schools have CLEPR grants. There is a high level of interest on the part of legal educators. But reforms involve struggles, and educators are at least as resistant to change as any other group of persons, perhaps more so.

We at CLEPR do not underestimate the challenge to psyche and ego in saying to classroom professors that their students could better spend some of their classroom hours to better advantage in a clinic and under the tutelage of such non-academic types as practice-oriented professors, or worse, practitioners who are part-time professors. But we at CLEPR have a passionate belief that higher education and particularly the law school need the benefits of clinical education. Why clinical education?

Clinical education takes the advanced student out of the classroom. In the professional school it is a corrective for the deficiencies inherent in a long process of classroom type education where the student has large doses of knowledge pumped into him over a long period of time on the assumption that it is all good for him. Educators tend to overlook the corrosive effect of so much confinement to the campus on the human personality. Clinical education can serve to make educators concerned about the whole student, and whether he can function as a lawyer outside the classroom as well as inside. It gives the student a real life role in the world as an integral part of his education, and helps him achieve a sense of maturity from functioning outside. It accelerates the student's development.

Clinical work is also an antidote for the intellectual arrogance produced by prolonged higher education of the traditional type. The longer a student stays on campus the more he deals in large issues and masses of people. The human experience is distilled into abstractions for the purpose of teaching, and there is a dehumanizing element in all this. Individuals and their petty lives become reduced in size and consequence and they appear to be intellectually expendable.

In this setting students become so accustomed to dealing on a grand scale that they do not acquire enough of the capacity to work on the real life problems of only one individual or a few. Clinical education humanizes the educational process. It teaches that while the professional's intellect dissects the larger problems and provides the larger setting, his dedication and skill must also be for solving the individual's problems for the sake of the individual and not for the sake of the answer to the big problem.

In the person to person helping role, the student adds to his intellectual competence a feeling for humanity and decency. He learns through the demands of another personality the necessity of placing restraints on his own leanings. Moreover, clinical education helps to inculcate a capacity for persistence despite the inevitable frustrations of life.

In working with real live clients, clinical education forces the student to come out of his self-centeredness to a certain extent, in this respect offsetting at least slightly the concentration on his own advancement through acquiring the credential provided by higher education and particularly the professional school.

Finally, by keeping students close to real life problems of individuals, clinical work places in perspective the attraction of the theatrical, the spurious, and the seemingly novel. In an age when communications have developed to the point where one well-known personality has taught us that the medium is the message, we need all the more to be connected with real people and their real problems to enjoy but not to overvalue the enchantment and delight broadcast by theatrical performances which have invaded the world of teaching, research, politics and every other aspect of our existence. Clinical work can help to balance the attractiveness of newness and innovation per se, suggesting that new garments ought to be cut to fit the real needs of real people, rather than the other way around.

Clinical education exercises a profoundly beneficial influence on the law schools themselves. It moves them closer to the professional schools, like medicine and social work, where the avowed purpose is to produce practitioners and to be involved in the delivery of professional services to the public. In the flight from the apprentice system the so-called national law schools in the university have modeled themselves on those disciplines where professional preparation is for research and writing and not for practice. Clinical legal education, in its stress on practice with a client, should help to clarify the central mission of the law school, which is to produce practitioners. We can always do better when we understand what we are about. Clinical legal education also helps to emphasize the fact that the legal profession and its professional members exist to serve the people: whenever a client believes he needs legal service, as well as when the professional seems prepared to give service.

An almost impenetrable fog is caused by talk about the law schools producing not lawyers but so-called public leaders, as though the methods and curriculum for doing so exists, and as though this would be desirable: to have a series of West Points for all important jobs outside the military. Clinical legal education can help to save us from this immoral, antidemocratic, and thank goodness, nonsensical talk because it says the job of the law school is to produce lawyers first—some of whom become leaders. Incidentally, talk about lawyers as leaders is always "puffing" because lawyers, like the military, have a well-staked-out governmental and political base. It is not strange that they are a strong power group in government and out.

Perhaps too, clinical legal education can help to eliminate the confusion which comes in part from the failure to deal directly with how one prepares law teachers as distinguished from law practitioners. By affirming its purpose to produce practitioners, the law school will better be able to deal with the problem of how to produce more teachers. In this regard, it might also come to pass that law teachers would be viewed as having to have some practical experience before joining a faculty. When this occurs, there will be a closing of the gap between law teachers and law practitioners. We shall eliminate the all too common feeling that they are not really members of the same profession. This is not a desirable state of affairs.

We expect that the machinery of justice will benefit directly from the expansion of clinical legal education. There are many areas where the intervention of law schools through clinical work is the indispensible element at present for improving the administration of justice. Investigations and reports are all right. But there is a need for the continuing presence of law students and their supervisors who, almost like ombudsmen, can begin to influence on a day to day basis what happens in local courts, police stations, prosecutor's offices and jails and prisons. Experience already shows that such physical presence has a salutary and elevating effect on practitioners, judges and various public officials. Clinical work has strengthened the confidence in justice on the part of those who have not had the legal assistance required before now. The law school which is satisfied with an occasional study of one of these settings is far from discharging its responsibilities.

Law schools cannot afford to be fainthearted when they first undertake clinical work even though some judges and opposing counsel have not taken kindly to zealous students who have forced them to go back to look up cases. By and large, these student have been accepted and the public has benefitted.

And so far as students are concerned, why should we accept that the life of law students is to be as comfortable in the future as it has been up to now? Or that they event want it this way? It is taken for granted that medical sudents have to spend nights, weekends, and even summers learning the dirty work on emergency calls, in wards, etc. Why not law students to advise those who are arrested in the middle of the night? To provide counsel in certain lower courts on a regular basis? To do the same in jails and prisons? If not the law schools through clinical work, then who? The answer cannot be that this is no concern of the law school. Nor can it be that the law students are not capable of doing the job. There is enough evidence to show that they are able to do it very well, with some training and supervision, the latter being the task of the law school.

We have with us today on this occasion a number of persons who have been involved in clinical programs in the law schools. Their students have been showing what the benefits of clinical legal education are. They have also been finding out what some of the problems are. Each of them will tell you something about his experience and give you his observations including any he may have on my own comments.

COST EFFECTIVENESS

Senator PELL. Also, I wanted to get back to the question of cost effectiveness, and I wanted to ask Mr. Conard, if you know of any law school which has engaged in some measurements of the effectiveness, cost effectiveness, of the programs?

The point we made earlier was that there were only so many seats. To my mind that is not an overwhelming drawback, because there can be shifts.

I was wondering if any of those schools has such a study going on.

Mr. CONARD. I think in the present straightened circumstances we are all studying how to save money, but in terms of giving you statistics on this program or that program, I do not know what we could produce.

Certainly we do know a good deal about the differences between educating our senior class and our freshman class and the student teacher ratio which becomes a factor in the different kinds of teaching.

Are you interested in a survey of that, or are you just interested in knowing whether we are looking at it?

Senator PELL. I am interested in two things, one, knowing whether you are looking at it, and, two, a couple of representative samples, if you have them.

Does the University of Michigan for the sake of argument, does it have a computer which would show the comparative costs as between criminal law and some other field of law?

Mr. CONARD. I would be happy to provide what I can on that, sir.

(The information referred to follows:)

ASSOCIATION OF AMERICAN LAW SCHOOLS

OFFICE OF THE PRESIDENT FOR 1971
UNIVERSITY OF MICHIGAN LAW SCHOOL
ANN ARBOR, MICHIGAN 48104

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Area Code 202, 296-8851

April 28, 1971

Senator Claiborne Pell
Senate Office Building
Washington, D.C. 20002

Dear Senator Pell:

At the appearance of a group of persons from the Association of American Law Schools before your Subcommittee on Education on March 31, you requested that further information on the type of cost effectiveness studies being conducted by law schools and universities regarding their activities.

I am happy to enclose copies of some of the documents which have been prepared at the University of Michigan. First, you will find a twelve-page document entitled Statistical and Analytical Data for Budget Conferences. As you will see, it includes extensive information on the number of students, the number of credit hours for which they enroll, and law school budgets. I think you will find most interesting Table 13, which shows the direct instructional salary cost per student credit hour. You will be interested in observing that from 1966 to 1968, in spite of a considerable increase in the general cost of living, the direct instruction cost per student credit hour rose hardly at all, and indeed fell from 1967 to 1968.

Later figures are in preparation, and cannot be supplied at this moment.

In addition to studying all-over cost of instruction, the University compiles costs for each course. I enclose a single page of this tabulation, marked "Page 653." You will see that the salary per student credit hour is shown in the extreme right-hand column for each instructor in each course, and the total for all the instructors in a given course.

Also included is a page from Cras Table 10 which shows for the Law School the cost per student credit hour in the 1970 fall term of all courses in the 500-699 level and in the 700 plus level. In general, the first group of courses are those offered to freshmen and juniors, and the second group are those offered to seniors and graduate students. It is not surprising to find a considerable difference in the costs, with the latter group costing more than twice as much per student credit hour as the first group.

Similar collections of figures are made for each department of the University, and are extremely voluminous. If you have any suggestions for refining these data, or if you have any further questions about them, I hope you will feel very free to let me know.

Very respectfully yours,

Alfred F. Conard

AFC:lu

Enclosures:

1. Statistical and Analytical Data for Budget Conferences (1969) -- Law School.
2. U. of M. Cras Table 2 (12-16-70),page 653.
3. U. of M. Cras Table 10 (3-16-71),page 18.

UNIVERSITY OF MICHIGAN CRAS TABLE 2.—COURSE OFFERINGS AND DIRECT INSTRUCTIONAL SALARY COSTS (LAW FALL TERM 1970)

Division course and class	Instructor name	Type of class	Contact hours	Apport. cr. hrs.	Enroll-ment	Direct instr. sal. assigned	Salary per stud. cr. wr
Law, 603 001	Lempert, Richard O	REC	7.0	3.00	59	$1,306	$7
Course total			7.0		59	1,306	7
Law, 612 001	Conard, Alfred F	REC	4.0	3.00	120	3,145	9
Law, 612 002	Seymour, Robert V	REC	0	3.00	118		
Law, 612 003	Dickinson Jr., Marti	REC	5.0	3.00	101	2,255	7
Course total			9.0		339	5,400	5
Law, 619 001	White, James J	INDI		12.00	2		
Course total					2		
Law, 623 001	Martin, James A	REC	6.0	4.00	83	2,925	9
Law, 623 002	White, James J	REC	7.0	4.00	122	4,604	9
Course total			13.0		205	7,529	9
Law, 631 001	Bishop William W., Jr	REC	3.0	3.00	106	4,988	16
Law, 631 002	Cramton, Roger C	REC	4.0	3.00	74	5,040	23
Course total			7.0		180	10,028	19
Law, 636 001	Estep, Samuel D	REC	3.0	3.00	78	3,510	15
Law, 636 002	Kauper, Paul G	REC	5.0	3.00	119	5,819	16
Law, 636 003	Blasi, Vincent A	REC	3.0	3.00	121	1,925	5
Course total			11.0		318	11,254	12
Law, 640 001	White, James J	REC	.2	.13	19		
Law, 640 001	Kennedy, Frank R	REC	3.0	1.88	19	4,718	132
Course total			3.2		19	4,718	124
Law, 644 001	Jackson, John H	REC	4.0	3.00	63	1,725	9
Course total			4.0		63	1,725	9
Law, 652 001	Israel, Jerold H	REC	4.5	3.00	155	4,485	10
Course total			4.5		155	4,485	10

CRAS TABLE 10.—UNIVERSITY OF MICHIGAN STUDENT CREDIT HOURS AND AVERAGE INSTRUCTIONAL SALARY COST BY CLASS TYPE AND COURSE LEVEL (LAW SCHOOL, FALL TERM 1970)

Class type	Course level				
	100–299	300–499	500–699	700+	All levels
Organized class:					
Student credit hours			12,594	3,096	15,690
Cost per school			11	24	14
Laboratory:					
Student cr. hr School					
Cost per school					
Individual:					
Student cr. hr school			524	117	641
Cost per school			39	97	49
All types:					
Student cr. hr school			13,118	3,213	16,331
Cost per school			12	27	15

THE UNIVERSITY OF MICHIGAN OFFICE OF INSTITUTIONAL RESEARCH—STATISTICAL AND ANALYTICAL DATA FOR BUDGET CONFERENCES, JULY 28 TO AUGUST 15, 1960

PRECIS, LAW SCHOOL TABULAR DATA

In quantitative terms the attached material reveals little significant change in Law School operations over the last five years. However, the data are striking when contrasted with similar characteristics of most other schools and

colleges of the University. The two factors most directly responsible for this contrast are evidently the common curriculum and the prevalence of large classes. These permit the law faculty to spend relatively less time on instruction, more time on research and public service, and still handle heavy student credit hour teaching loads. Relatively high faculty salaries in the Law School can also be at least partially attributed to this combination of circumstances.

In reviewing Law School data one cannot help but wonder whether the subject matter in Law is so different that instructional efficiencies which are evident cannot be effected in some of the other units of the University. Probably that question should not be raised without raising the question of whether or not Law School students would benefit from smaller classes and more frequent individual association with faculty members.

TABLE 1.—HEADCOUNT ENROLLMENT BY STUDENT LEVEL (FALL TERMS, 1964 THROUGH 1968)

Fall term	Student level						
	Lower	Upper	Masters	Doctoral	Grad-prof	Other	Total
1964					1,075		1,075
1965					1,115		1,115
1966					1,097		1,097
1967					1,059		1,059
1968					1,087		1,087
Percent change 1964–68					1		1

Source: Report of the Office of the Registrar (annual. 1964–65 through 1968–69).

TABLE 2.—GENERAL FUND BUDGET (FISCAL YEARS 1964–65 THROUGH 1968–69)

Fiscal year	Salary items			Nonsalary items	Total
	Academic (instructional)	Academic (noninstructional)	Non-academic		
1964–65	$801,773	$102,040	$110,654	$56,880	$1,071,347
1965–66	890,202	107,040	116,534	63,380	1,177,156
1966–67	972,275	130,548	151,184	79,380	1,333,387
1967–68	991,715	127,798	155,720	79,380	1,354,613
1968–69	1,077,080	153,681	189,465	99,380	1,519,606
Percent change 1964–68	34	51	71	75	42

Source: The University of Michigan departmental payrolls and accounts: General fund (annual 1964–65 through 1968–69).

TABLE 3.—MEAN SALARIES OF FULL-TIME TEACHING STAFF (UNIVERSITY YEARS, 1964–65 THROUGH 1968–69)

University year	Professor	Associate professor	Assistant professor	Instructor	Lecturer
1964–65	$21,549	$15,650	$11,537	$6,750	
1965–66	22,645	16,465	13,383	6,750	
1966–67	23,107	16,297	13,333	7,925	
1967–68	23,908	16,495	13,600	8,050	
1968–69	25,055	17,108	14,000	8,864	
Percent change 1964–68	16	9	21	31	

Source: Office of Institutional Research, "An Analysis of Salaries Paid to the University of Michigan Teaching Staff" (Annual, 1964–65 through 1968–69).

Note: Salaries are for university year, full-time teaching staff and are based on all sources of funds listed on the general budget.

TABLE 4.—DEGREES CONFERRED (FISCAL YEARS, 1964–65 THROUGH 1968–69)

Fiscal year	Bachelors	Masters	Doctoral	Grad-Prof	Total
1964–65	298	25	1		324
1965–66	325	32	2		359
1966–67	364	26	5		395
1967–68		20	4	[1] 363	387
1968–69		27	2	328	357
Percent change 1964–68		8			10

[1] A change in degree name from LL.B. to J.D. is shown in "Bachelors" and "Grad-Prof" columns. Change 1964–68 is 10 percent. Degrees listed under "Bachelors, 1964–66," were actually a mixture of LL.B. and J.D. degrees.
Source: Report of the Office of the Registrar (annual, 1964–65 through 1968–69).

TABLE 5.—CLASS SIZE DISTRIBUTIONS

[Fall terms 1964 through 1968]

Fall term	Class size interval									Total
	1 to 5 [1]	6 to 10	11 to 20	21 to 35	36 to 50	51 to 100	101 to 200	201 to 300	Over 300	
Frequency distribution:										
1964	1	1	17	7	10	32	12	0	1	81
1965	1	2	11	6	10	43	6	1	1	81
1966	2	1	12	17	5	36	11	0	0	84
1967	2	1	12	23	3	27	13	0	0	81
1968	0	1	10	21	3	29	13	0	0	77
Percentage distribution:										
1964	1	1	21	9	12	40	15	0	1	([2])
1965	1	2	14	7	12	53	7	1	1	([2])
1966	2	1	14	20	6	43	13	0	0	([2])
1967	2	1	15	28	4	33	16	0	0	([2])
1968	0	1	13	27	4	38	17	0	0	([2])

[1] The 1 to 5 interval does not include individual instruction.
[2] Totals for each year slightly less than 100 percent due to rounding.

Source: Office of Institutional Research, Appendix: The Size of Classes (annual, fall terms, 1964 through 1968).

TABLE 6.—GENERAL FUND FULL-TIME EQUIVALENT (FTE) STAFF (FISCAL YEARS 1964–65 THROUGH 1968–69)

Fiscal year	Teaching staff [1]								Support staff [2]
	Professor	Associate professor	Assistant professor	Instructor	Lecturer	Teaching fellow	Lump-sum FTE	Total	
1964–65									
1965–66								47.9	[3] 28.0
1966–67								50.6	[3] 36.0
1967–68	31.9	8.9	2.3	4.0	0.4		0.6	48.0	32.4
1968–69	31.9	8.4	4.7	4.2	.4		1.0	50.7	36.5
Percent change, 1965–68								6.0	30.0

[1] Teaching staff FTE are general fund counts only and are expressed in terms of a university-year appointment.
[2] Support staff FTE are similarly based, but they are expressed in terms of a fiscal-year appointment.
[3] Whole number values only are available for these years.

Source: The University of Michigan, "Departmental Payrolls and Accounts: General Fund" (annual, 1964–65 through 1968–69).

TABLE 7.—STUDENT CREDIT HOURS TAUGHT PER STUDENT LEVEL (FISCAL YEARS, 1964–65 THROUGH 1968–69)

Fiscal year	Student level					All
	Lower	Upper	Masters	Doctoral	Grad-prof	
1964–65					31,016	31,016
1965–66					31,441	31,441
1966–67					30,335	30,335
1967–68					28,984	28,984
1968–69					30,855	30,855
Percent change 1964–68					−1	−1

Source: Reports of the Office of the Registrar.

TABLE 8.—TEACHING STAFF EFFORT (FALL TERMS, 1964 THROUGH 1968)

[In percent]

Fall term	Instruction	Administration	Research	Service and professional activities	Total
1964	50	17	28	5	100
1965	50	18	26	6	100
1966	48	19	26	7	100
1967	48	14	30	8	100
1968	51	12	31	6	100

Source: Office of Institutional Research, the Professional Activities of the Teaching Staff (annual, fall terms, 1964 through 1968).

TABLE 9.—COURSE CREDIT HOUR (CCH) AND STUDENT CREDIT HOUR (SCH) TEACHING LOADS (FALL TERM, 1968)

Rank	FTE [1] total	CCH/FTE	SCH/FTE
Professor	29.9	8.1	352.1
Associate professor	5.6	10.7	443.6
Assistant professor	4.5	6.1	325.9
Instructor	5.0	2.2	40.8
Lecturer			
Teaching fellow			
All ranks	45.0	7.6	326.2

[1] The FTE used in this table is based on a summary of reported percentages of full-time-equivalent effort reported on the form B, with the time devoted to sponsored research excluded.

Source: Office of Institutional Research, Course and Student Credit Hours Taught Per FTE Faculty Member by Level of Student and Rank of Faculty Member (Unpublished report, fall term, 1968).

TABLE 10.—STUDENT CREDIT HOURS PER FTE TEACHING STAFF MEMBER (FISCAL YEARS, 1964–65 THROUGH 1968–69)

Fiscal year	Student level					
	Lower	Upper	Masters	Doctoral	Graduate professor	All
1964 to 1965						
1965 to 1966					656.7	656.7
1966 to 1967					598.9	598.9
1967 to 1968					603.3	603.3
1968 to 1969					608.9	608.9
Percent change 1965 to 1968					−7	−7

Source: Data have been assembled from records of the Registrar's Office and The University of Michigan, Departmental Payrolls and Accounts: General Fund (Annual, 1964–65 through 1968–69). FTE are general fund counts only and are expressed in terms of a university year appointment.

TABLE 11.—FISCAL-YEAR-EQUATED STUDENTS PER FTE TEACHING STAFF MEMBER (FISCAL YEARS, 1964–65 THROUGH 1968–69)

Fiscal year	Student level					
	Lower	Upper	Masters	Doctoral	Graduate professor	All
1964 to 1965						
1965 to 1966						
1966 to 1967					19.6	19.6
1967 to 1968					20.4	20.4
1968 to 1969						
Percent change 1965 to 1968						

Source: Data have been assembled from records of the registrar's office and the University of Michigan departmental payrolls and accounts: General fund (annual, 1964–65 through 1968–69). FTE are general fund counts only and are expressed in terms of a university year appointment.

Notes: Fiscal-year-equated students (FYES) are derived from the total credit hours taught per level as: (1) 31 undergraduate SCH equal 1 FYES; (2) 24 masters SCH equal 1 FYES; (3) 16 doctoral SCH equal 1 FYES; and (4) 1 grad-prof student enrolled full-time for a university per year equal 1 FYES.

TABLE 12.—STUDENT CREDIT HOURS TAUGHT TO STUDENTS FROM OTHER UNITS (FALL TERMS, 1964 THROUGH 1967)

[Table entries omitted, crossover teaching less than 1 percent.]

Source: Office of the Registrar, "Hours elected by unit in which the student is enrolled and according to the unit offering instruction" (annual, 1964 through 1967).

TABLE 13.—DIRECT INSTRUCTIONAL SALARY COST PER STUDENT CREDIT HOUR (FALL TERMS, 1964 THROUGH 1968)

Fall term	Student level				
	Lower	Upper	Masters	Doctoral	Grad-Prof.
1964					$21.37
1965					23.87
1966					28.69
1967					29.13
1968					28.87
Percent change 1964–68					35.00

Source: Office of Institutional Research, Appendix: Student credit hours and Direct costs in the schools and collegest (annual, 1964 through 1968).

Note: Costs are based on a uniform distribution of individual General Fund salaries across the number of course credi hours taught. The symbol (***) has been used where a tabular entry represents less than 1 percent of the total SCH taught.

TABLE 14.—APPLICATION-ADMISSION-ENROLLMENT COMPARISONS (FALL TERMS, 1964 THROUGH 1968)

Fall term	Applications (1)		Admissions (2)		Enrollment (3)			
	Number	Annual percentage change	Number	Annual percentage change	Number	Annual percentage change	Percent (2) of (1)	Percent (3) of (2)
New first year students:								
1964	1,549		682		396		44	58
1965	2,018	30	637	−7	380	−4	32	60
1966	2,146	6	756	19	362	−5	35	48
1967	2,293	7	818	8	365	1	36	45
1968	2,371	3	1,239	51	435	19	52	35
New graduate students:								
1964								
1965								
1966								
1967								
1968								

Sources: Data have been compiled from special reports forwarded to the Office of Institutional Research by the Office of Undergraduate Admissions the Rackham Graduate School, and by Admissions Offices of schools and colleges of the university.

Senator PELL. I don't think seats are all that relevant and I wonder if there is information on what is being done to go into more than one shift.

Mr. CONARD. In that area, specifically, the ceiling we get is in library seats. We have rules in our association that you have a certain number of library seats for the number of students, and as we use the classrooms more intensively, we have to have more space in the library, because the students are going to use that to a large extent at the same time. This is real ceiling. We have a number of law schools today that we are having to crack down on, because they have too many students for the number of library seats, and this means the students can't go to the library and do the work they are supposed to do.

We have a specific problem there, and library seats are the kinds of seats which you need the most, and they are being used in the evening, and in the morning, and we can't double them up any more.

Senator PELL. Thank you very much and we would welcome any information later.

Professor COHEN. I want to say a word about cost effectiveness of law libraries. Most law libraries, regardless of the number of sessions in the school are open generally from about 8:30 in the morning to 12 midnight.

In most schools we have a terrible time getting students out of the library in order to close up. The students want 24-hour service. This is an area we could increase our effectiveness tremendously if we had the resources to keep open on a 24-hour basis.

One school, the University of Texas, is open 24 hours a day. This is an area where assistance is needed, and I think it would improve cost effectiveness in a dramatic way.

Senator PELL. At this point I order printed statements and other pertinent material submitted for the record.

(The information referred to follows:)

UNIVERSITY OF CALIFORNIA
HASTINGS COLLEGE OF THE LAW
198 McALLISTER STREET
SAN FRANCISCO, CALIFORNIA 94102

MAR 29 1971

March 24, 1971

Dr. H. Carroll Parish, President
National Association of Student
Financial Aid Administrators
2324 Murphy Hall
University of California
Los Angeles, California 90024

Dear Carroll:

The critical need for Federally funded student aid programs at the graduate level deeply concerns me as I am sure it must concern you and other members of the community of Student Financial Aid Administrators.

It would seem that the student assistance programs inaugurated and extended under the Higher Education Act of 1965 have been eminently successful, if we are to judge by the number of students from minority races and others from low socio-economic backgrounds whose applications swell the files in graduate and professional school Admissions Offices today.

Yet many of these students who, while yet in high school, were encouraged under the aegis of the Federal Educational Opportunity Grant Program (EOG) to raise their sights and enroll in College, now find their aspirations for study beyond the baccalaureate degree threatened by the ubiquitous financial barrier. They may find the doors to graduate and professional schools opened to them, but unless significant Federal financial assistance is made available, for many, these doors will lead to disappointment in the Financial Aid Office rather than to learning in the graduate seminar.

Unfortunately, except for the Health Science Professions, there is at present no Federal support for grants to graduate students <u>based upon need</u>. Moreover, the proposed Higher Education Act of 1971 <u>excludes</u> graduate students from consideration for even self-help under the Work-Study Program and the subsidized low-interest loan program. At Hastings College of the Law, with only a small endowed scholarship fund, we depend heavily upon the Work-Study Program and the National Defense Student Loan Program to help meet the cost-of-education for those studentes enrolled in our Legal Educational Opportunity Program as well as for others whose family incomes are less than $10,000. Without this assistance many students, though admitted to school, will not be able to enroll, and some continuing students may be forced to withdraw.

The unsubsidized, high-interest loan of $2500 that would be made available to graduate students under the auspices of the proposed National Student Loan Association makes less money available at a much higher cost to the student than has heretofore been available to the neediest graduate student eligible for a combination of aid from the Work-Study Program, the NDSL Program and the Federally Insured Student Loan Program. Even though the graduate or professional degree may assure a higher income for those who enter the private sector of the economy, those graduates from low socio-economic backgrounds, already heavily indebted for loans made to cover their undergraduate costs, will be hard pressed to repay additional high-interest loans which may necessarily total more than $10,000.

Thus, I would urge that NASFAA direct its attention to encouraging legislation which would make Federal funding available to provide grants, part-time employment opportunities, and subsidized low-interest loans for students at the graduate level of education. The primary purpose of such legislation would be to fill the void in student aid specifically directed toward graduate students from low socio-economic family income backgrounds.

Very truly yours,

Sylvia I. Diegnau
Director of Financial Aid

cc: Mr. James E. Nelson
Dr. Edward Sanders
The Honorable Edith Green
The Honorable Walter F. Mondale
The Honorable Claiborne Pell
The Honorable Carl D. Perkins
The Honorable Albert H. Quie

Senator PELL. Thank you very much. The subcommittee is recessed until 10 o'clock tomorrow morning.

(Whereupon, at 12:45 p.m. the Subcommittee on Education of the Committee on Labor and Public Welfare adjourned, to reconvene at 10 a.m., April 1, 1971.)

EDUCATION AMENDMENTS OF 1971

THURSDAY, APRIL 1, 1971

U.S. SENATE,
SUBCOMMITTEE ON EDUCATION OF THE
COMMITTEE ON LABOR AND PUBLIC WELFARE,
Washington, D.C.

The subcommittee met, pursuant to notice, at 10:05 a.m., in Room 4232, New Senate Office Building, Senator Claiborne Pell presiding.

Present: Senators Pell (presiding), Randolph, Williams, and Javits.

Committee staff members present: Stephen J. Wexler, subcommittee counsel; Richard D. Smith, associate counsel; and Roy H. Millenson, minority professional staff member.

Senator PELL. The Subcommittee on Education hearings on the Education Amendments of 1971 will come to order.

Our first witness today, and we are very honored to have him, is our colleague in the majority party, Senator Frank Moss of Utah.

STATEMENT OF HON. FRANK E. MOSS, A U.S. SENATOR FROM THE STATE OF UTAH

Senator Moss. Thank you very much, Mr. Chairman.

I do appreciate this opportunity to appear before you this morning and offer my amendment to S. 659, which is printed amendment No. 22, to constitute the College of the Virgin Islands, and the University of Guam, as land-grant colleges, I seek to end a longstanding inequity.

The Virgin Islands and Guam are the only two areas under the American flag which have schools of higher learning, and no participation in the land-grant college programs.

The population of Guam is approximately 100,000, and that of the Virgin Islands about 65,000. Young people in these territories looking toward careers in agriculture, the extension service, community services, environmental sciences, dietetics, home economics, mechanical arts, and the many other disciplines in which land-grant colleges excel, must apply to colleges in the States, or in Puerto Rico, for this training.

This is unsatisfactory, both because of stringent out-of-State student enrollment policies at many of the schools, and because even if admitted, out-of-State tuition is often beyond the means of many of the young people living in either Guam or the Virgin Islands.

In addition, the citizens of these two territories are denied the advantages of the cooperative extension programs which are connected with land-grant universities. Over the years, the Cooperative Extension Service has vastly increased its services in home living, community

development and youth development. All of these services would be helpful and welcome in both the Virgin Islands and Guam.

Under the provisions of the amendment I offer to S. 659 the College of the Virgin Islands and the University of Guam would:

(1) Be considered land-grant colleges established for the benefit of agriculture and mechanic arts in accordance with the act of July 2, 1862, the first Morrill Act.

(2) Receive an appropriation of $3 million each as an endowment, in lieu of public land, to be used for the maintenance of the colleges in accordance with the provisions of the first Morrill Act.

(3) Qualify under the Morrill Act of 1890 for annual grants to be used for instruction in agriculture, mechanic arts, and related subjects.

(4) Participate under the Bankhead-Jones Act of 1935 with the 50 States and Puerto Rico in further grants made available for the support of land-grant colleges. The colleges would receive an equal share of an annual national grant of $8,100,000, or $150,000 each, for teaching purposes, and an additional $20,000 annually for the respective institutions.

(5) Participate in the grants for research and service work in the distribution and marketing of agricultural commodities authorized by the Agricultural Marketing Act of 1946.

(6) Participate under the Smith-Lever Act in the Federal Extension Service program administered by the Department of Agriculture for cooperative agricultural extension work. An appropriation of $100,000 is authorized for each territory annually beginning in fiscal year 1971.

(7) Qualify for inclusion under the provisions of the Hatch Act of August 11, 1955.

The funds which would be made available to the College of the Virgin Islands and the University of Guam could be used for instruction equipment and supplies in agriculture, mechanic arts, English, mathematics, natural and physical sciences, economic sciences, and the special preparation of teachers. The funds could not be used for the purchase or preservation of buildings or the purchase of land. I would anticipate also that fields of instruction which have particular importance to the evolving needs of the citizens of each of the territories would be added to the college curriculum.

The College of the Virgin Islands began operation in 1962 and the University of Guam in 1952. It is time that both of them had the advantages that the Congress, down through the years, has made available to land-grant colleges—and it is also time that the citizens of the territories of Guam and the Virgin Islands had the benefits of the Extension Service—which has been a truly cooperative organization mutually serving the university, the students, and the citizens.

As the chairman may remember, the amendment I offer here today to the Higher Education Act was passed in an amended form as S. 1148 by the U.S. Senate in the second session of the 91st Congress.

This bill—S. 1148—which I introduced, was first reported unanimously by the Senate Interior Committee in the form I am presenting to the subcommittee today. At the request of the chairman of the Senate Agriculture Committee it was taken from the Senate calendar and referred to that committee for consideration. It then was reported, again unanimously, but with amendments.

It was passed unanimously by the Senate, and referred to the House Interior Committee, where, after hearings were held, it was referred to the House Agriculture Committee. It was killed there in the closing days of the 91st Congress by a 2 to 2 Agriculture subcommittee vote.

I tried every way I could to get the bill before the House for consideration in those last few days of the session, but was not successful.

I am appearing here because I feel that since the purpose of the measure is to improve higher education in U.S. territories, amendment No. 22 properly belongs before this subcommittee. As the chairman knows, the full text of the amendment is incorporated in S. 32 as title VII, the bill to amend the Higher Education Act of 1965 and other acts dealing with higher education which has been introduced by the distinguished chairman of the House Education and Labor Committee, Mr. Perkins.

The principal difference between S. 1148 as reported in the 92d Congress by the Senate Interior Committee and the version reported by the Senate Agriculture Committee was in the funding for the colleges.

The bill I introduced, and which was reported by the Senate Interior Committee, provided that each college would receive an appropriation of $3 million as an endowment, in the place of public land, to be used to maintain the colleges, in accordance with the intent of the first Morrill Act. This sum was approved by the Department of the Interior.

The Senate Agriculture Committee, however, reduced this amount to $1,019,000 for Guam and $714,000 for the Virgin Islands. The Agriculture Committee argued that the lump-sum payment cleared by the Department of the Interior should be reconsidered in the light of the ratio-basis funding provided to the University of Hawaii and later to the District of Columbia when each of these jurisdictions was accorded land-grant status.

The Agriculture Committee based its arguments on information presented by the Department of Health, Education, and Welfare which argued for the same approach which was taken when Hawaii became a State and in Public Law 90–354 which extended the land-grant concept to the District of Columbia. HEW stated:

> We believe that the proposed authorization of a $3 million lump-sum payment each to Guam and to the Virgin Islands should be reconsidered in the light of prior lump-sum authorization payments to other jurisdictions for a like purpose. When Hawaii became a State, it was granted a lump sum of $6 million in lieu of land or scrip grants under the first Morrill Act. In Public Law 90–354, following the precedent set for Hawaii, the amount authorized to be appropriated to the District of Columbia in lieu of extending to the District the provisions of the first Morrill Act was $7,241,706, which bore to the $6 million authorized for Hawaii the same ratio as to population of the District bore to the population of Hawaii. This method of computation was evidently not used in fixing upon the amount of $3 million for Guam and the Virgin Islands, respectively, in the present bill, and we are not aware of the basis upon which the sum of $3 million was determined. We would, therefore, suggest that the proposed lump-sum amount for the two territories be reconsidered in that light.

That is the end of the quote from HEW.

The Department of Agriculture advised that on such a proportionate basis to Hawaii the correct amount for Guam would be $1,019,000,

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and the correct amount for the Virgin Islands would be $714,000 and the Senate Agriculture Committee recommended these amounts. They were in the bill the Senate passed.

I am sorry to have to bring a disagreement between executive departments of the Federal Government, and between two other committees of the U.S. Senate, before this subcommittee in discussing the adoption of this amendment.

But I did not think it would be fair, Mr. Chairman, to come here this morning to testify and not call to your attention the full history of this measure. It is only by having the full background that I feel the subcommittee can make a wise decision.

I trust I have presented the proposition in a favorable light, and I most sincerely hope that the subcommittee will agree that granting land-grant status to the College of the Virgin Islands and the University of Guam is desirable, and that you will recommend S. 659 to the full committee with this provision included.

I also hope that you will feel that the higher amount of money—the $3 million—should be authorized, as I understand Chairman Perkins feels it should. Both of these small colleges in territories removed from mainland United States need and deserve this financial assistance.

I do thank you very much for permitting me to testify for you this morning. I will be happy to answer any questions that you may wish to propound.

Senator PELL. Thank you very much.

As you pointed out, your amendment was passed before by the Senate, but not by the House.

I have just two questions. You say the population of the Virgin Islands is 65,000, roughly?

Senator Moss. That is correct.

Senator PELL. How does one handle the argument that a community of 65,000 is too small to have an institution of higher learning?

Senator Moss. Well, I think the best answer is: It already is supporting an institution of higher learning in the College of the Virgin Islands which is doing rather well but having a hard time financially. The college has a sizable student body, and is giving these young people instruction. This is in an area where I think particularly we ought to make a little extra effort to help those people who are citizens of the United States but live on an island removed from the mainland and finding it much more difficult, therefore, to get college training. If they could not have the College of the Virgin Islands, then they would all have to go to the mainland of the United States, which is much more expensive, and most of them couldn't afford to do it.

Senator PELL. Is the college there now accredited?

Senator Moss. I would have to check that, but it is my understanding that it is.

Senator PELL. Thank you very much, indeed, and I assure you the subcommittee will take a very friendly look, both in respect to you and at the bill, and we will consider it in the course of our executive sessions.

Senator Moss. I do thank you. I know the subcommittee and the full committee are very much dedicated to improvement of our facilities for higher education in this country. It seems to me that the Virgin Islands and Guam stand out as two black spots where we haven't done anything, whereas we have helped all of the States and the territories that have now become States, and we have helped even the District of Columbia. We have made a land grant college right here in the District of Columbia, which is appropriate, proper and desirable.

I think we ought to fill in these two blank spots.

Senator PELL. Thank you very, very much.

(A prepared statement submitted by Antonio B. Won Pat, Guam's representative in Washington, D.C. follows:)

STATEMENT OF ANTONIO B. WON PAT
GUAM'S REPRESENTATIVE IN WASHINGTON, D. C.
BEFORE THE SPECIAL SUBCOMMITTEE ON EDUCATION
"IN SUPPORT OF S. 659 - LAND-GRANT COLLEGE PROGRAM"

MR. CHAIRMAN AND MEMBERS OF THE SUBCOMMITTEE:

I AM INDEED GRATEFUL FOR THIS OPPORTUNITY TO SUBMIT MY TESTIMONY ON BEHALF OF S. 659, AMENDMENT NUMBER 22 OF WHICH WOULD BRING THE UNIVERSITY OF GUAM INTO THE NATION'S HIGHLY SUCCESSFUL LAND-GRANT SYSTEM OF ASSISTING INSTITUTIONS OF HIGHER LEARNING.

IN THE ONE HUNDRED AND NINE YEARS THAT HAVE PASSED SINCE PRESIDENT ABRAHAM LINCOLN SIGNED INTO LAW THE MORRILL ACT, THEREBY PUTTING THE FEDERAL GOVERNMENT IN THE BUSINESS OF SUPPORTING THE ESTABLISHMENT AND ENDOWMENT IN EVERY STATE FOR A COLLEGE FOR THE COMMON PEOPLE, THOUSANDS OF AMERICAN COLLEGE STUDENTS HAVE BENEFITED FROM THE PROVISIONS OF THIS UNIQUE LAW TO RECEIVE A LOW-COST, QUALITY EDUCATION.

THANKS TO THE FUNDS DISTRIBUTED TO THE SCHOOLS UNDER THE PROVISIONS OF THE MORRILL ACT, TUITION COSTS IN STATE COLLEGES HAVE BEEN KEPT DOWN TO THE POINT WHERE MANY YOUNG PEOPLE HAVE BEEN ABLE TO ATTEND COLLEGE WITH ONLY THE ASSISTANCE OF A PART-TIME JOB. IN ADDITION, THE ACT CHANGED OUR WHOLE CONCEPT OF WHAT A COLLEGE WAS SUPPOSED TO TEACH, RESULTING IN THE ACADEMIC EMPHASIS BEING PLACED ON ENGINEERING AND AGRICULTURE COURSES, RATHER THAN THE TRADITIONAL GREEK

OR LATIN PHILOSOPHY STUDIES.

THE FUNDAMENTAL SOUNDNESS OF THIS CONCEPT OF FEDERALLY SUPPORTED STATE COLLEGES AND UNIVERSITIES WAS DEMONSTRATED WITH SUCH THOROUGHNESS THAT SUBSEQUENT CONGRESSES PASSED THE HATCH ACT IN 1887 AND THE SMITH-LEVER ACT IN 1914, EXTENDING THE ORIGINAL ACT INTO THE GREAT PROGRAM WE SEE TODAY. IN THE COURSE OF RECENT YEARS, CONGRESS HAS ALSO PASSED ADDITIONAL LAWS THAT PROVIDE FOR INCREASED FEDERAL PARTICIPATION IN ALL LEVELS OF EDUCATION. HOWVEVER, THE STRONG FOUNDATIONS OF THE ORIGINAL LAND-GRANT SYSTEM WILL STAND AS A MONUMENT TO THE LEGISLATIVE PIONEERS WHO FIRST MADE HIGHER EDUCATION AVAILABLE TO THE LESS AFFLUENT MEMBERS OF OUR SOCIETY.

AS I MENTIONED EARLIER, LAND-GRANT AID WAS ORIGINALLY OFFERED TO STIMULATE TEACHING PRIMARILY IN THE AREAS OF AGRICULTURE AND THE MECHANIC ARTS. AND THOUGH THE SCOPE OF THE LAND-GRANT SYSTEM HAS BROADENED TO FIT OUR MODERN TECHNOLOGICAL SOCIETY, THE NEED IN GUAM OF ADDITIONAL COURSES IN AGRICULTURE AND THE MECHANIC ARTS IS AS REAL TODAY AS IT WAS FOR THE FLEDGLING AMERICAN STATES AND TERRITORIES BACK IN 1862. I CAN ASSURE YOU THAT S. 659 AMENDMENT NO. 22 WILL HELP US MOVE FORWARD SUBSTANTIALLY IN THAT DIRECTION.

THE UNIVERSITY OF GUAM IS A PROUD EXAMPLE OF WHAT AMERICAN DETERMINATION AND INGENUITY CAN ACCOMPLISH. ESTABLISHED BY AN ACT OF THE GUAM LEGISLATURE IN 1952, ONLY TWO YEARS AFTER THE REINS OF LOCAL GOVERNMENT SHIFTED FROM MILITARY TO CIVILIAN HANDS AND OUR PEOPLE BECAME AMERICAN CITIZENS, THE UNIVERSITY

HAS STRIVEN TO PROVIDE ITS STUDENTS WITH A QUALITY COLLEGE EDUCATION AT A COST EVERYONE COULD AFFORD, IN ADDITION TO MAKING CERTAIN THAT THE COURSES OFFERED WOULD ENABLE THE FUTURE GRADUATES TO FILL THE NEEDS OF OUR RAPIDLY GROWING SOCIETY.

THE ORIGINAL EMPHASIS WAS ON TEACHER TRAINING, BUT GROWTH HAS BEEN RAPID AND WE NOW HAVE A MULTI-PURPOSE INSTITUTION DEDICATED TO THE DEVELOPMENT OF THE ARTS AND SCIENCES, A WIDE RANGE OF TECHNICAL AND VOCATIONAL SERVICES, AND PROGRAMS OF GENERAL CULTURAL ENRICHMENT FOR ADULTS. IT IS THE ONLY AMERICAN INSTITUTION OF HIGHER LEARNING IN THE WESTERN PACIFIC, AND HAS COME TO BE A CULTURAL CENTER FOR ALL OF MICRONESIA, INCLUDING THE STRATEGIC ISLANDS OF THE PACIFIC TRUST TERRITORY.

MOST OF THE YOUNG PEOPLE OF THE TRUST TERRITORY CANNOT AFFORD TO GO FARTHER AFIELD THAN GUAM IN PURSUIT OF ADVANCED EDUCATION. THAT IS EQUALLY TRUE OF OUR OWN YOUNG PEOPLE. WE MAKE HIGH-QUALITY UNIVERSITY WORK AVAILABLE FOR THEM OR THEY DO NOT GET IT. AND THOSE FEW WHOSE PARENTS SOMEHOW ARE ABLE TO SEND THEM TO THE MAINLAND FOR STUDY OFTEN ARE RELUCTANT TO RETURN TO OUR ISLAND LIFE, AND THUS WE LOSE THE ADVANTAGES OF THEIR PROFESSIONAL TRAINING.

TO OFFSET THAT DRAIN OF SORELY NEEDED MANPOWER AND TALENT, WE HAVE BEEN CONSTANTLY UPGRADING OUR UNIVERSITY. IT NOW HAS A FULL FOUR-YEAR PROGRAM, AND A GRADUATE SCHOOL WAS ADDED RECENTLY, STARTING WITH COURSES LEADING TO A DEGREE OF MASTER OF ARTS IN EDUCATION. THE UNIVERSITY IS ACCREDITED BY THE WESTERN ASSOCIATION OF SCHOOLS AND COLLEGES.

THIS YEAR, OUR UNIVERSITY HAS AN ENROLLMENT OF 2,989 STUDENTS, OF WHOM 293 ARE GRADUATE STUDENTS. TWO HUNDRED AND NINETY-SIX OF OUR STUDENTS ARE FROM THE TRUST TERRITORY, AND SEVERAL HUNDRED ATTEND EXTENSION CLASSES AT ANDERSEN AIR FORCE BASE AND AT NAVY INSTALLATIONS.

IF THE UNIVERSITY OF GUAM IS TO CONTINUE IN ITS EFFORTS TO SERVE THE INCREASING NEEDS OF OUR COMMUNITY AS WELL AS THOSE OF THE SURROUNDING AREAS, ADDITIONAL ASSISTANCE, SUCH AS THAT OFFERED BY PARTICIPATION IN THE MORRILL ACT WILL BE NEEDED. THERE IS A SOLID RECORD OF LAND-GRANT HELP TO THE TERRITORIES. THE UNIVERSITY OF HAWAII, NOW ONE OF THE NATION'S FINEST, WAS BROUGHT INTO THE SYSTEM BEFORE THE TERRITORY ACHIEVED STATEHOOD. IN ADDITION, THERE IS A FLOURISHING PROGRAM OF LAND-GRANT ASSISTANCE TO THE UNIVERSITY OF PUERTO RICO. RECENTLY WE SAW THE FEDERAL CITY COLLEGE, HERE IN WASHINGTON, D. C., BECOME ELIGIBLE FOR LAND-GRANT ASSISTANCE.

WHEN OUR FOREFATHERS PASSED THE ORIGINAL MORRILL ACT, IT WAS DONE WITH THE HOPE OF SUPPLYING THIS YOUNG NATION WITH THE INTELLECTUAL BACKBONE NEEDED TO SUCCESSFULLY CHALLENGE THE VAST WILDERNESS THAT LAY BEFORE IT. THE TERRITORY OF GUAM IS NOW IN A SIMILAR POSITION OF NEEDING SCORES OF HIGHLY TRAINED YOUNG PEOPLE IN THE COMING YEARS, TO MEET THE CHALLENGE THAT A NEW SOCIETY AND MUSHROOMING ECONOMY PROVIDES.

THE TERRITORY OF GUAM IS AT THE CROSSROADS OF ITS FUTURE; WHAT GUAMANIANS DO TODAY WILL AFFECT NOT ONLY THE LIVES OF FUTURE GENERATIONS OF GUAMANIANS, BUT PERHAPS THE DESTINY OF OTHER PEOPLES IN THE WESTERN PACIFIC. THE UNIVERSITY OF GUAM STANDS READY TO MEET THE CHALLENGE TOMORROW OFFERS. WITH YOUR ASSISTANCE, IT WILL BE ABLE TO DO SO.

ACCORDINGLY, I URGE FAVORABLE ACTION ON THIS LEGISLATION.

Senator PELL. Our next witnesses will be a panel on junior colleges, representing the American Association of Junior Colleges.

Dr. William Flanagan, president of Rhode Island Junior College, I understand, will be acting as the chairman.

Mr. Harry Smith, Mr. Dana Hamel, and Mr. Martorana, are from respectively: the Essex Community College, community college system of Virginia, and 2-year colleges, State University of New York.

Would you all come up, please, and introduce yourselves. By coincidence, we have some interns from Rhode Island Junior College in my office this week. I was wondering if it was all right with Dr. Flanagan if one of them could sit at the committee table. We haven't had a student appear yet. So, would one of your interns draw lots and come up? Decide it among yourselves.

STATEMENT OF WILLIAM S. FLANAGAN, PRESIDENT, RHODE ISLAND JUNIOR COLLEGE, PROVIDENCE, R.I.; ACCOMPANIED BY J. HARRY SMITH, CHIEF EXECUTIVE OFFICER, ESSEX COMMUNITY COLLEGE, NEWARK, N.J.; DANA HAMEL, CHANCELLOR, COMMUNITY COLLEGE SYSTEM OF VIRGINIA; AND S. V. MARTORANA, VICE CHANCELLOR FOR 2-YEAR COLLEGES, STATE UNIVERSITY OF NEW YORK

Mr. FLANAGAN. Senator, this is Dr. Martorana, the Vice Chancellor for the State of New York for Community Colleges and Dr. Dana Hamel, from the State of Virginia Community College System, and Dr. Harry Smith from New Jersey, Essex Community College in Newark, N.J.

Senator PELL. And the student from Rhode Island?

Mr. DESESRO. Michael DeSesro.

Senator PELL. Thank you very much.

I would hasten to say the principal sponsor of S. 545, Senator Harrison Williams, is going to be along soon. He has fought long and hard for junior colleges for a good many years.

I notice there is a lot of testimony here. I can assure you it will all be printed in the record. I was wondering if you would care to digest it a bit and proceed as you will.

Mr. FLANAGAN. Thank you, Mr. Chairman.

I shall attempt to digest this.

May I express my appreciation for your invitation to be here, and for your great concern about higher education, in fact, all education.

My name is William F. Flanagan, president of the Rhode Island Junior College and the State System of Colleges in Rhode Island. I am very honored to be here representing the American Association of Junior Colleges and its commission on legislation. Obviously, we represent public institutions, but the concern for the private sector is in our hearts.

We take this opportunity to testify. We, in fact, feel we would be derelict in our duty if we failed to bring to you our views on important bills now before you.

In our view your omnibus bill on higher education and the Vocational Educational bill, S. 659, and Chairman Williams' Comprehen-

sive Community College bill, S. 545, are great bills that promise historic contributions to the progress of post-secondary educational opportunity and services in this land. We want to comment in detail on both versions, but let me begin with some personal observations.

From over three decades of experience in public education, from grade seven through university teaching and graduate administration, I should like to assure you that the world of the comprehensive community junior colleges is the most exciting educational world that I have experienced. It is a distinctly American answer to our educational and social needs; needs for social mobility and, indeed, societal change.

Just as compulsory free education from grade 1 through secondary school became the goal of American education systems in the early days of this century, so education beyond high school—days, evenings, summers, part-time, full-time, accelerated, and leisure oriented—must be the reality of the late 20th century. And we believe the comprehensive junior community college—flexible and dynamic—is the instrument of today to accomplish this goal.

The miracle of the junior college, as it actually exists, has been its ability to respond quickly and untraditionally to the very real needs of people.

The age when education—higher education—was the privilege of an economically or an academically elite, available only for the few, is passed. Our expansion of knowledge; our technological developments; our mass communications; our thirst for social mobility; all these demand that upward mobility which promises the good life; and the good life with material possessions available not just to the fortunate but to all our citizens.

We in the junior community college movement feel that our comprehensive institution holds the greatest promise for the greatest number with the least cost in the whole complex structure of higher education—least cost to the student—and least cost to the taxpayer who endows it.

By "comprehensive" we mean that it provides things for a variety of people. For the classical scholar who wishes, for various reasons: economic or social, to begin his collegiate life in the community in which he serves, for the scholar who wishes to learn salable skills, the post-secondary nonscholarly person seeking job training at degree and non-degree levels to prepare him for initial work experience, or to retrain him when his old skills are no longer adequate, for all these we make a commitment.

Let us state frankly, however, that in view of our dramatic growth of student patronage and despite our continued response to public needs, we have been neglected by the public treasuries of support. Only about 40 percent of the severally authorized funds have been appropriated in many vital programs, and even that which we have had may be taken away, and I refer to the higher education grants, and particularly the construction grants.

As far as I know there is only perhaps one junior college on a permanent campus as yet in New England. The need for construction funds is vital to our programs.

It troubles me somewhat that this absence of permanent campuses exists in our region, which is historically the center of the prestigious

educations of our country. May I just cite one example of our own institution, which has grown from a student body of 325, 6 or 7 years ago, to a student body of 3,600 this fall while we are still in old inadequate quarters, an old factory which you recall is a converted machine tool plant with rather interesting motif for any kind of education.

I might at least give the local twist that it is enriched by the Woonasquatucket, following on to pollute the Narragansett Bay. Nevertheless, two-thirds of our students who graduate in our program go on to employment and higher education, from the ivy league in the East to the great universities, State universities throughout our country and to some colleges as yet emerging even now, emerging as we are.

We of the junior college sector are faced with many crises. We will either be limited in our classes or taking them into the makeshift quarters which I have mentioned. All this we are doing well, if inadequately. A job that has to be done for humane and patriotic reasons, the cause and commitment of so many people is noble; the needs for support are great.

Mr. Chairman, we reiterate our vigorous support of Chairman Williams bill, S. 545, the comprehensive community college bill, and again express the fervent hope that its major provisions will be enacted this year by the Congress.

S. 545 recognizes the urgent need for comprehensive State planning for community college systems, and our later witnesses this morning will have additional comments to make about meeting that need. S. 545 provides definitions on the community college that we strongly support. And it calls for sharply expanded Federal support to community colleges.

COMMUNITY SERVICES

S. 659 recognizes the pressing need to amend title I and we applaud the changes you propose.

Junior colleges have not widely participated in the title I program, and yet we feel this program has great promise and would be vastly strengthened by the general involvement of our colleges. We ask that provisions be added which would require stronger State plans utilizing all colleges that want to participate.

The program has never had the chance to show its real potential, primarily because it has been underfunded.

We then suggest a basic annual Federal grant of $25,000 to each school participating in the State plan. Costs of such grants would aggregate perhaps $35 million, far-below the present authorization, yet they would in our view revolutionize the community service effort in higher education and accomplish the aims originally envisioned in this program.

COLLEGE LIBRARY PROGRAMS

Mr. Chairman, we commend you for retaining the essential purposes of title II of the Higher Education Act, which provides basic, supplemental, and special purpose grants to institutions for the acquisition of library materials and for training and research in librarianship.

We think it would be a great mistake to abandon the basic grants to all institutions. This sum of $5,000 has been extremely helpful to

all institutions, large and small, as they try to keep up with the "knowledge explosion" and keep their collection up to date, both as to content and form: "library materials" these days are much more than books. The new media are an essential part of a modern college library (which many people now prefer to call a "learning resources center") and an effective teaching program, and they are costly. But I would like to emphasize that library materials are far more than books and periodicals. Our own concept of an ultra-media center contains electronic devices and recording equipment that is available today which has revolutionary implications, both for the traditional library service and research. It has also had tremendous implications for the learning process itself.

We are grateful to you, Mr. Chairman, for including a waiver of maintenance-of-effort requirements under title II. The requirement has posed a real problem for new colleges who spend vast sums for library purposes at first, but obviously cannot keep up this level of spending.

However, we wonder if the language of the waiver is sufficiently clear, and fear that the term "special and unusual circumstances" on lines 18 and 19 of page 11 may not mask the intent of the waiver. We would suggest that the matter can be clarified by changing the language of line 17 to read "except that if an institution has not been in existence for 5 fiscal years, or if the Commissioner determines * * *.

We commend a change in language such as this to your consideration.

DEVELOPING INSTITUTIONS

The title III program has been enormously helpful to struggling community colleges, as well as to the black colleges, and we fully support your extension at an authorization of $100 million annually.

Progress for many community colleges has been hindered because this program has not been better funded. The U.S. Office of Education continues to receive about three applications from qualified community colleges for this program for every one applicant it can fund at the current level of support for title III.

It seems an ironic coincidence, but if the present set-aside of 23 percent for the community colleges were actually funded it would just about cover the applying colleges; but other colleges should be encouraged to apply, and should be helped. Present support does not offer that hope.

In the light of this pattern, we strongly urge that the set-aside for community colleges be raised to at least 40 percent of the $100 million authorization. Bear in mind that we have new colleges coming into the junior college sector every week.

Further, we renew the plea that the five-year requirement be eliminated as a condition of eligibility.

STUDENT FINANCIAL AID

The bold approach you have proposed in S. 659 for new student grants, Mr. Chairman, holds the shining promise of making universal educational opportunity for young Americans a living reality almost overnight. We all know such opportunity will be a long time coming on the existing programs, although we take pride, and we think the

Nation can take pride, in the progress made in this direction in the last decade, spearheaded by the community college, which have more than tripled their student load.

Certainly the community colleges would benefit tremendously if your $1,200 guarantee to the low-income student were enacted, along with the cost-of-education allowance to the institution.

On the cost-of-instruction allowance, Mr. Chairman, we recommend that in section 409 of your bill, in line 9, the phrase "each student" be expanded to read "each full-time equivalent student."

The way the system works now the self-supporting part-time student is penalized twice in pursuit of a college education. While he is usually paying all his own college expenses, he also is paying Federal and State taxes to help educate the full-time students with whom he must compete in the classroom.

This is a terrible inequity, and one that pinches hardest in the community colleges, since we serve at least 1 million part-time students. Some of the colleges show part-time enrollments as high as 80 percent.

EOG-type assistance is especially important for the part-time student because college work-study normally would conflict with his regular job.

We favor the existing student financial aid programs over the administration's proposals.

We want to emphasize that the EOG and work-study programs have been and are particularly helpful in the junior community colleges, despite the present exclusion of the part-time students.

However, the loan programs have been less attractive to community college students and to community colleges. We see two reasons why: one, it calls for additional administrative staff to act, and secondly, that many of the low-income, disadvantaged, marginal students hesitate to involve themselves in an indebtedness which may not be concluded with a satisfactory academic experience.

Senator RANDOLPH. Let me question the witness at that point, Mr. Chairman.

Do you recall the rate of repayment of loans under the Defense Education Act? That was about 1½ percent; the program involved what, about a billion, $200,000, is that correct? Are you saying now that what we did under the Defense Education Act in another day, we can't expect such a repayment in another loan program?

Mr. FLANAGAN. I am not saying that we shouldn't have student loans in this form of support for education. I am saying that I am concerned about the establishment of a permanent loan interpretation as support for public higher education. We would much prefer a grant. We are concerned that public—that students, particularly in junior colleges, often coming from economically or socially disadvantaged areas, will begin their careers with enough indebtedness. I think that is what I am trying to say, that if there is nothing else, then by all means: loans, but it would be secondary to the public benefit.

Senator RANDOLPH. President Flanagan, do you not believe, though, there is a danger of constantly stressing scholarships and grants and a lessening of emphasis of loan programs for college students, either 2- or 4-year institutions?

Mr. FLANAGAN. No, Senator. I am not worried about that. As I recall, historically, that in the early days of this century the extension

of public education to grade 12 was itself subjected to much criticism and considerable opposition.

I think what we in the junior college field, particularly the public junior college field, feel that public education now to grade 12 is not sufficient and that we need to go beyond this for a variety of reasons: the exploration of knowledge, the need for trained people in areas in which society in the early days of the century did not need that training.

Senator RANDOLPH. Well, certainly I think we can agree on the framework of additional years. I know our able chairman has discussed very often the 16 years of education in his own right, as a Senator and chairman of this subcommittee. I know he strongly believes in it.

I don't say that that has really a bearing on what I am discussing with you, 12 years or 16 years, as to the loan problem.

Mr. FLANAGAN. Well, I think what I am saying is that in principle we believe in free public education K through 14. That was why my reference was that it was extended K through 12.

Now, the student who is academically successful, kindergarten through 14, in all probability will need the junior and senior years of his life, to, or at least we will have opened the doors as we have for so many in the junior colleges. We have opened the doors for higher education for so many who never expected to have the opportunity. At least for the present if we could postpone this indebtedness and loan involvement. I have a picture of two young people today who are marrying, who are marrying at an early age with a mortgage on their education and a mortgage on their house and almost a mortgage on their future. I think what I am saying to you, Senator, is that we would just like to postpone this. Or if there is nothing else to come, then loans. If there is no hope of our sustaining public education in America through grade 14.

Senator RANDOLPH. You see, there is where we disagree. If there is no hope you turn to loans. I think we must stimulate a loan program with all the other efforts we are making. That is what I am attempting to say. I think if we constantly bear down on the points that you make with great vigor, that we are inclined to lessen the feeling that loans are a very important part of the help which can be given, money to be repaid by those persons who are pursuing higher education.

I will tell a story which is a factual story, of one man whom I know very well, who participated in a loan program at one of our State universities. He, of course, repaid the loan, and he was grateful that it was in existence so he might be a participant. Later in his life, when he had accumulated a considerable sum of money in this or that industry, he turned to that institution in the hope that he might give a substantial contribution to the loan program under which he had been assisted.

President Flanagan, those in authority, so he tells me, began to talk to him immediately about placing that contribution in a scholarship fund, and were not too interested in having it in the loan fund. For better or worse, he lost interest in helping the institution at that particular time because of the attitude which he indicated to me was prevalent at that conference.

I give this as just one shred of evidence, but there are those who have been helped by loan programs who believe that they were very valuable

to them. They were not something taken, President Flanagan, as a last resort. This is where we part company on the philosophy that you express.

I think we can move with loan programs and other assistance programs by way of grants. I think we need to do that. It is just a suggestion I had during your excellent testimony.

Mr. FLANAGAN. Thank you, Senator.

I think perhaps in principle we are all seeking higher education for the maximum number, but there are various ways of supporting it.

We feel, I think, in the junior college movement, that we will not be satisfied until we have provided the open door and the reality that goes with that open door and the responsibility that goes with that open door to provide more than curricula once the student has arrived, or perhaps we would be using this open door as a public relations device, rather than as a reality.

Senator RANDOLPH. We have no argument on the points you now make.

FACILITIES SUPPORT AND OPERATING GRANTS

Mr. FLANAGAN. Mr. Chairman, I will just pass over the need for facility grants, facility support. I don't know of any area in which we feel more strongly the need for the Higher Education Facility Act be funded and the need for construction funding.

I don't suppose there has ever been a time when it is more difficult for bonds to be passed. In fact, in our own State, Senator, I am sure it will be quite a while before a public education bond. We are happy to say we were there in November, rather than in June.

But this is tremendously important, and we hope that it will be kept in the act.

Without dwelling on the formula for Federal operating grants for colleges, which was proposed and covered at length in yesterday's hearing, we urge that this committee give it earnest consideration. It has the vigorous support of most of the major interests in higher education, including the American Association of Junior Colleges. And the cost would run only a fraction of the estimates made for the guaranteed student grants which S. 659 proposes.

The community colleges are acutely pinched by the financial crisis which hangs over almost all of higher education, and we regard an operating grants formula that provides a $100 FTE annual grant for lower division, $150 for upper division and $250 for graduate work as equitable to our colleges. We also concur in the proposal that the rates triple for the first 200 students and double for the next 200 students in each college, to give the extra boost to small independent colleges and preserve the diversity and balance they give to higher education.

We also take the position that the $100 grant for lower division work should double for the low-income students, provided they are not already counted in one of the two multiplier rates noted just above.

MANPOWER AND VOCATIONAL EDUCATION

A word about manpower and vocational education. We have considerable concern in the public community colleges on the role of vocational education broadly and manpower education in particular. In a few States, such as Oregon and North Carolina, the community col-

leges have become the bulwark of the post-secondary manpower programs. But in far more States they are vastly under utilized in this work. And in this matter, we are thinking first of the students' interest—not the colleges'. Manpower training given in the comprehensive community college gives the student a mobility and negotiability in the educational and job marketplaces that he cannot get, in equal measure in institutions outside higher education. Part of the vision of the "open door" is that ours are not dead end programs and are more than entry level programs.

In vocational education, progress has been made by the community colleges in many States under the 1968 amendments. Yet in many States the community colleges carrying out the post-secondary occupational programs are not receiving equal support for equal services, vis-a-vis traditional vocational programs. For example, officials in New Jersey tell us that the community colleges there carry roughly two-thirds of the post-secondary load in vocational education, yet receive only 7 percent of the Federal support. We urge that this committee assert more strongly the oversight function on the 1968 amendments, and review in detail what the various States are actually doing with post-secondary vocational support. The Commissioner of Education should withhold this support from the States which continue to discriminate against the 2-year colleges in their distribution of the funds.

S. 545

Turning in detail to S. 545, the ideal for the community colleges, as we have suggested, would be the adoption of the Williams bill. It offers both the flexibility and the support we think the States should have in shaping and operating progressive systems of comprehensive 2-year colleges, integrating both public and community-responsive independent colleges into the State coverage and thus providing universal accessibility in the 13th and 14th years for the greater population, in keeping with the criteria set forth in the bill's statement of purpose.

This again is bold legislation which overnight would close the resource gap and the imbalance under which the junior community colleges have labored and still labor in the existing Federal programs for higher education.

If, however, under current budget pressures the committee believes it cannot go all the way on the Williams bill, we would urge the following priorities, drawn from basic concepts of S. 545, and I will note the suggestions, the alternatives we have in the interest of time.

The State planning priority. We are very much in support of the start-up assistance. In addition to State planning, start-up assistance to help speed communities to establish new junior colleges and new campuses.

Startup grants in a 3-year declining sequence. These should start when the governing board is installed and should cover both planning and operations. The formula that would cover 30 percent of such costs in the first year, 20 percent in the second year, and 10 percent in the third year we suggest.

Obviously many of our colleges, as we have said earlier in our testimony, begin in inadequate quarters, from everything from church

basements to old factories to old schools and often after hours. We feel that the rental of equipment would also be very helpful.

We also hope that there would be stronger staffing for community colleges in the U.S. Office of Education.

S. 545 should continue to press the Department for a much larger unit or professional staff allocation addressed to community college interests.

These new thrusts, along with the proposals we have made to improve the on-going higher education programs that have been highly beneficial to junior community colleges, e.g., construction, developing institutions, student financial aids, library resources, and undergraduate equipment, would usher in a new day in the Federal contribution to these colleges. We will be deeply grateful for whatever consideration and help you can give us and the vast enrollments we serve on these priorities.

We hope some of our thinking has been helpful, and we will be happy to respond to your questions, Senator.

Senator PELL. I thank you very much, indeed, Dr. Flanagan.

May I add: what a joy it is to find the president of our own junior college system in Rhode Island as the spokesman for the junior college organization. It is one more example of the fact that Rhode Island may be a small State in size, but its excellence is known outside its borders. As an old friend, I am glad to see you.

Thank you for your testimony.

We want to get your views. Then, as you know, there is another panel with somewhat different views concerning S. 545 who will also speak to us. But I think at this point I will defer—are there any other witnesses who want to say something first before we move into questions?

Mr. FLANAGAN. There is prepared testimony from two more.

Senator PELL. Right. I would hope, since the testimony will be in the record in full, in any case, you might abbreviate the testimony as you present it, proceed, please.

Mr. SMITH. Mr. Chairman, I am J. Harry Smith, the chief executive officer of Essex County College, Newark, N.J.

Our concerns center upon the perceptions manifest in the various sectors so germane to the mandated growth of the comprehensive community college. The enormity of the charge placed before us bespeaks an awareness, in this quarter, which engenders a spirit which causes us to address our publics with confidence.

The community college growth pattern is quite familiar to each of you; however, though we have grown more than 200 percent in the last decade, there is every indication that we have not met the need nor have we significantly affected a societal thrust. Moreover, our task is made more a burden by the awareness generated by our very existence and the success that gives testimony to the validity of our purpose.

953

Current figures, derived from the latest survey by the American Association of Junior Colleges, show that the combined full-time and part-time enrollments in 2-year colleges now exceed 2.5 million. This attainment was in some measure, attributable to assistance garnered at this level of government.

Structured into our existence—and this is quite critical—is the denial of a luxury heretofore essential in the development of institutions—that luxury being time. Because of the pressures and apparent needs of our constituencies, whatever the prescripts, they must be instituted now, those things we garner and consider cherished.

Any insouciance evidenced at this level of government will cause serious reverberations which will encumber the thrust and destroy the integrity of community colleges throughout the Nation.

Historically, the performance of this Nation has fallen short of the promise by a significant margin. As an Afro-American, my presence here today addresses the promise while the millions who are ghetto-ridden migrants, and impoverished without regard to color, await a manifestation that is obvious and an opportunity for something other than lateral mobility. Without having obtained a decent existence, lateral mobility is an albatross not easily worn with an empty stomach or shoeless feet.

A moment ago I alluded to integrity. Let me amplify this essential element of our construct. If Government is to serve the masses as well as the powerful, it must then follow that vehicles be established to honestly present opportunity to those lacking the wherewithal. Without clout, having been exploited by the powerful, manipulated by mid-people and plugged into a system that militates against their every activity, this segment has every right not to believe the promise or pronouncements of institutions or Government or Government-related.

The community college has done so much by its approach to the masses, to create an integrity never before ascribed to the Higher Education sector. We, at Essex County College in Newark, N.J., fully understood this; consequently, the open door policy became an instrument of community use.

Gentlemen, the community college is the hope of the masses. Your constituencies turn to us for relief. Our business is the mass production of human repair. One of our most salient attributes, is our ability to effect mass human repair. This factor alone causes people to develop and rally to us. Our growth is a phenomenon that can be measured by the confidence of the people in our institutional integrity. The lack of resources can deter us. New resources are essential if we are to maintain current levels, and most assuredly, if we are to answer the current needs.

Moreover, we can and do derive a measure of comfort from what we have done, but there must be the realization that too few have been reached. There are impositions presently which center upon our limited capacity that force us to constraints that touch our very essence. Basically, the open door, comprehensive community college cannot remain so unless assistance is forthcoming.

I would like to, if I may, just add a few more paragraphs.

Thomas Jefferson's early aspiration to see democratic values fully implemented has not yet had an opportunity to be tested for the non-white masses. In order to live up to his expectations, an informed and

generally responsible citizenry is essential. Prior to the advent of the community college movement, there was little opportunity for many Americans to be nurtured in an informative and systematic fashion. Educational training and easy access to objective information about America and the world were left to chance or the circumstances of birth.

The post World War II development of the philosophy of some kind of guaranteed higher education for all Americans who are interested and feel they may benefit from continuing their education has made possible for the first time an increasingly informed, better prepared and interested electorate. Although now the increase is manifesting itself more noticeably among teenagers and young adults, there is hope that all Americans can be encouraged and afforded the opportunity to continue their education as conveniently and humanely as possible. As this occurs, more Americans will be able to participate in the growth and future of America, decreasing the likelihood and need for violent or destructive methods to reform the system.

I think I can end there because most of that has been said will somehow touch on what I said.

For the sake of time, we will yield—or we will be happy to respond to your questions.

Senator PELL. Thank you very much, indeed.

I yield to Senator Javits.

DISAGREEMENTS BETWEEN TYPES OF INSTITUTIONS

Senator JAVITS. I just have a question. I must be leaving soon as I am introducing today a bill to include in the education opportunity grant program part-time students and to recognize academic achievement.

Also, I understand there is a very sharp difference of opinion developing here, between the 4-year institutions and you gentlemen representing the junior colleges which we, generally speaking, have been greatly favorable to because we are not married to the traditional concept of the 4-year liberal arts education for everybody. We believe some people can prosper better with the 2-year college.

But we do want to ask you two things. One is to comment—if you cannot now, we will insert it—on the plea which will be made to us, which we see from Dr. Auburn's testimony, to include nonbaccalaureate programs of 4-year institutions in the legislative proposal under discussion.

Secondly: I would ask for any comments upon the interrelationship between the 2-year and 4-year which may be engendered by Dr Auburn's testimony and that of his colleagues which will succeed yours.

So we ought to have the benefit of the juxtaposition in the record, even though this time the challenge to the program will come later in the hearing.

Mr. FLANAGAN. Mr. Chairman.

Senator PELL. Mr. Flanagan.

Mr. FLANAGAN. We have reference to this in the testimony which I have just given, and I would just take one paragraph which I think is worth repeating.

There is a terrible inequity in leaving out full-time students——

Senator JAVITS. What page is this?

Mr. FLANAGAN. Page 9.

There is a terrible inequity, and one that pinches hardest in the community colleges, since we serve at least 1 million part-time students. Some of the colleges show part-time enrollments as high as 80 percent.

Now, I am sure that I and my colleagues will tell you that this is something a part-time student should be equated on an FTE and should receive prorated full-time support.

Senator JAVITS. We are going to do that.

Now, the important thing I wanted from you was to—either now or later—give us the answer to the argument which is going to be made by Dr. Auburn on behalf of the 4-year colleges, that we ought to have in this legislation an inclusion of nonbaccalaureate programs.

Mr. FLANAGAN. In a brief conference here, Senator, we concluded that this is a lengthy matter, and we would like to get into this at some——

Senator JAVITS. Submit it.

Mr. FLANAGAN. And insert it in the record.

Senator JAVITS. And also the other points which Dr. Auburn may make.

You understand, I have the highest respect for your points and Dr. Auburn's, but it would be very valuable to the committee to have the interplay between the two. As they will succeed you in testifying today, I ask unanimous consent that the comments of this panel and the Auburn panel may be made part of the record.

Senator PELL. That will be done.

Senator JAVITS. And also, incidentally, there is no reason why the Auburn group should not have the right of reply in anything that they think is——

Senator PELL. Right; and I guess just to be fair, there should be the right of rebuttal to that, too.

Senator JAVITS. Right. We can go on ad infinitum.

Senator PELL. All right. Each side has to have a fair exchange.

Senator JAVITS. They have testified; the Auburn group will testify; they will make their comment on the Auburn group, the Auburn group will make their comments on that. That is two each. Then they will stop.

Senator PELL. That is enough.

Mr. SMITH. May I respond?

You are asking that the 4-year colleges be able to give a baccalaureate degree for areas in which they haven't been functioning prior to this. I am speaking as a person that comes from a highly industrialized area, New Jersey, and particularly about the city of Newark, and I would like to address myself to what has historically been the posture of 4-year institutions.

Four-year institutions in our State and almost all States historically have excluded black and minority people as students. They have excluded them as faculty members, and they had excluded them as administrators.

Now, when you say that they are now, as a consequence of an open-door policy, being manifested in the community college area, that we would want to then give to this particular sector the responsibility of

moving certain practices of this community college sector to that level, I find that even our community, our community college, which is a small community college with 5,000 students, we have established as thrust as a consequence of our own efforts, and we feel that if it is now going to be moved to another level, we may be put right back in to the tyranny of testing and all the other guises that were used to exclude minority people from full participation in higher education heretofore.

Senator JAVITS. President Smith, may I just comment as follows: We are about to settle a big problem about equal educational opportunity in an emergency bill by trying to, on the one hand, encourage what we call stable, integrated schools, and on the other hand, deal with problems of desegregation.

I rather think also that we will certainly value the interchange between the two points of view for this reason: I am sure, President Smith, you would be the last one to want community colleges to be known as the haven of the minorities only, and 4-year colleges to be what you have just said they are, in effect, institutions for whites. We will have to find some way of making a contribution to the selectivity on the basis of educational excellence and educational capability. I think that if we did that it doesn't necessarily mean that we are going to make a change in this 2-year and 4-year approach which we have had, but I do think we have to keep in the back of our minds that the greatest contribution which we can make to the education of minorities is still to give them absolutely even opportunity, both in the climate and in the frame of reference in which they learn as well as the learning itself. Wouldn't you agree with that yourself?

Mr. SMITH. I would endorse that, sir.

Senator JAVITS. Of course.

Mr. SMITH. But I just want it to be inferred that the community college is not of excellence of its own performance.

Senator JAVITS. We will be very solicitous.

With all respect, I don't think you will find a better balanced set of men than in this educational subcommittee. Thank you very much.

Mr. FLANAGAN. Mr. Chairman, Dr. Martorana. He would like to make a comment.

INTRODUCTION OF DR. MARTORANA

Senator JAVITS. May I say, Mr. Chairman, before Dr. Martorana starts, I have known him well for a long time. I am very pleased he is one of the witnesses, and I consider him one of our outstanding educators.

Dr. MARTORANA. Thank you very much, Senator.

It is a privilege to be again before a Senate committee to present testimony.

My main purpose here this morning is to show full support of the council to the testimony which Dr. Dana Hamel will present. However, Senator Javits, before—you indicated you were going to leave—before you leave I would suggest another answer or comment of the moment to the question you have raised beyond that which might be inserted in the record later; the observation that the question you raised is directly related to the importance of State planning, and it

may be that beyond the comments of Dr. Hamel, with respect to State planning, the relative roles of different colleges, the allocation of resources for higher education that exists in the States, to the purposes for higher education to be rendered in the States be required as elements for coverage in the State planning.

This, then, would create a situation where the allocation of resources is made a responsibility of the States. The roles, the missions in the educational framework of the 2-year colleges and 4-year colleges would be faced up to and State plans would emerge that would make, hopefully, maximum utilization of resources against the needs of the particular State.

Senator JAVITS. Thank you very much. Dr. Martorana.

I want to thank my colleagues and their chairman for allowing me this privilege.

Mr. FLANAGAN. Dr. Hamel, chancellor, Community College System of Virginia.

Mr. HAMEL. Mr. Chairman, I know your time is short and I will make my presentation short, since you are going to make it a matter of record.

I can say that as a New Englander who is now in the great Commonwealth of Virginia, and who has been reared in traditional higher education, that the community college development is one of the most exciting things that has come about in probably decades and decades.

In the Commonwealth of Virginia in 4 years we have jumped from 1,200 students to 38,000. We have 16 institutions and 77 percent of our enrollment is in occupational technical education. This is related to some of the things I have been asked to comment on.

Very quickly, we at the State council of State directors are concerned about planning. I am not going to cover all of the bills. We think the Senate bill 545, Senator Williams' bill, is a great thing. It has certainly created a lot of national interest and certainly people are aware now that the comprehensive community colleges are coming of age.

The first provision in that bill provides for stronger State planning. This, gentlemen, is what we are concerned about, and I think it addresses itself to Senator Javits' comments and to our colleagues who will follow us in their testimony.

As you know, the tax dollar is getting taxed very heavily. Priorities have to be made, and we submit respectfully that a proper planning as provided in Senate bill 545 would allow for all of these differences and certainly develop a program that would be meaningful to the people that we are trying to serve.

The important part of this planning, as we see it, is that the criteria set forth broad goals which you all would consider as essential for accomplishment of national interests in postsecondary services. First, through the planning process, and second in the formation of expansion of comprehensive community colleges in accordance with those plans.

This has been set forth, the criteria, in the statement of purpose in the Senate bill 545. I won't read that. You all know what it is.

But, gentlemen, the key to this is to stress the role of the community college, the role that it is to play to bring about universal accessibility and higher education for the general population, the development of

institutions within reasonable commuting distance of all citizens of the respective States.

Now, second, and I think this is not inseparable from the total project and total master plan, is the development of a comprehensive community college program. We are talking here about placing appropriate and proper emphasis on occupational technical education. We feel very strongly that appropriate planning and appropriate development of comprehensive community colleges may help to return dignity and worth to the occupational and technical programs and give them the status, if you please, of the liberal arts transfer that already exists.

Now, we would like to suggest respectfully that this plan be flexible, because each of our States obviously has developed from different groups and has gone different ways. We know that in the Commonwealth of Virginia we have one plan; very frankly, a plan that would fit California, but if it were universal, might not suit Massachusetts or Rhode Island. We would respectfully suggest it be a flexible plan and we have spelled this out just as an idea that you might want to consider.

The development of a planning group: 15 to 20 seats that would represent all of the agencies in your respective States that have any interest in community colleges, and this might again include the issues that were raised by Senator Javits a moment ago, and that half those seats be filled by officials with responsibility for direct operations of the institutions that meet the Senate bill 545 definition of a community college and that the chairman of the committee be one of those officials.

We not only suggest that the committee write the plan, but that it hold public hearings on the plan, according to broad guidelines in the act. It might require them with a 30 days of any notice and have the hearings in any county that has at least a minimum of 100,000 population or more.

Now, once the plan has been ratified by the State ad hoc committee and then by the State agency with responsibility for the community colleges in that respective State, then from there, and only then, would it go on to a coordinating board for all of higher education, if the State has such an agency. It should go on to those people for their review and finally be transmitted to the U.S. Commissioner of Education for his evaluation and approval, with the act clearly stipulating that he shall reject plans which do not meet the basic criteria.

We feel, gentlemen, that this planning process can bring about a very important item, and that is greater accountability on the postsecondary educational investment. There were nine objectives that the National Council of State Directors have read into the record, and we would ask you to review those again as you develop your bill. We would ask you that as you work on this to also recognize that the State and the Federal Government must consciously guard against framing their programs in such a fashion that they foresee comprehensive community colleges to become carbon copies of traditional higher education, or to become simply feeder institutions for the senior colleges and universities.

Mr. Chairman, I would stop at this point, since this is a matter of record, and answer any questions, if you have them.

Senator RANDOLPH. Thank you, Chancellor Hamel.

Senator Williams, do you have a comment or colloquy?

Senator WILLIAMS. First I will make an observation.

I am sorry our subcommittee chairman isn't here, as I wanted to personally express my appreciation to him for putting the proper focus and emphasis on our concern with Federal association with community colleges. In this dimension it is new, as you gentlemen know better than any of us here. Certainly the communities have rushed on in this relatively new dimension of education. We are catching up.

You said that in Virginia in 4 years you have gone from students in community colleges of 1,200 to 34,000?

Mr. HAMEL. 38,000.

Senator WILLIAMS. Well, that, of course, is a most dramatic statistic which makes the point that the communities have certainly realized this is a dynamic and vital relatively new way of meeting the needs of postsecondary education.

Now, coming back to my friend, Dr. Smith, Essex County Community College, what is your comparable growth figure, if I might ask?

Mr. SMITH. Well, we started in 68—1968—with the largest freshman class of 3,500 of full and part-time people, and presently we are over 5,000 after 3 years in existence.

Senator WILLIAMS. And you know what the situation is in the State of New Jersey, don't you?

Mr. SMITH. Yes, sir; the State of New Jersey now has about 30,000 enrolled in community colleges, and we have gone to that figure for 1971 from about 5,000 in 1968. We also went from four community colleges to 13 presently in operation.

Senator WILLIAMS. In that period of 3 years?

Mr. SMITH. It is actually 4½ years, from 4 to 13.

Senator WILLIAMS. Well, that again makes my point from another State.

You mentioned S. 545, which is a separate bill that I have introduced, dealing with community colleges. That bill is set in the framework here of this hearing of the education amendments of 1971, and I think that Senator Pell, the chairman of the subcommittee, is wise to relate it or to weave it into our programs for higher education as distinct as they are in approaches, it is still higher education, and it is now still not a distinct carbon, but it is part of the family of programs—it will be, I trust, as part of the evolution here through the hearings and even though it was separately introduced.

I will say that I have many questions, and this is the worst day to have conflicts, but I have them and I will have to go on.

But it would help our considerations if I could submit questions to all of you in writing, and I think that would make a better record, because this record, believe me, is going to be very important. This isn't going to be the easiest legislation to pass through. Again, we might have a great surprise. There might be more awareness of what you gentlemen are talking about.

But, at any rate, the record is going to be very important and we will continue in the committee and then, of course, go through the floor of the Senate. I will submit the legislation.

Senator RANDOLPH. We will have questions of Senator Williams given to the witnesses and others on the subcommittee will be given this privilege also.

I have the same difficulty.

President Flanagan, are there others in your panel?

Mr. FLANAGAN. Thank you, Senator Randolph and Senator Williams. I am sure all the colleges, public and private, this committee's service to our cause is tremendously appreciated.

I am sure, Senator Williams, your name has become a household word wherever junior colleges are. I say that with due respect to my long friend, Senator Pell.

We hope this marriage can come about so that all education can benefit from it, and I am sure I speak as a State director, as a member of the Commission of the American Association of Junior Colleges, in expressing our appreciation for your courtesy and attention to us.

Thank you.

Senator RANDOLPH. Thank you, President Flanagan.

President Auburn, President Randolph, President Lawshe.

STATEMENT OF NORMAN P. AUBURN, PRESIDENT, UNIVERSITY OF AKRON, OHIO; ACCOMPANIED BY HARLAND RANDOLPH, PRESIDENT, FEDERAL CITY COLLEGE, DISTRICT OF COLUMBIA; AND CHARLES LAWSHE, PURDUE UNIVERSITY

Mr. AUBURN. Senator Williams, I am Norman P. Auburn, president of the University of Akron, and joining me is the president of Federal City College, President Harlan Randolph, on my left, and the vice president of Purdue University, Dr. Charles Lawshe, on my right.

We are speaking today, sir, for the major associations in higher education; namely, the American Association of State Colleges and Universities, American Council on Education, the Association of American Colleges, Association of American Universities, Association of Urban Universities, National Association of State Universities and Land Grant Colleges, and the National Council of Independent Colleges and Universities.

Senator Javits referred to the fact that you have had the prepared testimony that we have submitted, and we hope, sir, that it will be included in the record. We know that your time is limited, and therefore we will try to make this in a staccato fashion. But please feel free to intervene at any time and ask questions that might help on the presentation of this case.

We start, sir, by commending you on Senate bill 545. We find ourselves in agreement with nearly all of its proposals with one exception: we favor a program of Federal grants to States for the purpose of strengthening and improving and developing educational programs, especially arranged to meet the needs of educationally and economically disadvantaged persons.

We agree educational institutions must increase their responsiveness to the needs of the community in which they are located. But I will subsequently point out that many of them are now doing that.

We believe, however, and this is the one point that we find ourselves in variance with your position—we believe to accomplish the

position and the purposes that you have in mind there should be an amendment to S. 545, expanding its provisions for Federal grants to include not only junior colleges, but also all other colleges and universities which offer educational programs, which prepare students for career opportunities.

We will develop that case and then respond to questions that you and Senator Pell may have. I think the best way that I could try to convey to you the understanding that there are many 4-year colleges that are engaged in less than baccalaureate programs is to use the example I know best of all: the State of Ohio. Then thereafter we will hear from my colleague at the Federal City College and my colleague from the State of Indiana.

But, from the State of Ohio there are institutions similar to mine, the University of Akron, which embrace not only comprehensive community colleges, granting the associate degree, but also baccalaureate, masters, and doctor's programs.

In other words, we cover the full spectrum of higher education.

What has happened in the State of Ohio recently that is directly in line with what you are suggesting? It is this, sir: the expansion of higher education in the State of Ohio will be at the community college level. There is before the legislature at this very moment a freeze on enrollment at the baccalaureate level, but an expansion possibility at the associate degree, 2-year level.

The present law in Ohio is open admissions in its public institutions of higher learning. That law is to be amended to eliminate urban admissions or at least selective admissions at the baccalaureate level. But it will not be changed so far as the 2-year programs are concerned.

Another example from my own institution: we have tripled in five of the last 10 years and doubled in seven. We have an institution now of nearly 20,000 students, day and night. Many of those students are in what you are referring to as the comprehensive community college program in all areas in which I think you are interested.

In other words: business and industry, engineering technology, paraprofessional fields, health sciences. All of those areas they are now offering.

As we see the bill as it is now constituted, it eliminates institutions of this kind from any possibility of Federal support. It is for that reason, sir, that we feel that an amendment is in order. We agree that the junior colleges have made great progress and we commend them for it, but we think that legislation as it now is constituted, is in a sense, divisive and in a sense might result in requiring States to set up a new program, a duplicate program at the very time, sir, when resources are in short supply.

So the burden of our remarks are that we believe that you have a very desirable bill. We know from our experience that a large percentage of the young people who are now aspiring to postsecondary school education can be accommodated and should be accommodated at the less than baccalaureate degree level, at the 2-year associate degree level, which provides them with the training they need for career opportunities.

That, in essence, because your time is limited, is all that I need to say at the moment.

I am very happy to answer questions, but I would now like to ask my colleague, President Randolph, if he will comment so far as his institution is concerned and any other comments he may have.

Mr. RANDOLPH. Mr. Chairman, my name is Harlan Randolph, president of Federal City College, located here in the District of Columbia.

I have just six points that I would like to share with you.

Point No. 1, is that some 4-year institutions of higher education are presently serving the same function as community colleges. By this I mean that we are providing career programs and community services.

Now, I have listened to the presentation of the representatives of the Junior College Association. In the course of that presentation they listed about 14 different criteria to define a community college, a comprehensive community college. Federal City College qualifies according to each of those standards in terms of its function.

Now, we do not have here in the District of Columbia an institution so labeled: Comprehensive community college. But the legislation establishing Federal City College authorized and required the college to establish, conduct, and operate programs at the associate of arts level, in addition to the bachelor's, in addition to the master's; so that we have the substance of the community college, if I may use the phrase; we do not have the sound of the community college in the sense that there is a unique title called: "The Community College" in the District of Columbia.

As the legislation is presently written, the Nation's Capital would not receive the benefits of this particular program, and I can assure you that many residents of the Nation's Capital desperately need to have the services and funds of this particular legislation.

Now, it seems to me, one essential question that we need to talk about, and that is the question that some 4-year institutions do not, in fact, meet the career objectives, do not meet the community service objectives, and do not open the doors, in the sense, of opportunity to the residents of their States. We are, as one might say, an "Elitist" institution, and I am not one who takes an arbitrary and capricious concern against "elitist" institutions, but that is not the problem we are concerned with in this particular legislation.

So, one question might be asked, and that question is: How can we distinguish between those institutions who serve the function of this legislation and those who do not, while at the same time not arriving at an arbitrary definition which reduces from the resources of this Nation those institutions which historically have, in fact, been provided career programs and community services, such as the 3-year institutions presently before you at this time.

I would like to recommend or suggest five factors which might help us distinguish between those 4-year institutions which are not a part of the spirit of this legislation and those 4-year institutions who, in fact, have been historically a part of this particular legislation.

Those five factors might be: one, a prior history of programs in the area of education career opportunities; second, present performance and performancer data in this particular field; three, a systematic relationship between the educational program, the employer, the community and statewide education planners; four, measurable objectives and accountability; and five, a recognition that all 4-year colleges

have not failed to meet the objectives typically assigned to community colleges.

Senator RANDOLPH. On that point, Dr. Randolph, did I hear you say that there were 4-year colleges that have met the objectives of the so-called "2-year community college?"

Mr. RANDOLPH. Yes.

Senator RANDOLPH. And that we believe to be true in West Virginia. We have no community colleges in our State. I don't know how many States are without community colleges, perhaps a dozen. I really haven't checked as to that figure.

But there are certain institutions within our educational system, higher education in West Virginia where I believe I know personally, or at least have access to the fact that they are carrying forward these programs—career education—what I believe to be the realism of the world we have today, in a manner that I think we must provide for those institutions in this legislation or in separate legislation because certainly it would be improper—I think unfair, to just say to these institutions, 4-year colleges, you have been left out of the emphasis which you and others have discussed in your testimony today.

I shall not use the time now, but I will place, Mr. Chairman, with your permission, the record, the attainment record which I believe we have been able to carry forward in certain institutions in the State of West Virginia under present programs. Some of them offer as many as 14 to 16 separate 2-year career programs.

Now, if we have no community colleges in our State and legislation is drafted to assist community colleges, and yet within the framework of our 4-year institutions there is, in fact, this program or programs that are practical, and doing what it is thought we must do here—and that is strengthen the 2-year program—why I think we ought to be very careful and not do a damage to such a structure as we might have in West Virginia where, with appropriate diploma or recognition degree at the end of 2 years, why there is a definite recognition of the fact that that student has completed a course of work, often vocational or technical in nature.

Senator PELL. The information you supply will be made a part of the record.

Senator WILLIAMS. I have nothing. I will just say in your brief absence I have expressed my great appreciation to you, Senator Pell for the way you have woven consideration of community colleges into these hearings on the Higher Education amendments.

Senator PELL. Thank you.

Actually, in the bill we have put forward, there is a rather empty spot into which the junior college legislation will dovetail. The question is how we dovetail it in and to take into the dovetailing the points that are made by both panels.

Senator WILLIAMS. I appreciate that.

I just came from the dentist. I have a perfectly fitting inlay. I have appreciation for it, I will tell you.

But just one thing: you suggested the questions to the other panel might better be put in writing to them and they agreed?

Senator PELL. Right; it might be the same set of questions to both panels.

Senator WILLIAMS. Yes.

Senator PELL. Were you here when Senator Javits suggested they have each side make a comment?

Senator WILLIAMS. Rebuttal and surrebuttal?

Senator PELL. Only to the second degree.

Senator WILLIAMS. I have a feeling that it will be necessary to communicate further with the associations and probably through the staff. If you could indicate to us who would be the representative of the various groups——

Mr. AUBURN. We shall appreciate that, Senator Williams.

Senator PELL. I understand it has already been scheduled for this afternoon. Actually it has been taken very quickly.

Senator RANDOLPH. Vice President Lawshe.

I wonder if it would not be inappropriate for me to say your new athletic director is from West Virginia. George King had an enviable record at Morris College. You are able to hire people and pay them more in a college that is not State supported. But seriously, we think that he is not only a very excellent coach, and athletic director, but he does have the ability to have a rapport with young men. We hope that you will enjoy him as much as we have in West Virginia.

Mr. LAWSHE. He has been a tremendous addition to our institution, and he certainly epitomizes what we say athletics ought to do as a part of education.

Senator PELL. Thank you.

I think you were going to make a statement.

Mr. LAWSHE. Yes.

What I would like to do, Senator Pell, is as best I can, reinforce what my two colleagues have said about the multiple role of 4-year institutions, but to do so within the context of the Branch University concept.

I have listened this morning to the witnesses pointing out phenomenal percentage growths where community colleges have been newly brought to the scene. I did some quick mental arithmetic and I think the number of students enrolled in the branches of three State universities in the State of Indiana is roughly the same as the number of people enrolled in the community colleges in Virginia, if I heard the figures correctly.

Instead of quoting phenomenal growth figures, we are talking about 12 and 15 percent per year—the reason being at Purdue University it has been awarding 2-year diplomas since 1947 in the metropolitan areas of the State of Indiana. So we have in our State, leaning on President Randolph a little bit, we don't have the language that identifies institutions as community colleges. We have, in fact, had community colleges in the State of Indiana for many, many years, and we have attached to our State universities, primarily Indiana University and Purdue University, but Indiana State University also has a branch.

VOCATIONAL EDUCATION

Senator PELL. Do you have vocational education offered there as well?

Mr. LAWSHE. I think we might have a definition problem here. I think I can say we have technical education.

Senator PELL. Dental assistants?

Mr. LAWSHE. Indiana University: dental assistants; Purdue: electrical engineering, a technology computer, technology associate degrees in nursing.

Senator PELL. What about training to be a machinist?

Mr. LAWSHE. No; not vocational education in the——

COST OF INSTRUCTION

Senator PELL. Could you give us some kind of cost of instruction figure in the junior college system.

Mr. LAWSHE. First of all, I don't have those data at my fingertips.

Senator PELL. Do you have them at all?

Mr. LAWSHE. Yes, it is available. But I think if the committee wants those kinds of data it should specify the criteria by which the data are to be collected, because to compare cost figures from institution to institution and not make sure that you haven't treated the same things at both institutions can produce distorted results that I am sure nobody wants.

RELATIVE COSTS

Senator PELL. I have no ax to grind, but my own common sense tells me the cost of adding a thousand students to your institution, with its many facilities, would probably be larger than the cost of adding a thousand students to Rhode Island Junior College. Would I be incorrect in that or not?

Mr. LAWSHE. I simply couldn't answer that.

Senator PELL. No derogation of your institution, but I simply thought——

Mr. LAWSHE. Frequently one finds that instructional costs are less the larger the base, but I don't want to speculate on this because I don't honestly know.

Senator PELL. Excuse me.

COST OF INSTRUCTION

Do any of the three of you have any figures on cost of instruction in your institutions?

Mr. RANDOLPH. Do you want it broken out just for the AA degree program?

Senator PELL. For the AA degree and for the AB degree, too, if you have it by any chance.

Mr. RANDOLPH. No, but we can submit them for the record.

I would again go along with my colleague that the important thing here is to determine what you include in the cost of instruction, because if you are talking about an instructional cost then your cost per student is much lower than if you are talking about dividing total cost, including capital cost, by number of students. We need a definition of what you would consider to be the cost for competitive purposes.

Senator PELL. I think as a general rule of thumb, to my mind, it includes all costs except capital costs, which would be the cost of doing business, the operational costs.

Mr. RANDOLPH. We would look at it in terms of recurring costs and not those costs required for the initial establishment of the program, regardless of whether it is operational or capital costs.

Mr. AUBURN. Mr. Chairman, we can get such figures for you and we will do so.

I would like to make this particular point, and I am sorry that Senator Randolph isn't here, but I know it will be in the record, and that is with respect to the large number of State universities and land grant colleges which do now offer less than baccalaureate degree programs. A recent survey shows that 40 percent of these institutions, or some 134, are now offering the type of programs that Senator Williams' bill asks for.

It would seem to us, and I would say this in summary, sir, that unless there is an amendment to this bill it creates a divisiveness among the institutions of higher learning. It could force States to set up new programs, and this is costly, at a time when there is already a scarcity of resources.

So we hope that the amendment would be of the character which would bring together all elements of higher edcuation to serve the purposes so well set out in this bill.

EQUIVALENCY ACCEPTANCE

Senator PELL. Would you believe that—do your organizations support the idea of equivalent degrees, work outside combined with continuing education courses of diplomas?

Mr. AUBURN. Do you mean do we consider the idea of associate in science or arts——

Senator PELL. No, let us consider a man working in his field for 7 years in the outside world who needs one course, to complete the equivalent of what a man who received a degree would receive; would it give him that degree?

I think some universities in New York are moving in this direction. It is being discussed.

Mr. RANDOLPH. Federal City College does that. We are really recognizing work experience for the equivalent of classroom experience. If a person is capable of demonstrating competence in a given field he can receive either certification or a degree from the institution.

Senator PELL. Your institution, I think, is a particularly exciting one with many new concepts in it.

Mr. RANDOLPH. We would like to have an amendment so we can qualify for some of this additional money. Our treatment on the part of Congress over the last few years presently has us at a $14 million deficit in terms of our accreditation in 1972. Any amount of money, like the $1 million for planning or the other funds which would come out of this program would permit us not only to be exciting in terms of rhetoric, but also to be effective in terms of service.

Senator PELL. I appreciate those words very much. How many undergraduates would you consider in the first 2 years and how many in the last years?

Mr. RANDOLPH. This is our third year of operation.

Senator PELL. But you have many students because of the equivalent experience that might be considered in their third or fourth years, you know.

Mr. RANDOLPH. We have approximately 20 percent of our students who are now between the second and third year within the institution.

Senator PELL. Thank you.

Mr. RANDOLPH. I might add as a key point that I would like the committee to consider that in making a definition as to what institutions shall receive these funds, I think the key concept should be the functional use of the institution and not its structure, and that the key objectives should be not the institution, be it two or four, but the services that the institution is to provide to the community. And at the same time I think it should be underscored or considered that if we move too harshly and too narrowly confined toward the 2-year institutions that for many persons in the poverty communities, be they white, black, brown, or any other color, that we may not be able to develop the leadership needed in those communities to, in fact, deal with the major urban problems. We may find ourselves creating within poverty communities or the equivalent of the janitor's job in the new technocratic society.

What many of those communities need is a liberal arts, the professional and technical capability and they, in fact, are going to be what the development of the inner city of the United States, which more and more is being turned over to poverty groups. I think it is of critical importance that 4-year institutions such as Federal City College and others testifying before you have an opportunity to demonstrate that they can combine the career objective at the 2-year level with the professional and technocratic objectives at the four and the advanced degree level.

Senator PELL. I don't think these objectives about which you speak are irreconcilable with the approach of the junior college bill and there could be some ways of fitting all of these differing viewpoints in. I believe the junior college bill calls for a separate bureau, separate office in HEW.

What are the essential differences, if you had to define the differences, between your approach and that of President Flanagan's view? What would you say are the two or three key points of difference?

Mr. LAWSHE. Well, I think that branches of universities, such as those I represent, are comprehensive community colleges. They are just a little more comprehensive in that they offer some opportunity beyond the associate degree.

In direct answer to your earlier question, in our branch the campus is 55 percent working toward associate degrees or other less than baccalaureate objectives. The remaining 45 percent, 35 percent of the 45 are in freshman and sophomore status, leading—I don't know about my arithmetic—something like 10 percent in what you would call the upper division.

Pursuing President Randolph's point a bit further, the General Assembly in our State has considered the matter of community colleges, junior colleges, if you will, time and time again in the past 2 decades; has always rejected the concept in favor of the thought that the branches of the universities can do the job.

So, we in the State of Indiana have one junior community college. All of the rest of the metropolitan areas are served by branches of one or more than one State university.

Now, legislation raised as this would possibly encourage the creation of additional institutions in the same area, and I think this is my major concern in these days when we have such great difficulty

funding the institutions we already have and branches we already have—the thought of an additional system paralleling these in the same areas.

One of my concerns is economic, but the other is very intimately concerned with the notion that we need to expand opportunities for the disadvantaged groups, and what I am afraid of is whereas our branches at the present time are not "elitist" institutions, that somehow or other the State of Indiana was compelled to create another group of institutions alongside those, they would become "elitist" institutions and the disadvantaged would all be relegated to the new institutions that carry the necessary label: "community college."

So, I just want to bring to the attention of the committee again, as I did last year when I testified before Senator Williams, that not all States are alike. We have great diversity in the structure, in the organization of higher education, and I would be greatly concerned if Federal legislation inadvertently caused all States to be poured into a mold that is perhaps, I feel, for some States, but certainly not desirable for others. I want to make perfectly clear that I suppose the purposes of Senator Williams' bill and that I want to see these community colleges that we are representing here this morning, I want to see them supported. I think it is absolutely necessary they be supported. But I don't think it should be done at the exclusion of institutions who have been performing these functions for a long, long time, and I would say just as well.

As I listened to the various criteria this morning and various gentlemen speak, it sounded like they were talking about my branch campus in Hammon, Ind. It was doing all those things. It just happened to offer a baccalaureate in addition.

Senator PELL. You say you want to make it clear; I think this is what we are proceeding to do, to make it clear to the administration as well, which often never make things clear to us, and this is a very necessary area in which to move.

Mr. RANDOLPH. I think it might be helpful for the record if the statement by Peter Muirhead, Associate Commissioner of Higher Education, before the Subcommittee on Education of the Committee on Labor and Public Welfare, were included or associated with this.

Senator PELL. It is already in.

Mr. RANDOLPH. In addition to that, let me say two other things.

The National Advisory Council on Comprehensive Community Colleges, from our point of view, should be expanded to include others than just community colleges. I suppose the suggestion that I would like considered perhaps more than any other is that if we could increase the sum of money in law, then it would take the two panels out of conflict and argumentative position. It seems to me as long as we are talking about a small sum of funds, then they have reason to say: "We would prefer you not to be in" and we have more reason to say we would prefer to be in, but if we could in some way work out a funding formula which would take us out of a direct competitive position at the starvation level, then perhaps you would have only one panel and not two.

Senator PELL. I sympathize with your views.

Mr. AUBURN. To ask a question, I have two very brief points.

First, Dr. Lawshe talked about the branch universities. I would like to say the same thing for the urban universities. They have been close to their communities; they have offered the type of education that Senator Williams has indicated, but under this bill they are excluded.

A second point I would like to make is to read a very brief paragraph from our testimony, because it is pertinent to what you asked.

We would question the ultimate wisdom of establishing a separate bureau in the Office of Education to deal with 2-year institutions. As noted earlier, the 2-year junior colleges are very much an integral and major segment of higher education. They have special problems which deserved special attention and it would be wise to establish a separate division in the bureau of higher education.

This is a distinction between bureau and education. This is in answer to your questions.

Senator PELL. Thank you very much.

Thank you very much, sir; and we look forward to your comments and wish you luck in the meetings this afternoon.

Our final witness this morning is the Rev. Richard E. Mandeville, Salve Regina College, in Newport, R.I.

I assured him once he could make his views officially known to the Senate and we are glad to have this opportunity to hear you.

STATEMENT OF FATHER RICHARD MANDEVILLE, PROFESSOR OF SOCIAL ETHICS, SALVE REGINA COLLEGE, NEWPORT, R.I.

Mr. MANDEVILLE. Thank you very much, Senator.

I don't represent any high-powered organizations in education coming here this morning, but I can assure the Senator and members of his committee that what I have to say has been submitted to many of my colleagues in Rhode Island and to many of my students, who are from the States that the members of this committee represent and from others who are from States other than that.

I would like to address myself this morning to title III of this bill entitled: "Establishment of a National Foundation for Higher Education and a National Institute for Education". In particular to the sections of title III discussing the National Foundation for Higher Education and the National Institute of Education.

It is quite clear that education today, especially higher education, is involved in two great crises: the one dealing with serious financial problems, the other dealing with a lack of public confidence in its goals. Both are related, indeed the financial crisis may to some degree be caused by the public's lack of confidence.

If we are to continue to discuss these crises separately, bills such as this one, giving financial aid to colleges and universities are essential if higher education is to survive in an acceptable form. As far as we know Federal financial aid is now maintaining and supporting a great many of our colleges and universities, especially the smaller ones. As for finances, I have little to say except that public mistrust of our institutions of higher education is generally unfounded. Anything we can do to lift this veil of mistrust will go far in solving higher education's financial woes.

Public confidence in our colleges and universities must be reestablished. I believe it can be reestablished if colleges and universities are

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established in the minds of the people as communities of the future. Communities in which new organizational and institutional forms can be found to help man cope with the accelerating rate of change. It is in colleges and universities that new ideas can be tried, new assumptions about the future can be made, new ways of living together can be realized. It is in the colleges and universities that the communities of the future must be nurtured. It is in the colleges and universities, and the hope for a better future that they are always signalling to modern man, that modern man is able to see that he is not consigned to the despair of his present condition. Anything that can be done to insure that colleges and universities continue to be beacons showing us the hope of the future must be encouraged.

The traditional outlook on education as a conserver of knowledge and traditions will have to be scrapped. The concept of absolute fixed, unchanging truth, particularly from a polarizing good-bad perspective is out-of-joint. The concept of certainty; there is always one and only one right answer, and it is absolutely right. The concept of isolated identity, that A is A period, simply and once and for all. The concept of fixed states and things with the implicit concept that if you know the name you understand the thing. The concept of simple, single, mechanical causality; the idea that every effect is the result of a single, easily identifiable cause. The concept that differences exist only in parallel and opposing forms: good-bad, right-wrong, yes-no, short-long, up-down, and so forth. The concept that knowledge is given that it emanates from a higher authority and that it is to be accepted without question.

Postman and Weingartner list the above as representative of the ills of the old education, the list certainly is not exhaustive. Most criticism of the old education makes the point that the students who endure it come out as passive, acquiescent, dogmatic, intolerant, authoritarian, inflexible, conservative personalities who desperately need to resist change in an effort to keep their illusion of certainty intact.

I cannot imagine any educational establishment less liable to help society cope with a drastically changing future than one which fosters and encourages the development of concepts and attitudes such as those listed earlier.

The new education must have as its goal the development of a new kind of person. A person who is constantly and actively inquiring, flexible, creative, innovative, tolerant, a liberal personality who will be able to face the ambiguity and uncertainty of the future without disorientation. A person who can formulate possible new assumptions to meet changes which threaten individuals and mutual survival.

Decidedly, there is no more pressing function for education to fulfill than that of helping us to recognize our world and help us master ideas that will increase our ability to cope with it. This is the essential criterion for judging the relevance of today's educational process. We have to help the young people in our culture learn a new set of beliefs, a new set of institutions, a new set of values, which will allow them to live in a totally different world.

Robert Theobald poses the ultimate question: "How do you change the thinking of a culture with enormous speed?" The response is that you do it through the school system—which is the only social institu-

tion that exists to fulfill this function. Although churches should have this as a prime purpose, in this country they do not.

The basic function of all education even in the most traditional sense, is to increase the survival prospects of the group. If this function is fulfilled, the group survives. If not, it doesn't. There have been times when this function was not fulfilled, and groups and entire civilizations have disappeared.

Our culture, our civilization, our group will disappear if our educational institutions are unable to respond to the demands of an accelerating rate of change.

This bill's provision for a National Foundation of Higher Education are farseeing, necessary sections to the entire bill. There will be strong temptation to defeat these sections to the entire bill. There will be strong temptation to defeat these sections due to the financial crisis in the land, but to defeat this section will only serve to perpetuate what I consider the old form of education. To pay for a continuation of the old ways of education would be a mistake of the first magnitude. The Foundation and the Institute are important to the future of the country, since they will insure that men and women are professionally concerned about the future of our educational system and consequently the future of our society.

Building an effective educational research and development system, strengthening of the scientific and technological foundations of education; advancing the practice of education as an art, science, and profession; helping to solve or to alleviate the problems of and achieve the objectives of American education are all goals in which Americans everywhere must take an interest.

Preparing ourselves for the future is such an important task, that I would propose a further step for consideration. That every college or university that benefits directly by financial aid from the Federal Government as a result of this bill, or any college or university that benefits even indirectly by financial aid to its students as a result of this bill, be directed to form an active council of the future.

A council of the future would be made up of teams of men and women organized to probe the future in the interest of the present. By projecting "assumed futures" by defining coherent educational responses to them, by opening these alternatives to active public debate, such councils could, as Alvin Toffler says, have a powerful impact on education.

Since no group holds a monopoly on insights into tomorrow, these councils must be democratic. Specialists are vitally needed in them. They will not succeed if they are captured by professional educators, planners, or an unrepresentative elite. They must include young people who must help lead and initiate these councils so that "assumed futures" can be formulated and debated by those who will presumably invent and inhabit the future.

Alvin Toffler in "Future Shock" says that the council of the future movement offers a way out of the impasse in our schools and colleges. The creation of future-oriented task forces in education could revolutionize and make obsolete, as in many cases they already have become, the revolutions now taking place in our society.

For those who recognize the bankruptcy of the present system, the council could provide purpose as well as power through alliance with,

rather than hostility toward, youth. And by attracting community and parental participation—businessmen, trade unionists, poets, scientists, artists, clergymen, and others—the movement could build a broad political base of support for the revolution necessary in education.

The purposes of such councils of the future in the colleges would certainly be much the same as the purposes outlined for the Foundation and the Institute of this bill. Isn't there a duplication of effort being called for here, a multiplication of organizations doing the same thing? Perhaps; but I don't believe we can dismiss the idea of councils of the future in every school so easily. Although it is true that its goals will be the same as the Foundation's and the Institution's, councils of the future in every school will perform one function that the Foundation and the Institute cannot. They will work at the most radical level possible, at the grassroots; they will force people to consider society in light of the future. The revolutionary change that we need today must begin at the grassroots of society. Our ability to cope with future shock is not something that can be decreed from above. It is not primarily a change in rules and regulations from above that we need. It is more a change in attitudes and habits. Such a change can only take place by beginning at the grassroots.

By all means let the Federal Government conduct meaningful research into education, but let it also assert its leadership in setting up the mechanism of change at the grassroots level by totally involving people in all communities in preparation of the future.

Senator PELL. Thank you.

This idea of councils of the future is a very interesting one. One problems is that, as you know, there is the old bugaboo of the Federal Government controlling the educational process too closely. Personally, I think the Federal Government has a good deal of wisdom in it. It doesn't worry me too much as it does some of my constituents and people around the country.

But I think this idea is counter to the problems we face.

Mr. MANDEVILLE. It would certainly run counter to that. We talked about that. We still felt that because of what we considered in our experience of teaching, we considered that our students were not able to make assumptions about the future. We were dealing with higher education, and in some cases some of my colleagues were dealing with them on the graduate school level.

We considered that since they were not able to do this and that since these people were the most educated in our society, after in some instances, having gone through 16 and getting into 18 years of education, we felt that it was absolutely imperative as these colleges make a contribution to the community by enabling the community to make fairly educated assumptions about its own future. I think that this simply will not take place as we have seen, I think, and I don't have any facts readily available to substantiate this impression that I have. But evidently we haven't been able to get rid of poverty in this land with the considerable expense of the Federal Government and its economic opportunity programs. These are programs that have worked from the top down. They have worked to some extent, but certainly have not made the significant effect that they should have made in some parts of our land.

I think this is the same thing here. I think that the Federal Government, if it is going to expend what amounts to $700 million, that the bill provides for 5 years, I guess, that the bill will find itself in this same bind. It is going to be doing research that will not be accepted by the people. This will probably be accepted by the people about 10 years too late. By that time things will have changed so fast and so often that we will still be in the same things that we are now.

Although I agree with you that the Federal Government is probably not going to be looked upon too favorably by many of our people in the colleges, if it dictates, in effect, and makes giving Federal money—makes a requisite of these councils a condition for Federal money, I feel that we have got to start doing something like this, and I think the Federal Government should exert its considerable moral leadership and tell people they had better start thinking about the future. I don't think we are doing this at all. I know we are not doing this in Rhode Island. I know we are not. I speak professionally as a clergyman in a church in Rhode Island, in the Roman Church, we haven't though an agenda for the future, and I know of no substantial organizations except for leading businesses that does, and we had better start getting them. This applies for education, too.

I think that the assertion, which is well-taken, which you make, that the Federal Government will be trying for this by the higher education people is worth the risks, but because I think it is absolutely essential that we do this.

I noticed this morning when you asked—and I thought that was grand—when you asked one of the interns from Rhode Island to sit at the table with his president. That was great. I wondered to myself then, you know, as I witnessed this war in higher education that was developing here this morning, what the students would say about it. They were talking about money. I don't know what you have had for testimony up until now, but my impression of this morning's testimony and from what I gathered from what went on yesterday, it was kind of, you know: Who gets the money and how much and how fast. Those aren't the issues any more. They are important.

Senator PELL. They are part of it, an important criterion.

I thank you very much, indeed, Father Mandeville, and like your ideas. I think on first impression, that on a volunteer basis I would like to see these ideas discussed and these councils in the future established.

Thank you very much.

The subcommittee will recess, subject to the call of the Chair.

(Whereupon, at 12:18 p.m., the subcommittee adjourned, subject to the call of the Chair.)

EDUCATION AMENDMENTS OF 1971

TUESDAY, APRIL 20, 1971

U.S. SENATE,
SUBCOMMITTEE ON EDUCATION OF THE
COMMITTEE ON LABOR AND PUBLIC WELFARE,
Washington, D.C.

The subcommittee met, at 10 a.m. pursuant to call, in room 4232 New Senate Office Building, Senator Claiborne Pell (chairman of the subcommittee) presiding.

Present: Senators Pell and Schweiker.

Staff members present: Stephen J. Wexler, subcommittee counsel; and Roy H. Millenson, minority professional staff.

Senator PELL. The subcommittee on Education hearing on the Education Amendments of 1971 will come to order. The first witness today is Father Joseph A. Cardoza. Before he speaks, I think the man who is really responsible for today's hearing, whose bill we are discussing, without any question at all, is Senator Schweiker.

I have to go to the floor at 11:15; however I am sure Senator Schweiker will stay right through the hearing this morning, and will take over at that time.

Senator Schweiker has an opening statement, and before he speaks, I would just like to say that I congratulate him on his bill, I think it is an excellent one. I look forward to seeing the subcommittee weave it into our general legislation.

(The text of S. 23 and introductory remarks of Senator Schweiker follow:)

92D CONGRESS
1ST SESSION

S. 23

IN THE SENATE OF THE UNITED STATES

JANUARY 25, 1971

Mr. SCHWEIKER introduced the following bill; which was read twice and referred to the Committee on Labor and Public Welfare

A BILL

To provide a program to improve the opportunity for the study of cultural heritages of all ethnic groups in the Nation.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That this Act may be cited as "The Ethnic Heritage Studies
4 Centers Act of 1971".
5 SEC. 2. The Higher Education Act of 1965 is amended
6 by redesignating title XII as title XIII, and sections 1201
7 through 1210 (and references thereto however styled in such
8 Act or any other Act) as sections 1301 through 1310, re-
9 spectively. The Higher Education Act of 1965 is further
10 amended by inserting after title VII the following new title:

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1 "TITLE XII—ETHNIC HERITAGE STUDIES
2 CENTERS

3 "STATEMENT OF POLICY

4 "SEC. 1201. In recognition of the heterogeneous com-
5 position of the Nation and of the fact that in a multiethnic
6 society a greater understanding of the contributions of one's
7 own heritage and those of one's fellow citizens can contribute
8 to a more harmonious, patriotic, and committed populace,
9 and in recognition of the principle that all students in elemen-
10 tary and secondary schools of the Nation should have an op-
11 portunity to learn about the differing and unique contribu-
12 tions to the national heritage made by each ethnic group, it
13 is the purpose of this title to provide assistance designed to
14 afford students an opportunity to learn about the nature of
15 their own cultural heritage, and to study the contributions of
16 the cultural heritages of the ethnic groups of this Nation.

17 "ETHNIC HERITAGE STUDIES CENTERS

18 "SEC. 1202. The Commissioner is authorized to provide
19 for the establishment and operation of ethnic heritage studies
20 centers through grants to public and private nonprofit educa-
21 tional agencies and organizations. Each such center will have
22 courses of study related to all ethnic groups represented in
23 the regional area to be served by such center.

24 "ACTIVITIES OF ETHNIC HERITAGE STUDIES CENTERS

25 "SEC. 1203. Each center provided for under this title
26 shall—

1 "(1) develop curriculum materials for use in elemen-
2 tary and secondary schools and institutions of higher
3 education which deal with the history, geography,
4 society, economy, literature, art, music, drama, language.
5 and general culture of the groups with which the center
6 is concerned, and the contributions of those ethnic groups
7 to the American heritage,
8 "(2) disseminate curriculum materials to permit
9 their use in elementary and secondary schools and institu-
10 tions of higher education throughout the Nation, and
11 "(3) provide training for persons utilizing or pre-
12 paring to utilize the curriculum materials developed
13 under this title.
14 "ADMINISTRATIVE PROVISIONS
15 "SEC. 1204. (a) In carrying out this title, the Com-
16 missioner shall make arrangements which will utilize (1)
17 the research facilities and personnel of institutions of higher
18 education, (2) the special knowledge of ethnic groups in
19 local communities and of foreign students pursuing their
20 education in this country, (3) the expertise of teachers in
21 elementary and secondary schools and institutions of higher
22 education, and (4) the talents and experience of any other
23 groups in the regional area to be served by centers assisted
24 under this title such as foundations, civic groups, and fraternal
25 organizations which would further the goals of the centers.

1 "(b) Funds appropriated to carry out this title may be
2 used to cover all or part of the cost of establishing, equipping,
3 and operating the centers, including the cost of research
4 materials and resources, academic consultants, and the cost
5 of training of staff for the purpose of carrying out the pur-
6 poses of this title. Such funds may also be used to provide
7 stipends (in such amounts as may be determined in accord-
8 ance with regulations of the Commissioner) to individuals
9 receiving training in such centers, including allowances for
10 dependents.

11 "AUTHORIZATION OF APPROPRIATIONS

12 "SEC. 1205. There is authorized to be appropriated to
13 carry out this title for the fiscal year ending June 30, 1971,
14 the sum of $10,000,000, and for the fiscal year ending June
15 30, 1972, the sum of $20,000,000."

[From the Congressional Record—Senate, Jan. 25, 1971]

(Introductory Remarks of Hon. Richard S. Schweiker on the floor of the Senate on S. 23—The Ethnic Heritage Studies Centers Act of 1971)

Mr. SCHWEIKER. Mr. President, I introduce the Ethnic Heritage Studies Center Act of 1971.

This bill authorizes the Commissioner of Education to create a series of regional centers around the Nation which will develop, and make available to schools, colleges, and community groups, materials concerning the history and culture of all the various ethnic groups in our country.

Mr. President, the decade of the sixties began in relative quiet, but ended in ashes of misunderstanding, hatred, and violence. During these riot-torn years, we witnessed the tragic events of race fighting race, religion opposed to religion, and ethnic groups hostile to ethnic groups. Independent study groups, Presidential Commissions, academicians, and reporters alike were in general agreement that polarization among Americans was rapidly increasing, and that misunderstanding and distrust among Americans at all levels of society was dangerously high, and getting worse.

In representing a large, diverse State like Pennsylvania, and in reading my mail, talking to constituents, and following newspaper reports, I have become vividly aware of the feeling among Americans of all races, colors, and creeds that they are being neglected by government and society at large.

This high level of distrust and discontent at all levels of society is a serious problem, particularly in view of the broad problems we face in modernizing all public services, in maintaining a strong viable economy, and in helping to insure the best possible life for all Americans, in urban and rural areas alike. If our people are divided, we will never be able to make our democracy work. If all persons can come together, and work together, the American dream can slowly but surely become a reality to everyone.

The bill I am introducing today, creating Ethnic Heritage Studies Centers, is designed to help bridge the gaps of misunderstanding between people by fostering the study of ethnic history and culture.

America is a new land in world history, still only a few hundred years old. One of our strengths has always been the rich mixture of baskgrounds and traditions of the countries from which our forefathers originally emigrated to start a new life with new hopes and new promises. With the single exception of our great American Indians all Americans derive from other countries' cultures background, and heritages, which have existed for many hundreds of years before America.

However, in the development of our country, and in the history of American people, persons came to our shores in order to make a new life for themselves, became embarrassed with their old country mannerisms and customs and felt they had to take on new "American" traditions. Historians and social commentators have referred to the great "melting pot" theory of America, whereby the cultures and backgrounds from around the world would merge in our new country to create a new homogenized culture that would provide everyone with a new, better life.

As the years have gone on, however, and as we analyze, in particular, the trouble-filled era of the sixties. I have come to the conclusion that too much faith has been put on the dream of a "melting pot." In the process, our peoples have lost a sense of identity. We now see many Americans in a fluid state, with few community ties, and a lack of any firm roots to provide stability for their lives. What was seen as the opportunity for unlimited growth, has instead resulted in insecurity, and a loss of the important values of community, identity, tradition, and family solidarity.

Mr. President, I feel that the focus of the American dream is no longer the "melting pot" mixture of people, but should be our own motto, "E Pluribus Unum," one out of many. Rather than ignoring the many ethnic and traditional differences of all Americans, it is time to emphasize them, and combine the strengths of all ethnic groups, to have these groups work together to build a better society and bring harmony to all people.

I have talked with a number of people who have worked with minority and ethnic groups, and who have been active in promoting ethnic cultural activities, and I have become convinced that greater study, awareness, and application of ethnic traditions and cultural activities can help to increase personal identity and stability which is lacking among so many people today.

Even more important, however are the prospects for members of one race, color, or creed, to be able to learn about the background of other groups, to understand their different ways of life and traditions, in the hopes that each group, through this new understanding will be able to get along better with each other, to work together, and begin the necessary task of creating a more harmonious society.

The Ethnic Heritage Studies Centers to be created by this bill will begin to provide the resources to begin this task of greater ethnic understanding. I envision the creation of regional centers, utilizing colleges, universities, civic groups, existing ethnic organizations, and any other community resource in that region, which will foster the study of the history, traditions, and cultures of the various ethnic groups within that region. Eventually, when these individual regional centers are working effectively, coordination on a national scale can be easily accomplished, but we will have to begin with smaller steps. They can develop libraries of ethnic studies material, develop curriculum material for use in elementary and secondary schools and colleges and universities, help promote ethnic cultural events in their local communities, and work closely with fraternal organizations, student groups, civic associations, women's clubs, and any other community group which can help to foster the goals of mutual understanding of the ethnic centers.

The centers would be under the general scope of the Office of Education, since these goals are ultimately educational in their outlook, but the centers would have separate staffs which should be encouraged to exercise considerable flexibility and independence based on the needs and wishes of the ethnic groups within the areas served by each regional center.

Mr. President, community solidarity through ethnic communications can work. One of the largest mixtures of ethnic and racial groups in our country exists in Pittsburgh. I have sat in on a number of meetings of a new ad hoc ethnic committee in Pittsburgh, which has been meeting to discuss how different ethnic groups and people can work together for the benefit of the entire community. Let me list the different groups represented in this committee: African, Bulgarian, Carpatho-Russian, Croatian, German, Greek, Hungarian, Irish, Israeli, Latvian, Lebanese, Lithuanian, Netherland, Polish, Russian, Scandinvian, Scottish, Serbian, Slovak, Slovene, Spanish, Syrian, and Ukrainian. The mere fact that leaders from these ethnic communities, representing nearly all of the population in the greater Pittsburgh area, are sitting down, meeting together, and talking about mutual projects is in itself a significant development. But the potential for continued close cooperation among these peoples is enormous, and it can take place everywhere in our country, with the ethnic groupings of each region of the country, not just in Pittsburgh.

In summary, I feel that ethnic solidarity and ethnic indentification can be instrumental in eliminating many of the tensions between different groups of people today. Members of all ethnic groups, of all races, colors, and creeds, share the American hope for meaningful employment, healthy families, strong communities, and peace and harmony within their daily lives. Tension and turmoil brings out the worst of human tendencies and motivations, and it is our responsibility to help encourage understanding and identity which will bring out the best in human goals and aspirations.

The creation of ethnic centers can become regional and national focal points for this goal. The study of ethnic heritages will not in itself solve social problems. But the mutual understanding and tolerance between people, and the self-confidence and identity within ethnic groups, can. I urge serious study by the Senate of this small, but significant step; and swift approval of ethnic heritage studies centers.

The PRESIDENT pro tempore. The bill will be received and appropriately referred.

The bill (S. 23) to provide a program to improve the opportunity for the study of cultural heritages of all ethnic groups in the Nation, introduced by Mr. SCHWEIKER, was received, read twice by its title and referred to the Committee on Labor and Public Welfare.

Senator SCHWEIKER. Thank you, very much, Mr. Chairman. As a sponsor of S. 23, the Ethnic Heritage Studies Centers Act of 1971, I would like to express my gratitude to the distinguished chairman of the Subcommittee on Education, Senator Pell, for scheduling this morning of hearings on the important subject of ethnic studies.

I would also like to express my deep thanks to the many experts in the field of the ethnic studies who have taken the time out of their busy schedules to come to Washington to give this subcommittee the benefit of their expertise.

I regret that many persons who have worked in this field and who could make significant contributions to the discussion today are not able to testify personally due to the shortage of time, but I am pleased to be able to submit statements later in the record from a number of groups.

Mr. Chairman, this bill has the support of the following colleagues who are cosponsors: Senators Brooke, Fong, Gravel, Griffin, Hruska, Inouye, Mondale, Nelson, Percy, Scott, Stevens, Stevenson, Taft and Tunney, and I am grateful for their support.

I do not want to take any time away from valuable testimony of the experts assembled here today, and thus would like to submit an opening statement I have prepared for these hearings at the end of these oral remarks.

Briefly, the bill provides for the creation of centers to promote the study of the heritages, cultures, and traditions of the various ethnic groups which make up our great country.

One purpose of this emphasis on ethnic studies is to help foster an awarness of the positive contributions to our culture which have been made by our respective ethnic groups on the part of the members of each ethnic group.

Thus one purpose is to foster self-pride and a sense of dignity so lacking in society today.

Secondly, however, this bill will also foster comparative ethnic studies, so that members of one ethnic group will have a better understanding of the cultural differences and backgrounds of other ethnic groups.

In addition, members of ethnic groups can come to realize that their experiences in coming to America were often shared by other ethnic groups.

Thirdly, this bill is designed to help bring about mutual cooperation on common social problems by members of all different groups in society today. It is hoped that through education and understanding we can bring about greater peace within society, with all persons and groups working together.

I think the wide variety of witnesses who will appear today will give a fair indication of the broad based support within the whole country for ethnic studies, and I hope the Congress will listen to their eloquent statement and provide the necessary national leadership.

(The prepared statement of Senator Schweiker follows:)

PREPARED STATEMENT OF HON. RICHARD S. SCHWEIKER, A U.S. SENATOR FROM THE STATE OF PENNSYLVANIA

Senator SCHWEIKER. Recently, the attention of educators, sociologists, and urban affairs planners has been directed toward the field of ethnic studies. Today, I am pleased that the U.S. Senate is turning attention toward this important area.

As the sponsor of S. 23, the Ethnic Heritage Studies Centers Act of 1971, I am delighted that today's hearings have been scheduled on

the bill. I am confident that the sampling of opinion and support for this relatively new approach to solving many of our social and educational problems will be educational for all the members of the committee, and for the Congress as a whole.

These hearings will show wide spectrum of individuals and organizations, embracing nearly all elements of our society today, that recognize the need for increased educational emphasis on ethnic heritages, backgrounds, and traditions, and support legislative efforts to give the necessary thrust to ethnic studies to insure that they play an important social role.

The bill provides for the creation of a series of centers for the study of individual ethnic groups. Although the specific details of how and where the centers will be created, and how they will be operated, remain, to be worked out in the legislative process, it is important for the Congress, representing all citizens of America, to declare its commitment to the theory of ethnic studies, and to express its recognition of the positive benefits that this emphasis on individual ethnic backgrounds can provide to society at large.

Let me outline three distinct purposes and stages in this study of ethnic groups.

First, it will encourage members of each different ethnic group to study, and have a greater awareness of, their own ethnic backgrounds and culture. The melting pot theory of assimilation in America has not worked, and in the face of an automated society today, individual roots have been lost, and many individuals suffer from identity crises. The study of ethnic backgrounds can help an individual feel pride in his heritage and pride in himself.

Second, ethnic studies can help foster comparative studies of ethnic heritages. Not only can an individual learn about his own background, but he can learn about the backgrounds of others. A member of one ethnic tradition can understand the meaning behind differences between his way of life and another person's culture. In addition, however, he can realize that despite specific cultural differences between himself and his neighbor, there has also been a similarity in the experiences of the different ethnic groups as they began their new life in America.

Third, through self-understanding an mutual understanding, the groundwork can be established for mutual cooperation. If prejudices and misunderstandings between groups of people can be eased or eliminated through ethnic education, then these same groups of people can start working together to solve their mutual problems, whether they be living in an urban or rural environment.

The American dream of equal opportunity for all citizens has not been realized by all Americans. These steps of self-awareness, mutual understanding, and mutual cooperation can make important contributions toward creating a harmonious society within which this great dream can be finally realized by all Americans.

Today, we will hear from a diverse group of representatives who are actively working in this field, and who are only a sampling of the many different organizations and interests, whose representatives could testify eloquently about the positive benefits that ethnic studies can bring to society at large.

I hope the Congress will respond to their ideas and experience and take the necessary legislative steps to make their dreams a reality.

Senator PELL. As the Senator knows, the reason I have not cosponsored his bill is that I as a general policy do not cosponsor bills that are being considered by the subcommittee. Nevertheless I fully support it.

Senator SCHWEIKER. I undestand that, Mr. Chairman. The fact that you are giving us hearings today convinces me strongly of your feelings in this matter. I understand your policy, and I might say I think it is a very wise one.

Thank you, again, Mr. Chairman, for scheduling these hearings.

Senator PELL. I am delighted. Our first witness this morning is Father Joseph A. Cardoza of Newport, R.I.

STATEMENT OF FATHER JOSEPH A. CARDOZA, PASTOR, JESUS SAVIOR CHURCH, NEWPORT, R.I.

Father CARDOZA. Thank you, Mr. Chairman.

Senator PELL. Father Cardoza is well known to me. He has long been interested in this idea, and he enjoys a very fine reputation in our city. I would particularly be interested in the Portugese problem, because my father was in Portugal as a minister, and I used to go there and visit. I hope some day to get a Portuguese cultural center or museum going in our own state.

Father CARDOZA. Thank you for your kind words, Senator. This proposed bill is one that I am quite enthused about, and I feel that my own particular background gives us some insights since I was actually born in the Azores and grew up in this eminent perspective.

This bill, I feel, would contribute greatly to our realizing the ideal of the open society. In order for this ideal to be realized, we feel that people must have their identity fully established, and one of the crises of our nation now is precisely this, where people seem to have no identity whatsoever.

They seem to be wandering about. We live in a pluralistic society, and this is a fact of life. It is a policital fact of life and far from the preconceived notion of the melting pot, which was to hold forth for some short time and people would then be caught into an American press, ethnicity has endured, and we feel that it actually has real value in helping to solve some of the identity crises that so many people in our country are going through, and also to diffuse this polarization which, of course, is doing much damage to our cities, to our communities, and to our country, and I feel that in order for there being respect on the part of one group for another, the individual must respect himself, and so it is a question that the ethnic centers would do precisely this, would encourage and show a real sense of appreciation for the particular cultural and linguistic background on the individual.

Again, from my own experience sometimes you would feel that the community tolerates these differences and suffers with these differences until they are happily obliterated, and in the process of this attitude there is harm and damage done to individuals, psychic harm and damage, whereas the ideal as espoused by this bill would be to appreciate the differences.

I feel to the extent that this materializes, we would be doing away with the ghetto and the ghetto mentality. I feel the ghetto mentality is brought about precisely where the individual is demeaned, and where he feels himself threatened to becoming a non-person, then he withdraws if the general community and establishes his own particular enclave, where at least there he will be respected as an individual, and at least there he will find his values.

So to the extent that the community in general appreciates the differences, then you won't find people withdrawing. Rather, you will find the very opposite. They will come out, they will flower forth into what we would hope would be the ideal of the open society.

This is not retrogression as some people feel. It is not a question that we are committed to perpetuating the ghetto, but rather to disintegrate the ghetto mentality and to develop a community where the differences are appreciated, where we have this pluralistic society vigorously being lived.

In this, one can become thoroughly American while retaining the distinctive and creative individuals of one particular background.

This enriches the community, this enriches the country, and we find now we are conscious of the members of the community of nations, we have so much that could be of real service to the United States, and also to the maintaining of the respect for the dignity of the individual, which I think is basic to our way of life, and in order for these different groups to live at peace with one another they must first of all respect themselves, and herein is the particular merit of this bill, which I heartily endorse.

Thank you.

Senator PELL. Thank you very much, indeed.

It is of particular interest to me to know how you would see this working out in our own State of Rhode Island.

Father CARDOZA. It would be a process of formulating programs that could be presented at one of our colleges. URI or elsewhere, where you can have curricula that would be devised to bring in the contributions of the ethnic groups residing in our own State, the contribution of the Italian, Irish, Portuguese, the Poles.

In this way, you would be able to actually enhance the status of the college, where they would be providing something positive and something constructive and at the same time possibly setting up programs where your teachers of sociology would be able to get the background necessary to go to their respective schools and classrooms and be able to teach these courses, which would lead, hopefully, to the members respecting one another as individuals.

Senator PELL. I don't know if you are familiar with the tower of learning, I think it is called, at Pittsburgh, with different rooms for different ethnic cultures, all brought together.

Do you see the possibility of a center of that sort in our State, perhaps in Providence, in the central population area?

Father CARDOZA. That certainly could be one idea, Senator. With all this, we are going to have to feel our way about.

Senator PELL. Thank you.

Do you have any questions?

Senator SCHWEIKER. No; I just want to commend Father Cardoza for his statement, and express my appreciation for his support.

Senator PELL. Thank you, Father.

Our next panel is headed by Msgr. Geno Baroni, director of the National Center for Urban Ethnic Affairs, Washington, D.C., and Mr. Irving M. Levine, Mrs. Fred Harris, and Al Velarde.

We are delighted that Mrs. Harris is here. I see that one member of the panel is missing.

STATEMENT OF MSGR. GENO BARONI, DIRECTOR, NATIONAL CENTER FOR URBAN ETHNIC AFFAIRS, WASHINGTON, D.C.; IRVING M. LEVINE, DIRECTOR, NATIONAL PROJECT ON ETHNIC AMERICA, AMERICAN JEWISH COMMITTEE, NEW YORK, N.Y.; MRS. FRED HARRIS, PRESIDENT, AMERICANS FOR INDIAN OPPORTUNITY ACTION COUNCIL; AND AL VELARDE, SOUTHWEST REGIONAL DIRECTOR, DIVISION OF MIGRATION AFFAIRS, U.S. CATHOLIC CONFERENCE, EL PASO, TEX.; COMPOSING A PANEL

Monsignor BARONI. Mr. Levine is going to be here.

Senator PELL. Would you like to turn it around and wait for him, and have the next panel on?

Monsignor BARONI. That might be all right. What do you think?

Senator PELL. Would you like to wait?

Senator SCHWEIKER. We could maybe add him to the next panel.

Monsignor BARONI. We could go ahead and maybe submit statements.

Senator PELL. All right, let's go ahead.

Monsignor BARONI. Senator Pell and Senator Schweiker, we are very happy to be here and have this privilege to show our concern and support for S. 23.

(The prepared statement of Monsignor Baroni follows:)

STATEMENT OF MONSIGNOR GENO C. BARONI
DIRECTOR, CENTER FOR URBAN ETHNIC AFFAIRS
702 LAWRENCE STREET, N. E.
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Presented to:
Senate Committee on Education
Hearings on S-23 THE ETHNIC
HERITAGE STUDIES CENTER BILL
APRIL 20, 1971

Senator Pell, members of the committee, I am Monsignor Geno C. Baroni, Director of the Center for Urban Ethnic Affairs. It is my pleasure to appear before you and testify on behalf of S-23, the Ethnic Heritage Studies Center Bill.

Public and private agencies devoted to the restoration of urban America have largely ignored working class whites in designing programs to eliminate poverty, substandard housing, racial discord, declining schools, and physical decay. It is difficult to rationalize the neglect of these residents given their size and strategic location in our Northern metropolitan areas. The most prominent segment of this group are the first, second, and third generation Americans of European ancestry.

While the sons and grandsons of European immigrants can be found in various social-economic strata, a large number of them are blue-collar workers. They are the backbone of the labor force in most of our industrial cities, mining towns, and manufacturing centers. They still reside in older, mixed-ethnic neighborhoods or have relocated in predominantly blue-collar suburbs. The needs, frustrations, and problems of this metropolitan population are urgent and varied.

We reject the accusation that these people are the citadel of racism in our society, although we do not deny that racism exists. We find that race relations in America's big cities have come to mean increasingly the relations between the blacks and white ethnic working class people. This has happened because, increasingly, business and institutional leadership no longer lives in the city. The upper middle class has either fled or is fleeing. It is therefore obvious that if there is to be a resolution of the racial crisis which grips our society, a critical role will be played by white working class communities.

Since the end of World War II, scholars, journalists, and social reformers have devoted little attention to the white ethnic community. It was assumed that the offspring of European immigrants had lost their identity in the "melting pot," that they were well entrenched in the middle class, and that the plight of the new urban immigrant, the non-white minority, deserved priority attention. Recent probes show that many elderly white-ethnics are poor, that most working-class families do not earn "middle class" incomes, while white blue-collar youth must grapple with the same kind of problems that have produced alienation among affluent college youth.

As a consequence of two decades of neglect, we know little about the white ethnics, their precise numbers, the composition of their communities in terms of age, occupations, income, and education; the importance of their cultural heritage in understanding their behavior. However, the academic community, mass media, the foundations, and a growing number of people in Washington have rediscovered the "white ethnic." This renewed interest is

based on the realization that to ignore their valid needs is to jeopardize those efforts which are designed to restore urban America and to reduce social discord which is rooted in economic insecurity and racial misunderstanding.

What, then, is the importance of an Ethnic Heritage Studies Center Bill? The importance is basic and I specify only a few of a plethora of reasons that support this bill.

First, utilizing the accepted metaphor of melting-pot, what really has melted in this famous pot? We don't really know because the decades of neglect has robbed us of the determining data.

Second, is America--perhaps the most culturally and ethnically diverse nation in the world--really a melting pot? Perhaps, as so many of us working the field more and more realize, the uniqueness of America and its source of strength consists precisely in its multi-diversity. Again, our decades of neglect has robbed us of the determining data.

Third, at a time--our time, right now--that our society appears to be searching again for its identity (so it may know better its true purpose) the passage of S-23 will provide to so many, many Americans of Eastern and Southern European origins a prospective of their origins, their heritage and traditions, their customs and languages, their life-force! To assist in discovering a people's origin (and fortunately for the American of European ancestry this is possible) is to assist an American to answer what always remains a basic question--who am I?

Fourth, the urban turmoils of American cities today is rooted in one basic question: Is America today, yet able to provide a "pursuit of happiness" for the totality of Americans that make this nation the most culturally and ethnically diverse nation in the world? As various groups see and think they see other groups receiving more of our government's attention, its time, its money; then, that group sees itself as a foster child at best; as alien at worst.

To show that America is a nation of peoples--each fully free, each fully alive, each fully developing, each fully inter-dependent in brotherhood, then America in its "pursuit of happiness" for all its peoples can truly show "all men are brothers."

Thank you.

Monsignor BARONI. I came to Washington from Pennsylvania, where I read all those free Andrew Carnegie library books that told us everybody was going to make it and everybody was going to be the same, everyone would be an "American." By the time 1970 came around I wondered whether or not the American dream was becoming an American nightmare.

I was director of urban affairs of the archdiocese of Washington, and recently of the U.S. Bishop's Conference task force to look into the urban problems, and I have looked at 58 northern cities. Who lives in the northern cities?

You take cities like Newark, Pittsburgh, Detroit, Gary, in those cities with the growing brown and black populations, the people in those cities are largely—the white population—first, second, and third generation from Eastern and Southern Europe.

These people have a growing anxiety about American society. Where is America at and who are we? My nephews and nieces are not sure of their own heritage, their own strength. I think we have an important possibility here if we look at our American cities, if we look at our urban society, in this bill.

I think we have a possibility of helping to find a new source of strength America desperately needs. I was on the National Committee on Cities with Senator Harris and others.

The great disaster, besides the lack of money, in our cities is the lack of hope. Take Newark. Newark is like a patient that the doctors have said, "Maybe you could get well if you had money," but many people in Newark don't believe they can get well. Many of our people have lost their sense of pride, have lost their sense of history, have lost a sense of appreciation for backgrounds of their parents and grandparents, and even their historical experience in the American scene.

We have a kind of historical amnesia among our people. As we look at American cities and American society, we lack a national identity, a national purpose. I believe this bill is crucial and very important in the elementary and secondary levels as well as the higher education level; it is crucial in developing a greater sense of sensitivity, of awareness on a personal level.

A person who knows who he is, who can have an identity, that person has self-respect, that American can begin to respect other cultures and other heritages. But to the degree one has lost his own self-respect, then he may have a hard time respecting the cultures of others.

We are saying that America is not necessarily a melting pot, that America is the most culturally and ethnically pluralistic country in the world.

One national commission said we were building an inevitable group conflict in our society. I think the only alternative to that is for us to recognize the contributions of all ethnic Americans, the Indians, the blacks, browns, and other groups. If we develop a healthy respect for the cultural heritage of other Americans, that respect will show us that perhaps we can live as an ethnically and culturally pluralistic society, with mutual interdependence, and work to meet the human needs of our society, and work in a way that we can share our value systems, and create a more decent American way of life.

I believe that ethnic Americans have a great role to play in our urban crisis. I believe our young people, especially young people of the second and third generation, need to find and strengthen the hopes of their heritage and background in order to survive a fast changing technological, socially moving society. Therefore, I believe one of the greatest strengths and resources of American society is in the hopes, values, and resources of ethnic Americans, black, red, white, and brown.

We are very, very grateful for this opportunity, and we hope that this bill has important priority, not only with this committee, but with the Senate and the House, and I think that America's national identify, its purpose, its foreign and domestic policy, and our life style—I think all this is related to some very basic questions that are connected with this bill.

Senator PELL. Thank you very much for that eloquent statement. Do either of your colleagues have statements?

I welcome particularly Mrs. LaDonna Harris.

Mrs. HARRIS. Thank you. I am pleased to appear on this panel, particularly with Father Baroni. I know of his active interest and activities in the area of ethnic pride and the response he has received from people for what he is trying to do.

I would like to be able to submit a statement later, a written statement, but basically I wanted to be here today to say something of my own personal experience and personal knowledge of being involved in the community and having traveled all over the country in regard to Americans for Indian Opportunity, and Oklahomans for Indian Opportunity gives me a great deal of insight, things I have known myself but have not really been able to put into words.

One of the things we spend most of our time doing at Americans for Indian Opportunity is to try to educate non-Indians to what Indians are about.

The lack of knowledge in the United States about American Indians is phenomenal. I think it is a great disaster, that has led us to the social and economic conditions of the American Indian today. This lack of understanding by the general public is reflected in Congress, particularly the lack of funds that are needed. We could just go on.

American Indians are the lowest on the economic and social ladder in America today, mainly because of the complete lack of understanding from the non-Indian community. I think with the kind of legislation that is before us today and availability of facts about cultures and peoples this will help people to understand what Indians are about. Every day I am personally asked if I can go from Oklahoma to New Mexico and speak with the different tribes in their languages.

There are 300 different Indian tribes in Oklahoma, all speaking 300 different languages and all having separate cultures. It is like talking about Europeans when you talk about American Indians, because we are that different.

These kinds of things are very important particularly for a schoolchild to know so that he can grow up and have a broader view instead of the romantic stereotypes about the American Indian. I know in my own experience, about the attitudes and prejudices of people, the discrimination and the kinds of subtle insinuations about "You should

not be proud." Well, the pride of being an Indian is taken from him, and from many, many people. In fact, I think we have lost two generations of American Indians because of this kind of discrimination.

I know in my own experience, that Commanche was the first language of our home.

I really cannot now speak it very fluently, mostly because of the attitudes of other people. I can understand it, I can think in Comanche, but I can't speak it very well, because I was made to feel that language was not a good language, and that you should speak English.

If we had the kinds of institutions that could hold and keep the history and culture of the people, where our young people could come and find pride and find something interesting in my tribe and my culture, this would give them some self-respect.

I agree with Father Baroni in thas rescept. When we started Indian youth councils in Oklahoma, we tried all kinds of techniques to get youth involvement, and it was not until we started separate Indian clubs in the public school that the children came around—mostly because in doing so—having a separate organization with rewards of being involved in the whole school community, we finally caught on to what was happening.

Children need to have self-respect and a positive self-image, and that image, particularly if you are a dark-skinned person comes from your idenity, the same that black people have in "black is beautiful," the same kind of concept that Indians have in arriving now at pride in Indinanness.

There are no books for children to read, Indians or non-Indians, to read about themselves in the lower classes in public schools.

So the need for books and materials are rejected in the kinds of mail that we receive at Americans for Indians opportunity and it is just insurmountable—people needing and wanting materials—children saying, "I am writing a paper on American Indians, and I can't find anything in my school." "I am writing my thesis, or writing a paper to get my master's degree, and I can't find material."

People are writing us for those kinds of materials, which, unfortunately, we don't have. We can refer them to a few places, but the Bureau of Indian Affairs does not have a very good collection of material.

The University of Oklahoma has probably the largest collection of anthropological studies of different tribes. But still that is inadequate.

So little or nothing is really known, and with the generation, for instance, of my grandmother and her passing, we will lose a great deal. So time is of the essence in getting this kind of information from Indian people themselves because my own mother can't speak the language or know the culture and customs of the tribe that she belongs to.

Very, very few Indian people my age really know that much about the tribe.

Now, younger people are studying and going back to their tribe, but the lack of information, if they are not in contact with their own tribe, it is very difficult to do. So I am very pleased to have an opportunity to testify on behalf of this legislation, and I hope that it will pass.

Senator PELL. Thank you very much, Mrs. Harris.

Mrs. HARRIS. Thank you, Mr. Chairman. It has been a pleasure to be here this morning.

Mr. VELARDE. Senators, my name is Luis Velarde, Jr. I am regional director of the Southwest area for the Division of Migration Affairs, U.S. Catholic Conference.

Due to my background of having taught in the El Paso public schools for 5 years in latin American studies, and now that my territory, dealing with migrants and the Mexican-American community throughout the Southwest is from Brownsville at one end to California on the other, all the way up to San Francisco—we have offices in San Francisco, Los Angeles, Phoenix, and El Paso—I feel that I can supply some information that will be helpful to this subcommittee on the need for such centers throughout the United States, and would emphasize that these centers are needed quite a bit among the Mexican community.

I have found that in the Southwest as perhaps you will find in other sections of the country, the attitudes of the schools and the policies set forth by certain school districts and systems concerning Mexican-Americans has resulted in many students coming to hate education.

It is not that these students don't have the ability. The educational system, the majority society, as some people call it, seem to kill his aspirations, to move forward.

The student is made to feel that he is not only different, but also inferior because of his surname. He looks at our American culture as the objective that has caused him pain and also neglect. Then he looks at his Mexican heritage and says, "Because I am Mexican, this is the reason I am being held back."

The curriculum in general, the textbooks in particular, as I have found, neglect to inform all students, both Anglo and Mexican American and other ethnic groups, of the tremendous contribution that the Mexican-American has made in the Southwest and also in the contribution to history of this country.

These systems deprive the students of a chance to gain an understanding and a pride of his origin or his heritage. I was reading some material on my way from El Paso on this subject, and read a study submitted by the Civil Rights Commission of which you Senators are well aware, and I read a quote which sums up the general attitude that I think must be destroyed.

This is a quote from a Los Angeles high school student who said that "the teacher's negative opinion of Mexico would not bother me so much except that this is the only image portrayed to me in America. I look around for something to be proud of, and I question my parents, and they tell me 'Be proud to be a Mexican.' "

His parents are too busy working to explain what he should be proud of, and since they do not tell him these things and the schools will not, he begins to wonder if the teacher is not correct, if he is not in fact inferior, that he is unwanted in our American culture, and that in fact he was aware of teachers telling him face to face, "Why don't you go back to Mexico and quit causing problems to Americans?"

This type of attitude, should be changed. I think this bill, by presenting these cultural centers, will make students such as this one aware

of the fact that he is an American of Mexican origin. He is not a Mexican. He is part of the American community. He must be proud of his origin.

This crisis of identity is obviously very acute. As an ex-teacher, I have noted these things, having taught Latin American studies. Students who had recently immigrated and came into my class were not knowledgeable in English.

They were having trouble with spelling. However, they were quite good in the sciences. In social studies we talked about the 16th of September, Cino de Mayo, Nuestra Señora de Guadalupe and other events, these Mexican-American students who had just immigrated were keenly aware and proud of their origin.

Yet you have Mexican-American students of 1- or 2-year generations, who, unknowing, were ashamed and very insecure about these things. Many of them did not even know their own family background.

We have long asked for textbooks and other teaching materials and centers such as these that are being proposed today to properly represent our ethnic backgrounds, in my case, my Mexican-American background, history, and culture.

But to have these things is not sufficient. We need well trained, knowledgeable teachers of the same background, who are also proud to be Italian, Mexican or Indian, and who will in turn put this pride forward in teaching the minorities.

I wish to go back to something Mrs. Harris said, that the first language that was taught in her home was Comanche. The first language that I learned was Spanish, and the reason I flunked the first grade is because I did not know any English.

Then I was made to feel ashamed of Spanish, and in my home my mother especially said, "learning English, speak it at home, speak it in school."

I found later that his very attitude within my own home stymied me in my college work, and I actually learned how to read and write Spanish in my senior year of high school. Yet now, going back and working with my own people, I find that only in the later years when I have really studied my own background and ethnic heritage, and I prepared to go and work among people of my own ethnic background.

For these reasons, I feel that ethnic centers of this type should be beneficial, the bill should be passed, the centers should be created.

Let's take an example in my area. You have what I call the upper Rio Grande Valley. Within a distance of 450 miles you have four major universities, the University of Texas at El Paso, New Mexico State, New Mexico in Albuquerque, and Denver. Each of these universities had tried to some extent to establish ethnic studies—Mexican-American studies.

Many of them have been stymied because of the lack of material and the lack of money. Recently we had a demonstration by Chicago students at the University of Texas at El Paso on this very point.

"Why are we"? This is the one thing that the Mexican-Americans in Los Angeles, in San Jose, Calif., in San Francisco and Albuquerque are saying, "Chicanos are Mexican-Americans, but what does it all mean?"

Just over the last 5 or 6 years this awareness is starting to come forward, and this bill, if passed, in the creation of these centers will

do more toward projecting this pride than, anything that has been done in the past. A recent law that has done more for our educational system than anything else was the recent bilingual Education Act.

There needs to be more done, and I compliment you gentlemen for holding these hearings and hope that this bill moves forward to final realization.

I thank you.

Senator PELL. Thank you very much.

Mr. Levine, do you have any statement you would like to make?

Mr. LEVINE. Yes; I will make a short statement.

Some of my testimony has been made before the Pucinski committee, and is in the record. I commend you for introducing S. 23 into the Senate.

If I may I would like to express my deep happiness that the House and Senate are moving in this direction, but also take time to comment on some technical matters, I have been concerned with, as they relate to S. 23.

I am Irving M. Levine, director of the National Project on Ethnic America, which concerns itself with the problems of white ethnic groups in America, ecpecially as they are currently related to polarization between black and white Americans we are working both to depolarize group life and also to focus attention on the needs of white ethnic Americans as well as the priority needs of blacks. Puerto Ricans, Mexican Americans, and American Indians.

We are interested in the technology of deplcrization of black-white tensions, depolarization of tensions between students and workers, and depolarizations of tensions between what we called established leadership and alienated constituencies.

Much of our work is based on a recognition of ethnic identity as a potentially positive force even while admitting that group chauvinism and extreme separation can be very destructive to a pluralistic society.

So your desire to produce legislation that would bring about a deeper understanding of the way in which these groups are developing is commendable. Since many of our historic group conflicts grow out of an inadequate understanding of ethnic succession the study of ethnic group behavior can help reduce current tensions as well as explain past ones. Not only would I want to associate myself with this effort, but also bring the resources and findings of the national project on ethnic America to your attention and the considerable technical expertise we have developed be made available if requested.

I would like in that contex to introduce some of the problems we see emerging in the introduction of this legislation.

We don't want to make the mistake we seemingly made in the poverty programs, where the Congress created with the best of intentions, a result where one group by the very nature of their needs began to compete viciously with another group for a piece of the small pie. We would hope that some caution in the draftsmanship and design and administration of this bill would take note of the fact that when one is trying to meet the needs of all ethnic groups in America with a very small budgetary allocation, there will be competition. It is in those areas that we have technical suggestions.

I don't know if it is the appropriate moment to make them now.

Senator PELL. I think it would be, and we would like to have your specific suggestions.

Mr. LEVINE. No. 1, I think the bill ought to make clearer the intentions around not just ethnic identity, which I think is laudable and much needed, but also some areas that we are concerned with in the definition of what centers would do. For example I am suggesting not specific language, but basic ideas. If I might read some of these phrases, you might find the appropriate place for them.

When you talk about the purpose of the regional centers in your bill I would suggest that part of those purposes now incorporate some of the following language or following concepts. "Carry on activities relating to improving interracial, interethnic, international, intercultural and in general intergroup relations in the area in which the center would be authorized to operate."

I feel also that since there is not a marked tradition in American legal history in defining the word "ethnic," that this might be the appropriate moment to begin to think through that definition and include it in the bill.

I think one can find some sort of consensus among scholars as to what we mean. By ethnicity without offending or excluding relevant American groups.

The Jewish community is especially sensitive for sound historic reasons in avoiding governmentally imposed definitions as to what constitutes Jewishness. Other groups similarly would probably prefer generic categories that allowed for a wide range of acceptance.

I suggest here again that it might be well to identify the two words "ethnic groups" maybe with the following conception.

For purposes of your bill "ethnic groups" would mean "ethnic, nationality, cultural, historic, racial, and—or those groups whose members define themselves as a people claiming historic peoplehood."

We are moving finally after 200 years of American history into a deeper appreciation of the reality of American life. We have for a long time lived with a lot of mythology. We have literally destroyed what some people, maybe in exaggerated but meaningful language, have called "cultural genocide" many, many people's movements, life styles, including the vast cultural wealth and riches of the variety of American ethnic groups.

We have sought an assimilated pattern when we should have been seeking "integration with indentity," or "identity without exclusiveness."

You do know, and we know, that this is a complicated matter with thousands and thousands of years of confusion and struggle but nevertheless I think the introduction of your bill is a moment of some truth, I do commend you for the effort you are making and I do believe short of a number of technical reservations that you are moving in the right direction.

May I finally comment on some cautions that I might recommend about the administration of the Ethnic Heritage Study Centers, I hope the legislative history begins to indicate concern that the manner in which the centers are administrated will be so developed as to realistically deal with the tremendous complexity of such a large variety of ethnic groups vying for attention we may wish to set up a kind of national network where the kind of study guides and curriculums will be made available to groups in particular regions, even though in their region they may not have the expertise or assertiveness.

What I am saying is that in the administration of this act I think it ought to be indicated not only that each center should have, as you say in your bill here, a course of study related to all ethnic groups represented in the area. But also in terms of the reality of that goal, the kind of interchange among centers to guaranty that all ethnic groups would be adequately represented in terms of scholarly quality, I think it would be awfully difficult to obtain the kind of scholarly quality in each center that one might attain on a cross national level with the availability of whatever the collective centers' work was with particular groups. On the other hand I do not favor separate centers for any one group in a region. This would create destructive competition.

I think many of these things have to be thought through in more detailed form than I am presenting in this time limited testimony I do not know whether I am intruding administrative forms into legislative forms, but I hope that the record at least will show we have been interested in these kinds of administrative matters.

Thank you very much.

Senator PELL. We always appreciate specific suggestions, they are of great help to the committee. In going ahead with the legislation, we take all the suggestions that have been made, put them on a broad piece of paper, and check them off one by one.

The more specific there are, the more helpful to the committee it is. I think everyone now understands what the bill is for. When I first heard of it, I thought it was an attempt to establish different ethnic centers built around different groups.

Then I found its real purpose was to bind together the different ethnic groups and give them pride in themselves, but also, more important, the ability to work with each other.

In drafting this bill, I think we will do our best to make sure that this is a bill which binds together.

I have no other particular questions, but I am sure that the organizer of this bill will have some.

HOMOGENIZED MILK THEORY OF AMERICA

Senator SCHWEIKER. Thank you, Mr. Chairman.

First, I would like to compliment Father Baroni and other members of the panel for your very forthright and also very helpful statements. I think that—I know Father Baroni and I have discussed this at different times—this is really a radical change in our educational approach—and it does represent a change in educational policy.

I think Father Baroni touched on it in his remarks, and the others did, too, that we had the melting pot theory of America, that we are now changing perspective, and I call it the homogenized milk approach, we are now going to a tapestry theory, or a mosaic pattern.

This to me is a very radical change, but I think it is obviously long overdue. I think, again Father Baroni's terminology of "historic amnesia," is good.

When people came to this country, they would shorten their name, change their name.

Senator PELL. Really, it is a bouillabisse approach. It is like a stew.

Senator SCHWEIKER. Exactly, and the tendency to shy away from your true name is symptomatic of this problem, and now we are turning it around. I think one group that learned this as fast as anyone was the black group.

They found the system did not work for them, and that it was self-defeating, so they came out with a "black is beautiful" approach.

Really that is what we are all saying in many different ways, that first of all, before I can understand you, I must understand myself, and before I take pride in others, I must take pride in myself, and I think this is a radical departure, and I know, Father Baroni, in the work that you do, you find this to be true.

Father Baroni, could you explain the kind of work you do and how you got into it, and why you feel this is a very important thing for America?

Monsignor BARONI. First, Senator, Mrs. Harris has to testify at another hearing. May she be excused, unless you have questions?

Senator SCHWEIKER. I did not know her time schedule. We appreciate your role, Mrs. Harris. I know with your work in another group. you have been an outstanding leader, so if you would, comment on the general questions raised. Do you have a minute before you go?

Mrs. HARRIS. Yes.

Senator SCHWEIKER. Just add your comments to some of the questions I have raised, and we appreciate your willingness to help and come here.

I know both you and your husband have been very constructive and most influential in this field. Go ahead.

Mrs. HARRIS. Thank you. It is very difficult for many Anglo Americans to really understand why dark skinned people are becoming separatists and pulling themselves away. It adds to their frustrations, and a little bit of the fear that we have in America today, and I think what you propose is the kind of thing that needs to be said again and again, and to larger audiences, that in order to have, or be able to work with someone, you said it more beautifully than that, but in order to take pride in something larger than yourself you first have to have pride in yourself, and that whole concept is difficult for others to understand, that those who have been repressed and have been made to feel inferior by other kinds of ways know what this is about, and that it should not be a fearful thing.

It should be a prideful thing, and what we learn from one another, what we learn in the differences from one another, I think, will help us internationally as well as nationally. The melting pot theory is a myth and particularly if you are dark skinned. In our hurry, in our anxiety to kind of make us one country, because we did have all different kinds of people coming to this country, we have tried to thin out the differences. Now the frustration of identity is really on us, and one of the things that is adding to our national dilemma right now, is a little bit of envy, as one of my Chicano friends said, there is a little bit of envy from the white community that the blacks and browns are creating this self-identity and pride in who they are.

Now the white community is finding it a little harder to go back to their original ethnic group. I think that is one of the reasons for having an ethnic center. They will be useful, because people need to understand what the blacks and browns are doing in trying to identify their own and making something positive.

So I compliment you, Senator, for introducing this bill and for the contribution it is going to make. Because I think the situation is worse than you realize. I have traveled with my husband and Father Baroni

and seen the problems of the cities in the seventies, and you see this now.

Minority people are having problems, and majority people are having psychological problems. I think your approach will be very helpful.

Senator SCHWEIKER. Do you have suggestions as to what kind of coordination and relationship there should be between an ethnic centers program and the bilingual education program? What kind of relationship do you foresee or visualize, or what kind of structure shall we look for in terms of tying the two together?

Mrs. HARRIS. I have not thought that question through, but I do feel strongly that it is important to tie together these things because the language is an important element of identification particularly for the Mexican-American people, and for the Indian. I think because we have been with this melting pot myth so long in America, anything different sort of gives us the attitude we have toward Asians.

They have different sounding voices that we can't understand. We even fear them because we can't understand them.

I do think it is important to have the language aspect incorporated in your proposal and maybe some way related.

I think it would give it more strength in the school system, as you have heard from the Mexican-American community. It is very difficult sometimes to get the school community to take on the bilingual studies. They have been opposed to it, and this attitude has been harmful to children in the past. They really don't see the need for this.

I think giving attention to language in the cultural centers will help to motivate school boards and school administrators to see the need for it. I think we need to work with educators more than any group of people in the country.

Senator SCHWEIKER. We appreciate your coming and participating. We will be in touch with you later on the specifies, because we do need specifics, and people like yourself who have done so much work in your own group are helpful to us.

We appreciate it and we know your time pressure now and we understand it.

Mrs. HARRIS. Thank you, Senator.

Senator SCHWEIKER. Thank you very much.

Father, do you want to comment on the questions I raised, some remarks or anything else you would like to add?

I would like to hear a little bit about your present work and how you got into it.

Monsignor BARONI. I came out of Johnstown, Pa., and Altoona, Pa., and I went through the whole thing of "Put away the salami, eat your homogenized baloney, everybody is going to make it," what I call the Reader's Digest religion.

Then I go back after 10 years of working in the black community, 10 years of working in Washington, watching legislation, watching the Nation, working with the youth, working with my own family. I began to see that in the urban scene, in looking at our urban cities, four problem areas caused anxiety in the white ethnic communities.

I see an economic problem, I see a social one, I see a cultural one, and a political one.

Political anxiety, if I again may put that first, I think too many political leaders have tried to indicate this, and cater to the fears and anxieties of many different groups, and many of those fears are caused by the fact that people don't have a sense of self-respect, don't have the strength of their background, their heritage, their historical experience, and so on, and don't have much to stand on.

I think this anxious sense is found in our children and many of our people who have been ashamed of their background, I hate to say this, many of our own people are ashamed of their backgrounds and ashamed of their parentage.

I have nephews and nieces ashamed of some of the value systems for life style of my mother, and yet the children of affluence are walking up and down the streets of Georgetown looking for a community, for a life style, for something more decent or humane. Perhaps they are looking for the old neighborhood.

I think we have a major national crisis in our cities, but I think the hope of the cities is not money alone. I think the energy of the person who has a sense of pride, the person who has the source of energy needed to rebuild urban America in a mutually interdependent way, that source of pride has to be turned loose.

So many youngsters I taught in Altoona and Johnstown don't want to go go back to the old neighborhoods as doctors, nurses, lawyers, teachers, and want to get away to suburbia.

I am saying many people in this group have to go back to their communities because we need their strength, their leadership, their capabilities, if we are going to restore an urban society.

I go into cities like Gary. I was called to Gary because there seemed to be community problems there, and people were interested in finding new leadership.

I resent some of the academic or media mentality that describes what is wrong with the middle American person. I would rather look for the hopes and strengths as well as the felt needs in many of these communities. We have a lot of neighborhoods in our cities that should not be destroyed.

We have a lot of social relationships that are negative and not positive. I think crucial to that is a cultural base, crucial to that is not only heritage of our ancestors and the heritage of our people in this country, but I would like to see, the studies of the labor unions and the history of the different groups and their different struggles and the history of the labor movement being incorporated in this, like in our own State of Pennsylvania.

My nephews and nieces don't know anything about the labor struggle of their parents and grandparents. That is part of America.

As I walk in cities, I find people, like a young friend of ours who says, "I am Polish, I am American, I am Catholic, and I am all confused with all of them."

Do we have a sense of identity, do we have the sense of purpose we need? In many communities, with fast changing social and technological changes, I am finding in second and third generations a loss of ethnic pride, a loss of an ethnic way of life and a large amount of fear and a large amount of confusion. I think that is very important to us if we are going to talk about our domestic policy, if we are going to talk about our foreign policy, if we are going to talk about the kind of

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programs needed socially and economically for restoration of American society to meet our priority needs. Since you mentioned and others mentioned, our older cities are going to become ghost towns.

I have had experience in many cities like Steubenville. High school teachers and high school students were wondering what was happening in the black community. Teachers want to teach black studies right away to working class students. These students and teachers had to go and look up the labor history, the background of their families, their value systems, and only after they looked up their own traditions and history, the struggles of their grandparents and felt a sense of respect for that, could they even begin to understand the social turmoil that happened in our country in the 1960's, and even then to get some kind of a vision or dream of the American society we will have in the future.

I think to the degree that we can "turn on" many of our younger people to do the research, to become involved, to study the ethnic factor in our urban communities we will find new hope for our cities. Some of the groups, scholars and practitioners and others ought to be brought together to talk about some of the technicalities of implementation and coordination.

Maybe that ought to be done in some other way, but here is where I think many young people can do research, can begin to develop sensitive studies, and look at American society from their own backgrounds and own perspectives, and I really am grateful that, in the cities I have been working in, young people are interested. The ethnic heritage is there like an iceberg, it is there beneath the surface.

If it can be opened up, not out of fear or shame, but out of a sense of self-respect, if that source of strength can be opened up, and to the degree it is positive, I think this is America's greatest reservior for a great age of making it big as a multi-ethnic, pluralistic society.

Otherwise, I see less and less of a sense of energy, less and less sense of respect for other groups, less and less self-respect, less and less sense of some kind of decent way of life, and I see an increasingly cultureless society that leads us increasingly to the drug scene, leads us increasingly to an emptiness, and leads us increasingly to celebrating a dollar culture rather than a more humane society.

These are the kinds of things that I think are necessary for our Nation, our cities, our children and our society. I believe that this is quite basic. I think we are seeing just the tip of an iceberg in the white ethnic communities, where the Indians, blacks, browns have perhaps had a greater upsurge in growing self-identity.

Mrs. Harris has letters, individuals, young people are wondering, "Who am I? Who are we? Where are we going? What is America?"

These are basic questions, and to me they are the logical questions.

Senator SCHWEIKER. Once again, Father Baroni, I think you have provided a valuable service as a national leader in this idea, this concept, which you in your own way have pioneered. So we are very indebted to you for your help and support. You may be assured that we are going to keep in touch with you as the bill progresses and legislative activity gets more specific.

I would like to invite the other two members of the panel to comment. I think Mr. Levine had some practical suggestions. At some point in time, when we work on the bill, we do need this kind of infor-

mation. So whoever would like to comment at this point before we finish the panel may do so.

Mr. LEVINE. When we began the national project on ethnic America, which was touched off by a program at Fordham University in 1968, we never anticipated the kind of a revolutionary sense of identity search that has begun to percolate in certain elements in the white community.

Our files are full of assertions of this fact, while ethnic identity still is complicated by other factors and there is a differential level of identity, search among Polish-Americans, Italian-Americans, Jewish-Americans, et cetera. We are still surprised at the rapid growth of feelings of ethnic identity. A recent New York Times article indicates that there are now 66 campus oriented student Jewish newspapers, whereas there were four a few years ago.

A recent effort to form a Polish students club in Chicago got 200 people to sign in 2 days. So there is a deep interest. While your bill may turn out to be a major step ahead, there is a broader question of the whole business of ethnicity in America which is only tangentially reached by this bill and that is the deeper question of the saliency of ethnicity. This is what I think Father Baroni is talking about. We define it as the making of a community, we call it the new pluralism.

What will the new pluralism be? In the making of a new community we must know a great deal more about our past. One of the horrors of American historiography is that we stopped looking 20 or 25 years ago at how ethnic groups were developing in American life.

So we have a tremendous gap in knowledge. My suggestion, Senator Schweiker, is that either in this bill or perhaps in another bill that your committee is considering, the National Institute on Education Act, or in amendments to our basic education acts, that we seek to incorporate the subject of ethnicity as an important organizing subject of American life. And make allowances for appropriate financing of investigations into this factor.

In addition to answer such vexing questions as "what is education and how does one educate?" We have recently correctly adopted through congressional action the need for bilingualism among certain minority groups who claim educational disfunction in conventional models. Similarly we may soon learn that it may be more basic to how people learn that we now know that to deal more positively with their self-identity and to deal with their ethnic identity is tremendously imporant in learning effectiveness.

So I recomend that thought be given to the possibility of a more embracing amendment which would open up possibilities beyond the $20 million in the Ethnic Heritage Studies Act—which I think is the beginning minimal point.

For example, in the National Institute of Education bill you assert the goal to deepen America's scientific and technological knowledge.

I agree with that, but unless we also deepen America's understanding of itself, and its intergroup relations, we will really not be able to prosper technologically, because we will be killing each other off with intergroup squabbles.

Senator SCHEIKER. We appreciate your remarks, and we value them.

Now, Mr. Velarde, if you would like to put closing remarks in the record.

Mr. VELARDE. Thank you, Senator. In reading your own opening statement and the new release and hearing what has been said this morning, I believe it boils down to the two essential words "pride," and "awareness."

You can take whatever words you want, but as you develop awareness and pride in your own self, you automatically gain values that are projected into the unity and the total community.

I have seen this in my area, for instance, due to this bilingual education act, where a child learns a subject, learns about oneself, through the language that he best understands, this understanding idea, and then from having an understanding he is able later to communicate his ideas with others.

In my type of work, for instance, dealing with the migrant, the farm migrant, the industrial migrant, with the newly arrived immigrant, with the Mexican-American community as a whole, I find that over the last 5 years when a person develops this pride and awareness, he no longer comes into my office and says, "I want to become a U.S. citizen because I can gain a better job because of it."

He now is coming in and saying, "I want to become a citizen because I want to become involved."

He knows that by getting involved he partakes in our political system, being able to vote, to voice a choice.

He is no longer a second-class citizen. As he develops this awareness, he gains knowledge of the issues. He begins to participate. Then he starts to interchange and cooperate with others within the community, and I have found that over the last 4 or 5 years in our own city this awareness has made our city a better place to live in.

Of course, our city is quite unique in that right across the border we have a twin city, and the interchange, the interdependence of the people from one culture to the other adds to the betterment of the people especially on our side of the border.

I grew up with Syrians, with Jewish fellows, with Mexican-Americans. When I went to college at UTEP there in El Paso, one of my best friends was the first basketball player that ever played in the Texas system who was colored.

I learned about them, their background, their heritage, and found out that the similarities between all these people were very much alike, and what you read about other people is not automatically true and you then interchange ideas.

This idea of the heritage centers is a tremendous step forward, and I compliment you and the Senators who have sponsored this bill, and hope that very soon we will realize the centers in actual work, and I compliment also the other panel members for their support here today.

Thank you.

Senator SCHWEIKER. Thank you very much. I am very deeply indebted to all of you for your help and participation, and I am sure the subcommittee and the subcommittee chairman would want me to say that we will continue to consult with you as the legislation unfolds.

We appreciate your participation here today. Thank you very much.

We have now another panel, if they will come forward, please, panel No. 2.

STATEMENT OF A PANEL COMPOSED OF JOHN BUONCRISTIANI, URBAN PLANNING OFFICE, BOSTON, MASS.; DR. JAIPAUL, DIRECTOR, NATIONAL COMMUNITY RACE RELATIONS PROGRAM, NATIONALITIES SERVICE CENTER, PHILADELPHIA, PA.; FATHER JOSEPH KUBIK, DIRECTOR, POLISH DAILY NEWS, DETROIT, MICH.; COL. CASIMIR LENARD, DIRECTOR, POLISH AMERICAN CONGRESS, WASHINGTON, D.C.; AND PHILIP J. RUFFO, DEPUTY DIRECTOR OF COLLECTIVE BARGAINING, CITY OF NEW YORK, N.Y.

Senator SCHWEIKER. I wonder if we could identify, starting with Mr. Ruffo, on the right, and who you represent, so that the reporter may have that, and then we will proceed.

Mr. RUFFO. My name is Philip J. Ruffo. I am from New York City and represent the Congress of Italian-American Organizations.

Mr. JAIPAUL. I am Dr. Jaipaul, director of the Nationality Community Race Relations Program of Nationalties Service Center, Philadelphia. Pa.

Colonel LENARD. I am Col. Casimir Lenard, director of the Polish American Congress, Washington, D.C.

Mr. BUONCRISTIANI. I am John Buoncristiani, of the Urban Planning Office, Boston, Mass.

Father KUBIK. Father Joseph Kubik, Director of the Polish Daily News, Detroit, Mich.

Senator SCHWEIKER. I assume most of you will have statements you want to submit, but because of our time factor we will go back in the same order and maybe ask for your informal comments or anything you want to underscore or emphasize.

We would be glad to get at this time, and we will start again with Mr. Ruffo and go right down the panel.

Mr. RUFFO. Once again, my name is Philip J. Ruffo. I am a resident of Brooklyn, N.Y. At the present time, I am fully occupied as the deputy director and general counsel of the New York City Office of Collective Bargaining, though I think it appropriate to emphasize that my presence here this morning is not in any way associated with any governmental agency, or that my views reflect the views of any governmental agency.

I say this not to be cautious, but to be accurate. My appearance before this committee is to express support for S. 23, which is a bill to provide a program to improve the opportunity for study of cultural heritage of all ethnic groups in the Nation.

In this connection I would like the record to note that I speak in behalf of, as I stated previously, the Congress of Italian-American organizations, known by its acronym, CIAO.

CIAO is an umbrella organization consisting of some 32 affiliates. In addition, it maintains a very close liasion with other Italo-American organizations, such as the various Columbian Associations whose members are employed in the government service, and Order of the Sons of Italy, and other fraternal organizations.

We have talked to the various organizations constituting a cross section of the New York City Italo-American community, and I may say that what I express here today reflects in an overwhelming degree

the thoughts and sentiments of the grass roots Italo-American community in New York City.

Undoubtedly, the bill reflects what I believe is the advent of the ethnic age, a phenomenon that is peculiar and indigenous to the American sociological scene.

The bill seeks to foster the study of ethnic cultures and heritage. There is a need for the kind of study contemplated by the bill. Ethnicity, as a sociological force, whose emphasis is focused on rivalry and competition, is debilitating and enervating, therefore tending to generate hostility among ethnic groups.

On the other hand, ethnicity when placed in a proper commonity perspective, with a twin emphasis on self-identity and the recognition that the other fellow also has an identity that requires respect, is constructive and workable.

Thus the objective of the bill is neither illusory nor an idle dream, but rather sets its sights on realistic goals capable of achievement within the next decade.

Indeed, it may very well be that our survival as a Nation makes it imperative that we begin to understand each other. This is true not only of individuals, but of all ethnic blocks. In this respect, it has been said that the dangers a nation faces are not from without its borders, but from within. I submit to you that in this particular respect our work is cut out—the blending of ethnic blocks in an American mosaic where diversity in identity and unity in purpose exist side by side. The recent disturbance in a major American city—Newark—demonstrates the imperative need for this kind of a mosaic blend.

I may, parenthetically, add that there is an organization, Senator, now actively functioning within the New York City known as the Center for Migration Studies, and in a large measure is engaged in the kind of activity contemplated by S. 23.

I would like in that respect to indicate by some visible and concrete evidence the kind of work that the Center for Migration Studies is doing at the present time.

I hold in my right hand a textbook known as "The Italian Experience in the United States." It is authored by Silvano Tomassi and Madeline H. Engel.

I would like to, Senator, for the record, merely read some of the chapters that this text deals with. Incidentally, the text has been officially adopted by the regents of the State of New York, and will soon be in use in institutions of higher learning.

Senator SCHWEIKER. What is the name of the book again?

Mr. RUFFO. "The Italian Experience in the United States." It will soon be in use in higher institutions of learning in New York State.

Here are some of the subjects. "Italian immigrants in the United States in the 1960's."

"Italians in urban America."

"Institutional Ties of Italo-Americans, some case illustrations."

"Italians in organized labor in the United States and Argentina."

"The role of the Public School in the Assimilation of the Italian."

Now, this, I submit to you, Senator, is the kind of work that, as I stated previously, I believe your bill contemplates or should contemplate. This is the kind of work, the kind of reference and source material that I think would be a boon in promoting the principle and objective of ethnicity.

Another text published by the Center for Migration Studies, indicative of its versatility, is known as "The International Migration Review" and I shall not read all of the articles it deals with, or the subject matters, but merely mention one by way of illustration, "Survival of the Village in Urban America, A Note on Czech Immigrants in Chicago 1914."

I would like, in conclusion, to note that the establishment of the center for migration was anticipatory, and hopeful that a bill such as S. 23 would attract congressional attention.

It appears such a day is at hand. S. 23 should be made the law of the land. Thank you.

Senator SCHWEIKER. Thank you very much. I do want to say for the benefit of the people attending here that this panel is by and large selected from various groups in various parts of the country.

We tried to pick not exactly a representative sample, but some sprinkling of the problem from different areas and cities. We will now hear from Philadelphia; Dr. Jaipual, would you go ahead with your summary of remarks?

Dr. JAIPUAL. First, I want to thank you, Senator Schweiker, and Chairman Pell for inviting me to testify before this committee.

I appreciate very much for this opportunity to testify on S. 23, a bill of great importance and interest to me and the Nationalities Service Center of Philadelphia.

It is important to us because it can make a real contribution to bringing about unity in diversity of America. It is of interest to us because our center, as one of the 38 affiliate agencies of the American Council for Nationalities Service, works primarily with urban ethnic groups to assist them in becoming part of the mainstream of American life.

A major objective of our national movement is to promote American unity by developing understanding and closer association among different ethnic, social, and religious groups in the community.

The proposed bill suggests "the value of ethnicity." Therefore, my comments will focus on this supposition and illustrate its social, political, and economic implications. Further, I will try to develop a general framework for ethnic studies.

Diversity is in the roots of America. We are proud of the fact that America is a pluralistic society made up of multinational, multiracial, and multireligious people. Clearly, multiethnic composition of our society makes us unique in the world.

Historically, therefore, ethnicity is not a new phenomenon and we would be justified to claim that America is a land where differences are accepted and allowed to flourish. But even a superficial study of American history shows that this has hardly been the case.

Generations of Americans have been brought up on the idea that all immigrants must shed their "foreigness" in order to become "true Americans"—which probably meant White Anglo-Saxon Protestants.

Somehow, all Americans were supposed to be the same. Differences were illegitimate, un-American. In other words, economic and social success was to be achieved by being all American, by absolutely assimilating into the pot of American sameness.

Quite simply, we have an ambivalent attitude toward differences. On one hand, we profess to be a nation built on differences; on the other

hand, we have actively suppressed differences. Much of this ambivalence stems from the "great melting pot" theory.

In their effort to achieve a meaningful identity, the Black Americans were the first to stand up and proclaim that it is a positive value to be different. "Black is beautiful" demonstrates that they recognize and are proud of their cultural heritage, and demand respect for it.

This forthright stand has helped kindle and awaken a quest for cultural and ethnic identity in many of America's ethnic people. The customs that they partly disregarded are now being reclaimed with pride. They are demanding and creating through their actions a new definition of what it means to be an American; a definition that includes the ethnic American, his experiences and ways of life.

This quest for ethnic identity long suppressed has now surfaced with a force which makes it impossible and probably unwise to stop it. A large population of Americans are increasingly seeking opportunities to learn about their respective cultures and histories. They want to see their cultural heritages respected and given the chance to further flourish and develop. They are also insisting on being given their place in the history of the development of this Nation and demanding that any stigma of "un-American" be removed from their culture and its manifestations. Ethnicity is now a fact of American life.

In my opinion, addressing oneself to "the value of ethnicity" is rather like talking on a topic such as the "The Worth of Personality." There is no convenient starting point. Perhaps a more feasible consideration is one of the "potential value of ethnicity," for in itself, mere ethnicity is neither a positive nor a negative phenomenon. It can serve either constructive or destructive ends.

Depending on the degree to which we romanticize the benefits of immersing ourselves in a "cultural heritage," ethnicity, or more appropriately, "ethnic identity," may be a cohesive social force necessary to the survival of a particular minority group in a larger society; or it may generate different appreciation leading to mutual understanding among different groups; or it may be a vicious kind of ethnocentrism, preserving the cultural integrity of one group at the expense of another; or it may be simply a luxury of culturally anglicized nominal ethics.

We know ethnicity exists, and with all these options the question arises, how are we going to deal with it?

Whether ethnicity becomes a positive progressive and unifying social force for our Nation or a destructive polarizing violent phenomenon depends on us.

There is a lesson for us to learn from history. For years no one knew what to do with the black race. Not knowing what to do, most people and institutions did nothing. The result of this inertia and insensitivity is evident today in the dramatic confrontation which continues between black and whit Americans. Clearly, American ethnicity once again poses for us a similar but more complex situation. Thus ethnicity both in the past and present has been a major source of social conflict.

We cannot afford to let history repeat itself. We must ask ourselves the hard questions. Are we really a pluralistic society? Can we live in such a way that different cultures are allowed to flourish and con-

tribute to a harmonious ensemble of peoples living and working together for their good and the good of mankind?

Still there is a more fundamental question: Given a society with a multireligious, multinational, multicultural, and multiracial population, how does one minimize the social conflict and at the same time increase the awareness of the riches of ethnic diversity?

An answer lies in utilizing education as an instrument of change and growth. When the riches of a heritage are forgotten, so too is a clear understanding of the political struggles associated with the efforts at their preservation. There is then no possibility for a respectful empathy with other minorities presently facing similar situations. If a Polish-American worker, so imbued with the American version of the melting pot, feels embarrassed participating in the traditional folk dances, he is not likely to look kindly at black Americans resurrecting an African dance.

"Know first thyself" must be our primal dictum. That is, one must first have a well informed respect—this is not to condone enthnocentric chauvinism—for his own heritage—his own ethnic identity—before he can be appreciative of and respectful toward the heritages of others. Ethnic education, then, must first concentrate on providing individuals with a sense of identity of which they can be rightfully proud. Secondly, the contributions of all people that have made up this country must be explored. The struggles of both voluntary and involuntary immigrants and black, brown, and white people can at once illustrate the vast differences and great similarities of all peoples. This will give understanding of the past as well as an appreciation of the backgrounds of others. Therefore, mutual understanding will be effected through self-identification and difference appreciation, and the American way of life will be studied as the American ways of life.

The foregoing is my experience from the Nationalities Service Center's program. We are working in several directions which have a common link and are interdependent. Over one-half of the population of our city, according to census, is identified with one or another ethnic group. If we add this to the black and Puerto Rican population, the total ethnic population is well over 75 percent. Ethnic group identity plays an important role in conflict situations. Mutual misunderstanding and resentment can work to turn ethnicity into an attitude of hostile ethnocentrism, thereby worsening the problem. It is this attitude which is the most important single element in any tension or conflict situation. Our concern has always been to become part of problem-solving processes in such situations.

COMMUNITY PROGRAMS

We have organized a consortium, called the Committee on Ethnic Affairs, of various representatives of interested nationality organizations and concerned ethnic people. The process of identifying and developing relationships with the leaders of various ethnic groupings is a long and difficult one—but quite rewarding.

This committee, for instance, has played an important role in developing an "ethnic newsletter." This newsletter Ethnic Philadelphia deals with issues related to ethnic affairs. It serves as a clearing house of information concerning the organizations, activities and cultural

affairs of all ethnic groups in Philadelphia and the Delaware Valley.

The following comment from the editor of the publication of the Polish Heritage Society of Philadelphia gives some idea of the value and importance of Ethnic Philadelphia to ethnic groups themselves:

Thank you for volume 1, No. 3 copy of Ethnic Philadelphia, which I found exceedingly interesting. It appears that 1971 is the year for ethnic organs in the Philadelphia area, for the Polish Heritage Society of Philadelphia just published Vol. 1, No. 4 of the Heritage Herald, a copy of which is enclosed for your information.

Ethnic Philadelphia, seems to be a much more ambitious undertaking, much larger in scope than our Herald, which is more or less confined to the affairs of the Polish Community, especially as it impinges on the Polish Heritage Society of Philadelphia. Your publication seems to be the result of great painstaking and is very well put together. Would you permit us to extract from it from time to time items which we feel might be of interest to our readers? We would of course extend the same courtesy to you.

The Committee on Ethnic Affairs has, moreover, cooperated and assisted us in our youth-in-schools program mentioned below. It is important to note that this Committee of Ethnic People has expressed an active interest in the whole idea of Ethnic Heritage Studies Centers.

Recently, the Nationalities Service Center has established El Centro, a neighborhood service center in a section of north Philadelphia which has a concentration of Puerto Ricans.

The primary purpose of this service instrumentality is to enhance the competence of the community group to solve its own problems and bring services closer to the community members. The basic reason for establishing El Centro is to be sensitive to cultural differences, language and social barriers Puerto Ricans experience.

YOUTH-IN-SCHOOL PROGRAM 1969–70

The second area of our work is our program with youth in school. These programs combine the difference appreciation and self-identification models in curriculums designed to increase the awareness of human worth in all situations and in all people. This combination avoids the often encountered pitfall of reducing prejudice at the expense of self-respect.

Education, as we know, is an instrument of change, growth, and development, and we are consciously using it as such. The combined goals of our school programs are as follows:

1. To effect a common educational experience about different cultures and sensitize the participants to the values and histories of cultures other than their own;
2. To improve intergroup understanding through learning and to make education more relevant;
3. To establish positive channels of communication;
4. To instill self-identification which gives confidence and a feeling of security and equality;
5. To develop an intelligent appreciation of cultural differences and the realization of the influences of the traditions which formed this country;
6. To promote the realization that "different" does not mean "inferior";

7. To encourage an appreciation of the contributions of the various cultures and peoples which make up the United States of America.

Hopefully, an intelligent attitude on the parts of both students and parents in dealing with all cases of difference will result. Greater human understanding will thus lead to better human relations in our community.

During the academic year 1969–70, we launched an experimental program in attitudinal change in intergroup relations, involving two multiethnic, multiracial 10th grade classes—one from William Penn High School (public), and one from John W. Hallahan High School (parochial).

These classes were paired together for a course in comparative world cultures. A summer institute (August 1969) involving students and teachers from these schools and Nationality Community Race Relations staff resulted in the development of an innovative curriculum which emphasizes a comparative approach to cultural systems and implements factual content through liberal use of audiovisual material, human resources (this includes both indigenous representatives of other culture groups and professional social scientists specializing in studies of the area under consideration) and miscellaneous materials from embassies, our own State Department, libraries, etc.

Local ethnic communities were intensively involved at every turn. Their contributions ranged from academic analyses of social structure to expert tortilla making.

These special methods of instruction were employed when the classes met together 1 day every week at Nationalities Service Center. The class at Nationalities Service Center was discussed and evaluated at a joint meeting the following day either at Hallahan or William Penn. This left 3 days per week for "traditional" classroom instruction in their respective schools. But, needless to say, the excitement of the 2 "special" days carried over into the classroom. Dialog amongst the students, their teachers and nationality community race relations program staff was always encouraged, and reached its peak during "Dialog Day," a special day of retreat conducted jointly by our staff with the staff of the Office of Community Affairs of the Philadelphia School District.

At the elementary school level, two fifth grade classes in South Philadelphia—one each from Abigail Vare (public) and Sacred Heart (parochial)—were involved in a course of study of the ethnic groups represented by the students themselves. This included Jewish, Scotch, Irish, German, Italian, Afro-American, and Puerto Rican groups. Resource persons were found among the students' parents, whose contributions, along with the support and assistance of the two school systems, city's commission on human relations and cardinal's commission on human relations, helped to make this course in American ethnic heritage studies a success.

The impact of both of our programs has been felt at various levels. We are instrumental in generating processes of institutional change in both the Philadelphia school systems. We have brought both school systems together, encouraged and assisted them to apply their resources jointly in developing new curriculums; these curriculums are designed for solving community problems. Both systems jointly with us are implementing these curriculums on a collaborative basis in 14 schools.

Our program has also been cited as a smooth and successful effort in integration.

Youth-in-schools programs expanded, 1970–71:

With the foregoing as experience and to serve youth and deal with the problems of difference, we have expanded our joint social studies program several times. The project for the current school year involves 14 schools and the program is now offered at the elementary, junior high, and senior high levels.

The participating fifth graders are studing "American ethnic heritage." A "comparative world cultures" course is designed for the ninth and 10th grades. The 12th graders are pursuing a course on "ethnic groups and social change."

We have paired a fifth-grade class of Abigail Vare Elementary School with one from Sacred Heart Elementary School and have formed a similar pair with classes from St. Thomas Aquinas Elementary School and G. W. Childs Community School. Fifth graders from these schools are studying American history from the viewpoint of the various ethnic and racial groups which have contributed toward, and are part of, our American culture.

The particular ethnic and racial groups selected for study were those represented by the various members of the classes in the program as well as other ethnic groups which are located in the community around the school. This is a study of ethnic history as an instrument of finding self-identity.

In our high school "Comparative world cultures" program the participating schools include William Penn High School, John W. Hallahan High School for Girls, and South Philadelphia High School, Bishop Neumann High School, Benjamin Franklin High School, and Roman Catholic High School.

In this course a set of common values that prevail in most cultures are identified. Instead of following all aspects of each culture before moving on to the next, the students compare each value in all the cultures under study. The traditional text books are replaced with monographs.

The classroom teaching is supplemented with outside seminars and with indigenous speakers from various cultures.

The course in ethnic groups and social change in the United States, pursued by the 12th graders from West Catholic High School for Boys and West Philadelphia High School, includes the study of the history of Afro-Americans, Irish-Americans, Italian-Americans, and Jewish-Americans. The students explore those things that divide and unite different Americans.

America's numerous ethnic groups have been a significant force in attempting to make the words of the Declaration of Independence come true for all. It is necessary, therefore, that the students learn more of the history and experience of ethnic groups in America.

Each group can learn from the struggle of the others. From this process of learning, the student will begin to understand the differences and discover that to be different is neither "superior" nor "inferior," it is only different.

The common goals set forth for these courses are:

1. To make education more relevant for the students;
2. To seek and test new approaches to curriculum;
3. To improve relations between people of varying backgrounds.

This program was planned during the summer of 1979. Nationalities Service center organized a curriculum development and teacher training institute as a part of a larger social studies institute offered by the instructional services department of the school district of Philadelphia. The nationality community race relations program staff conducted this institute. In addition to the teachers from the participating schools, student representatives were also involved in the summer institute.

We planned two additional components to this program. We are collecting data from the lectures of guest speakers and the discussions in special seminars. In addition, we are receiving written materials from the teachers participating in the program. We had hoped that by the end of the year we shall have enough data to develop some formal educational materials for future use in schools. During this school year we were to develop additional teacher training institutes for the teachers participating in the current program, along with other social studies teachers drawn from the two school systems. This would have assured a cadre of trained teachers for next year's program. But due to lack of funds, we have not been able to implement these two phases of the program.

During the summer we provide an ethnic culture component to a day camp program in a black community. We arrange demonstrations of different ethnic arts and crafts for the children at the camp giving them a chance to see, appreciate, and understand several cultures different from their own. This program has likewise been very beneficial in helping the white ethnics better understand the culture of their black brothers.

It is evident that education is fundamental to the recognition and promotion of cultural diversity. If recognition is to be given to the histories and cultures of the various ethnic groups in our country, historical research must be done to get at the true facts. American history must be examined anew. Research must result in publication and teaching if it is not to remain sterile. The process of discovering and disseminating the truth in regard to ethnic heritage affairs is fundamental both to the different ethnic groups themselves and to Americans as a whole if true recognition is to be paid to ethnicity.

Discovering and disseminating knowledge is, moreover, one of the most powerful means of promoting ethnic heritage and culture. There exist other means, of course, which must be utilized, but education still remains fundamental.

The fact that this educational process should be fostered by a series of centers or focal points is crucial. The notion of "center" implies a focal point where mutual assistance and cooperation take place. Besides the obvious advantage of efficiency, this mutual cooperation can help to overcome the obvious potential danger of ethnicity—polarization. Already, various ethnic groups are individually engaged in this process. The proposed centers could also serve as integrating forces for the efforts of these groups. The ultimate goal of each group to maintain its own identity, to respect and be respected by others must be present in some way right from the start.

Ethnics and all Americans must realize that the quest for ethnic identity is a mutual venture enriching one and all alike only if one and

all are treated with the same respect, allowed the same opportunity to become and to be themselves.

There is no better way to learn this than to cooperate right from the start. It is not a question of competing for a prize which can be possessed by only one. This is a unique race. If only one or several finish the race they have gained nothing. Only if all finish together is there a prize. The notion of ethnic heritage studies centers is a step in the direction which ethnic revival must take if it is to benefit America.

Before I suggest general format and functions of the proposed centers, my preference would be that these centers be ethnic heritage affairs centers and not merely studies centers.

While comparing Congressman Pucinski's H.R. 14910 to Senator Schweiker's S. 23, I note that the former amends the Elementary and Secondary Act of 1965 while the latter amends the Higher Education Act of 1965.

My question is how this will affect the actual intent of bill S. 23 in promoting ethnicity at the grassroots level involving elementary and secondary schools, voluntary social agencies working with ethnic communities, and the ethnic groups themselves. It is my understanding that H.R. 14910 provides for grassroots participation as defined above whereas S. 23 may lead to ethnic studies becoming institutionalized in impersonal centers of higher education.

I hope the issues that I have raised above can be clarified to insure the participation of ethnic communities, voluntary agencies, cultural centers, et cetera, in developing programs in ethnic studies and affairs.

General functions:

I. Discovery.

1. Scholarly research: Inaccuracies, imbalance and serious lacunae pervade the present histories of ethnic groups and treatises about their cultural heritage. Serious research is required to unearth the hard core data which are fundamental to authentic treatises of ethnic history and culture. The Center will promote, support, and encourage research in this area. It will also call upon and draw from the research facilities and personnel of local colleges and universities.

2. Central depository of materials: The wealth of materials pertaining to ethnic cultural heritage which already exists and those materials which are developed in the future need to be brought together in a central place for them to be accessible. Even more important is the creation of a central catalog which would list, describe and give the location of all materials pertinent to ethnic heritage affairs which cannot be located at the Center. Besides material resources, all persons proficient in this area should be cataloged for easy reference.

II. Dissemination:

1. Publication of materials. In order that research does not remain sterile, it must issue in publications. These publications would cover a wide range from monographs on particular points to elementary text-

books and popularized presentations for mass public consumption. The writing of theses and the preparation of journalistic articles would be encouraged and facilitated. The development of audiovisual materials would go hand in hand with written publications. The latest methods of communication must be employed in utilizing the discoveries of research.

2. Specific curriculum development: The use of developed materials in school situations requires careful planning if they are to be utilized profitably. The subjects of history, geography, economy, literature, art, music, drama, language, sociology, etc. will be reviewed to see how the notion of ethnic heritage should be incorporated. This will take place at all levels, elementary through university. The expertise of curriculum specialists will be employed to come to grips with this gigantic problem. Imagination and initiative will be employed to make the best possible use of written and multimedia materials in curriculum.

   A. Teacher training: Textbooks may be written and new curriculum approaches developed, but the success of any school program depends ultimately on the teachers involved. The center will make available to teachers an ongoing teacher training and development program.

   B. Adult education: Programs will be developed that reach out to all those beyond the school age. American adult citizens need constant education regarding the development of the concept of ethnic heritage affairs in order that they may better understand and appreciate ethnicity and not feel threatened by it. The center would reach some adults by actively involving them along with their children in the school programs. Other programs would be devised to reach out to a broader segment of the community.

   C. Language promotion: Language and culture are intimately connected. Any study or promotion of culture should not lose sight of this. The center will develop programs to insure that the relationship of languages to each other and their contributions to various cultures are better understood. Languages will be preserved, studied, taught and utilized as inseparable components of culture.

3. Cultural displays and exchanges:

A. Museum displays: The center will seek to motivate and assist existing museums to collect and display works of art, artifacts, and realia, etc., which pertain to various ethnic groups, their culture and their contributions to America. The center would have its own displays, seeking to set up constantly changing shows around a permanent collection of materials.

B. Living arts: The center would provide an opportunity for festivals, pageants, drama, folk dances, musical concerts, and so forth. Experience has shown that these living art productions and cultural exchanges are highly effective in promoting better understanding among different peoples.

III. Application.

1. Service Models: The center would apply required knowledge and know-how to the development of models for the delivery of human services for ethnic communities and peoples. Too often these ethnic communities do not or cannot avail themselves of, or profit from, the services which are due to them. The Center would work with these communities to bring both public and voluntary services closer to people in order to help them enjoy a fuller human life of respect and dignity.

2. Institutes: The Center would conduct training and refresher institutes for community leaders, human service professionals, and others who work in ethnic communities. These institutes would be aimed at sensitizing these persons to different ethnic values, thereby enhancing the value and effectiveness of their service.

3. Community problem solving: Many of the pressing issues which face various ethnic communities are the same. Poverty, for instance, is an obvious example of a problem common to many urban ethnic groups. What is not so obvious, however, is the fact that the reactions of these groups to this common problem are quite dissimilar. Because of their different histories and cultures, various ethnic groups respond differently to the same issue. Many problem-solving theories and mechanisms have failed by not recognizing this element of diversity. The Ethnic Heritage Affairs Center will provide consulation and know-how to help agencies and communities understand these different approaches and responsed to similar issues. This service will greatly benefit the community as a whole as well as the individual ethnic groups.

In conclusion, I must urge this committee to move for the passage of this bill to enable America to realize the full potential of the riches of our multiethnic society.

Also I wish to draw the attention of the committee to my testimony before Congressman Pucinski's committee, where the fifth graders, their teachers and mothers, the 10th graders, their teachers, school principals, the representatives of various ethnic communities and the two school systems came along with me to testify to really show what the study of ethnicity can do to improve relationships between and among peoples of varying backgrounds.

My specific suggestions are two: first, that the establishment of these centers should be on a regional basis; and second, that they should have a kind of tripartite function as described earlier. We need to use rather apply the acquired knowledge to develop human services models that would be sensitive to the values of different ethnic people.

In other words, what I am saying is that the value of the ethnicity is not only to find identity, or that it raises the whole question of whether ethnicity has to restrict itself to the history or self-identification, but I am saying that it is also related to all of the human service professions.

Having suggested this, I repeat my question, Senator, that how by amending the Higher Education Act of 1965, your bill S. 23 will help to promote ethnicity at the grassroots level involving elementary and secondary schools, voluntary social and educational agencies working with ethnic groups and the overall community, and the ethnic groups themselves?

It is my understanding that Congressman Pucinski's bill provides for such participation; whereas, S. 23 may lead to ethnic studies being frozen and institutionalized in the impersonal centers of higher education. I hope my misgivings and fears can be alleviated by you. Thank you.

Senator SCHWEIKER. I think we are dealing here with a vehicle. In the legislative trade, you have to look for the most immediate vehicle and I think that vehicle whatever it might be, does not necessarily ultimately define the scope or the operations of the program.

Because we are now holding hearings under the chairman's leadership here in this particular area, which my bill would be pertinent to, it gets a priority. If we addressed it to another phase of the problem, it gets a lower priority. It is a matter of legislative priorities, and it does not connote particularly how it would be implemented or administered or carried forward. This would be first defined by the subsequent amendments that we would put in the language, and second by the report of the committee.

So it is really a technicality in terms of high priority in the Congress.

Dr. JAIPAUL. Thank you.

Senator SCHWEIKER. Thank you very much. Now we will call on Colonel Leonard, director of the Polish American Congress, who will give his remarks.

STATEMENT OF CASIMIR I. LEONARD, EXECUTIVE DIRECTOR, POLISH-AMERICAN CONGRESS, INC.

Colonel LEONARD. My name is Casimir Leonard.

Mr. Chairman, and members of the Senate Subcommittee on Education, thank you for giving me the opportunity of appearing here today in support of S. 23, the Ethnic Heritage Studies Center Act of 1971.

My name is Casimir I. Leonard. I am the executive director of the Polish American Congress, which represents over 12 million Americans of Polish descent.

The Polish American Congress concerns itself with the welfare of Americans of Polish extraction in political, national, religious, social, and economic matters.

The PAC's purpose is to give complete support to the Government of the United States and to unify actions of persons of Polish descent in the United States within the lawful limit of their rights and duties as citizens or residents of this country.

Senate bill 23, introduced in this Congress by Senator Schwieker of Pennsylvania, is legislation of the utmost interest to these 12 million people—it means that the youth of the Polonia can avail themselves of knowing more of their heritage and background.

Too long a time has elapsed for many of these young people to realize the cultural achievements of their ancestors, and to be able to maintain pride in their beginnings.

The youth of Polonia has a sincere desire to be good Americans and on many occasions has presented itself in upholding all that is good in America. By fully developing strong ties with their background, they can more easily enter the mainstream of American life. To be proud of one's background is a glorious thing, to be ashamed is quite another matter. Unless the young people of this country are made aware of prideful accomplishments of their forefathers, sheer ignorance could make them shameful.

The Ethnic Studies Center bill is a giant step in the direction of making knowledgeable and proud ciitzens. If we are to have future generations take their places among the leaders of the United States, much must be done to make them fully aware of all that has gone before.

Though the study of history, literature, music, drama and language and general culture of their country of origin, these young people will be enriched and more equipped to be leaders.

I would like to state at this time that the Polish American community has always expressed and shown an interest in matters pertaining to study and maintenance of their ethnic heritage. It is only in the last 15 or 20 years that because of economic and social conditions, these centers of Polish ethnic education; that is, parochial schools have been disturbed and have not been able to pursue this course.

This is why we strongly recommend and support H.R. 14910, legislation introduced in the House by Representative Roman Pucinski. Representatives of our community testified at the House hearings.

I ask at this time the opportunity to state that I have been given authority to express these identical views on the part of the Lithuanian American Committee of the United States, Inc.

Once again, thank you for letting me express these views. I am hopeful that these hearings will culminate in the approval and implementation of these study centers. I also ask permission to submit additional material in writing at a later date.

Senator SCHWEIKER. Thank you very much, Colonel Leonard. We are delighted to get additional material.

Just check with the committee staff on the timing to include it in the committee report.

(The information referred to follows:)

THE ORCHARD LAKE TESTIMONY

IN BEHALF OF S. 23 -- ETHNIC HERITAGE STUDIES CENTERS

Presented to the Education Subcommittee on Labor
and Public Welfare
United States Senate
Washington, D.C.

April 20, 1971

By Reverend Leonard F. Chrobot, Dean
Saint Mary's College
Orchard Lake, Michigan

THE ORCHARD LAKE TESTIMONY
IN BEHALF OF
THE ETHNIC HERITAGE STUDIES CENTERS BILL

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C. Rootless Youth in Our Society
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E. Deification of Technology
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PART I-- ETHNIC HERITAGE STUDIES -- A RATIONALE

The American Dream

A profound and disturbing change has somehow taken place in America. It is impossible to pinpoint the exact time and place, but somehow, somewhere, imperceptibly, the American dream has become a nightmare. The disappointment is felt all the more keenly because the expectations were so very high. I had to visit a peasant village in Eastern Europe, surrounded by the vestiges of a monstrous war, to begin to understand the meaning of the word "America." It was in the eyes of a gnarled and weathered man, who easily betrayed his experience of humanity's suffering, wherein lay the mystery of the word. It was hope. It was hope that several million years of evolution have taught us how to live together in peace with one another. Nothing is quite as bitter as hope betrayed.

The hope in America was consistently proclaimed by men of vision, men gifted with the ability to verbalize the innermost longing of the human heart. Washington, Jefferson, Adams, were among the first. As early as 1782, Michel de Crevecoeur, in his Letters from an American Farmer, called the American the "new Adam." "Here," he said, "individuals of all nations are meted into a new race of men, whose labours and posterity will one day cause great changes in the world." Walt Whitman carried the American dream into the 19th century. And in

1908, Israel Zangwill, a Jewish immigrant, gave it almost religious meaning:

> America is God's Crucible, the great Melting Pot where all races of Europe are merging and reforming . . . Germans and Frenchmen, Irishmen and Englishmen, Jews and Russians -- into the Crucible with you all! God is making the American!

In our century Archibald Macleish wrote:

> America is a symbol of union because it is also a symbol of differences, and it will endure not because its deserts and seacoasts and forests and bayous and dead volcanoes are one mind, but because they are of several minds and are nevertheless together. . . . It is where the sand and the marsh and the rock and the grass and the great trees of the eternal wind compose the frontiers of diversity that there is greatness.

Mankind's one great hope was described by F. Scott Fitzgerald in The Great Gatsby as "the last and greatest of all human dreams." And he added:

> . . . for a transitory enchanted moment man must have held his breath in the presence of this continent, compelled into an aesthetic contemplation he neither understood nor desired, face to face for the last time in history with something commensurate to this capacity for wonder.

A Time of National Crisis

It is precisely because so much was expected from this country that the disappointment in its failure has been so traumatic. The streets that were to flow with milk and honey are now blocked by the rubble of the latest demonstration or riot. Our embassies, heretofore the concretization of the dream, have been burned, and our representatives, the living witnesses to the dream, have been stoned and mocked. Some of our greatest leaders have been shot down in an orgy of violence.

America is in a time of crisis, the winter of its discontent. And we search for the structure of a spring we hope will come. The greatness of a nation does not depend upon its military or economic strength; our experience of history should have taught us that. Greatness depends upon the concept of man we are

able to institutionalize in our society. Good will and sincerity are not enough. The image of the "ugly American" is not so facilely dismissed.

Our history tells us of our past mistakes. Our solutions of the "Indian problem" and of the "Black problem" only emphasize the Biblical warning that the sins of the father are paid for by the son. We have inherited the curse of the expediency of our forefathers. Whenever immediate comfort and material security dictate answers to human problems, we can expect to inherit the wind. There is a theory that the only lesson we learn from history is that we learn no lesson from history.

Rootless Youth in Our Society

There is something very wrong with a nation in which a human being must change his name or dye his hair to merit our respect. There is something very wrong when an American girl feels compelled to say "I am of Dutch ancestry, but I am doing something to cure that." We gravely violate the dignity of a human being when we create a climate in which a young boy must ridicule the cultural heritage which has made him what he is. Insofar as we have mocked the national background of any group of people, we have added to the destruction of the American dream. Whenever we insist that a youngster deny his parents, we tamper with the very essence of our humanity.

For man is a strange creature. His life can only be lived forward, but can only be understood backward. He must have one foot in the future and one in the past. Our own sons and daughters, suburban and sophisticated, blessed with every consumer-item we can possibly deliver, suffers from an alienation which makes Sartre's Nausea read like Alice in Wonderland. Kenneth Keniston's description of them in The Uncommitted makes it understandable why they should seek escape from the pain of being in sex, alcohol, or drugs. Absence of roots

can do this to a man. It makes him all shell and no substance, ready to splinter by the slightest discomfort. Such youth seek their redeemers in the passing fad of the moment, ready to follow any Pied Piper promising relief from the gnawing pain of being. And the self-appointed saviors, be they Hefner of Playboy fame, or O'Leary with his LSD, serve as the gurus of a new but frightening age.

Language Provincialism

Part of this difficulty of Americans is their reliance upon one language. Only recently have we discovered the relationship between language and our very ability to think. Alfred Korzybski, the founder of general semantics, maintains that the structural assumptions implicit in language are of necessity reflected in how we act and what we are. He says:

> A language, any language, has at its bottom certain metaphysics, which ascribe, consciously or unconsciously, some sort of structure to the world. Now these structural assumptions are inside our skin when we accept a language, any language. We do not realize what tremendous power the structure of an habitual language has. It is not an exaggeration to say that it enslaves us through the mechanism of semantic reactions and that the structure which a language exhibits, and impresses on us unconsciously, is automatically projected upon the world around us.

A significant part of our difficulty in world diplomacy is the straitjacket of our one-language culture. It is simply impossible to understand another people of another culture and language unless we are freed from the limitation of our own cultural assumptions. Our difficulty in international relationships should prove this weakness. S. I. Hayakawa says in his The Use and Misuse of Language that:

> Words . . . are more than descriptions of the territory of human experience; they are evaluations. How we think and evaluate is inextricably bound up with how we talk. . . . How we act is determined by how we think. Even when we act without thinking, our actions are likely to follow in turn the lines laid down by our patterns of thought, which in turn are determined by the language we use.

The common insistence that any people who wish to do business with us must learn our language strikes one as an outstanding example of Yankee chauvinism.

Deification of Technology

We are well aware, I think, that the decisions we make at this point in human history, carry a responsibility for the future of mankind on this planet. All of us are infected by the fever of technology -- the latest in a series of idols mankind has placed in its temples. The view of our planet from the lunar surface changes perspectives for all of us. Does it really profit man to gain the moon and suffer the loss of his home?

We know so well that the problems of earth are not technological but human. And while computers feed us with sophisticated information of staggering complexity, our knowledge of our neighbor next door is still in the stone age. Resources are not unlimited. But when we spend 70 billion dollars in the United States for defense, one wonders what we are defending. Is it worth defending? Many of our youth think not!

Education in Cultural Pluralism

How can we learn to live together unless we know who we are, and where we come from. We will survive only if we can find the best ideas about man possible, and then act upon them. John Graves expressed this when he wrote in Goodbye to a River:

> If a man couldn't escape what he came from, we would most of us still be peasants in Old World hovels. But if, having escaped or not, he wants in some way to know himself, define himself, and tries to do it without taking into account the thing he came from, he is writing without any ink in his pen. The provincial who cultivates only his roots is in peril, potato-like, of becoming more root than plant. The man who cuts his roots away and denies that they were ever connected with him withers into half a man. . . . It's not necessary to like being a Texan, or a Midwesterner, or a Jew, or an Andalusian, or a Negro, or a hybrid child of the international rich. It is, I think, necessary to know in that

> crystal chamber of the mind where one speaks straight to oneself that one is or was that thing, and for any understanding of the human condition, it's certainly necessary to know a little about what the thing consists of.

Educators throughout the land have deduced from the phenomenon of our society certain ideas about what is essential for the education of youth today. We can ignore them, but then we will have to accept the consequences of continued disruption of our educational system, of our legal system, of our political system. Young Americans simply reject the things we have established as important in our society. They have seen the results, and they want no part of it. S. I. Hayakawa, Administrator of embattled San Francisco State College, considers as a basic goal of education for everyone:

> to understand, appreciate and learn to live with fellow inhabitants of our planet. Every child must learn about the races and peoples of the world and the rich variety of the world's cultures. He must know something of the history of men and of nations. He must learn that there are many people in the world who differ from him profoundly in habits, ideas, and ways of life. He must perceive these differences not as occasions for uneasiness or hostility, but as challenges to his capacity for understanding.

American chauvinism is dying. Yankee ethnocentricism, which believes in the inherent superiority of our own group, and looks with contempt on other cultures, must finally be buried. And unless we want our cities to break up into hostile armed camps, we must return to the American dream of cultural pluralism, where diverse religious, ethnic, racial or other groups may cleave to their own traditions within their own group, while at the same time they live together within a single economy and polity in harmony and mutual forbearance.

Black Americans have made us viscerally aware of the self-alienation and self-hatred minority groups were made to feel. Is it any wonder today that our youths burn their draft cards, make shirts out of our flag, and reject whatever symbolizes America. The very meaning of the word "America" has become negative. Only we have the power to change that image.

There is a reaction by some non-Black ethnic groups against the current interest in Black Studies proclaimed by every college and university across the land. They feel, unfortunately, that the only way changes occur in national priorities and policies is by demonstrations and rioting. Many have lost faith in the democratic, rational process.

We are convinced that only if the Congress of the United States takes a positive stand and passes the Ethnic Heritage Studies Centers Bill to assist the many other ethnic groups which form our national ethos will progress be made even in Black Studies. A broader political base for any legislation can be achieved only if more people are involved in its results.

Laws do not make people respect other people. Only knowledge of the other person can do that. The Ethnic Heritage Bill has the potential of institutionalizing in our society the promise carved in stone on our Statue of Liberty. We can now truly become what we have always said we were.

The Orchard Lake Ethnic Tradition

The Orchard Lake Schools, for eighty-five difficult years, have defied Yankee Ethnocentricism and have represented the ideal of cultural pluralism at a time when few understood what we were talking about. The Orchard Lake Schools strongly believe that every major ethnic group in our country should be given the opportunity to study its history, language, literature, and art, and to teach others about the richness of its cultural heritage. Indian Americans must be made to feel proud of Indian culture. Black Americans must become cognizant of their race's contributions to the building of America. Spanish Americans cannot be made to feel that they are second-class citizens.

The Orchard Lake Schools, students, faculty, and administration, strongly favor the passage of this Bill. We see federal funds as the only possible source

of help for all of the small ethnic groups. They have already done much for themselves with their own money. But spiraling costs, especially for talented and professional personnel in these areas, will not permit them to continue. (The priest-faculty members of the Orchard Lake Schools alone contribute a quarter of a million dollars each year in their services to this cause for Polish Americans.)

My concern today is especially for the Polish Americans, who number some ten million citizens of the United States. They have helped build America, from the glass works of Jamestown in 1608 to the factories, foundries, and offices of Chicago, Gary, Detroit, Toledo, Cleveland, Buffalo, and New York at the present time. No youth of Polish background should ever have to feel ashamed of his national heritage in America.

In the second part of my Testimony, I will outline specifically how Orchard Lake has already implemented, is presently implementing, and is prepared to further implement the plan and program of the Ethnic Heritage Studies Centers Bill for Americans of Polish background.

PART II -- POLISH AMERICAN ETHNIC HERITAGE STUDIES -- THE ORCHARD LAKE PLAN

History of the Orchard Lake Schools

The Orchard Lake Schools were founded by a young immigrant priest from Poland who came to this country a century ago. Father Joseph Dąbrowski, significantly, began his work in America among his fellow Polish Americans and the Indian tribes of central Wisconsin. It was this gift of appreciation for the culture and heritage of other peoples different from himself that he brought to this country. In Detroit, in 1885, he established the Polish Seminary, because he understood the need for native American leaders who would understand the mentality and problems of the millions of immigrants pouring into the United States from eastern Europe.

His Schools grew and prospered, and in 1909, moved to Orchard Lake, twenty-five miles northwest of Detroit, to the campus formerly occupied by the Michigan Military Academy. Today the Schools stand as a tribute to his insight into the needs of his adopted land, still training young men with a sensitivity to cultural pluralism, men determined to preserve the very best of the Polish people's contribution to America. The atmosphere of campus today, while very much American, is permeated by a unique spirit of appreciation for the traditions, customs, language, and culture of Poland, which is studied in the classroom by all of the students. The majority of the faculty are of second, third, and even fourth generation Polish ancestry, who contain within themselves a beautiful harmony of a sincere and warm love of America and a profound respect and

admiration for the Polish background which has made them what they are. The Schools, built entirely from the free will contributions of Americans who are convinced of their work, embrace three academic institutions and several related research centers.

Academic Institutions

The three academic institutions include:

Saint Mary's Preparatory, a four-year secondary program of pre-college studies in a disciplined, boarding school environment preparing young men for future study and service. Enrollment is between 200 and 250.

Saint Mary's College, a four-year liberal arts program offering majors in theology, philosophy, Polish, and communication arts, in a small, residential atmosphere of individual attention. Enrollment is between 100 and 125.

Saints Cyril and Methodius Seminary, a four-year program of graduate studies in theology preparing men for the priesthood, the permanent diaconate, and lay leadership in the Catholic Church. Enrollment is between 50 and 75.

The total campus population numbers over 400. It is small in comparison to the great state universities surrounding it, but in its eighty-five years of service to America, the Schools have educated more than 12,000 men, 10,000 as laymen and 2,000 as clerics who have served their country through the ministry of the Catholic Church. A recent study indicates that 72% of the alumni use Polish in their professional careers. The majority of these men, low-income sons of the Polish American Community, would never have had the advantage of such education had it not been for Orchard Lake. (Students pay less than half of the cost of room, board, and tuition.) The education they receive, stressing a three-fold cultural formation -- Christian, American, and Polish, prepares leaders who appreciate the cultural diversity of the United States population, leaders who can create the kinds of community, especially in our inner cities from which they come, where a human being can grow and prosper.

Research Centers

The research centers of the Orchard Lake Schools, although distinct from the academic institutions, mutually support each other. They have done, and

will continue to do whatever is necessary to serve the Polish American Community.

They include:

Center for Pastoral Studies, which trains permanent deacons for Church work, offers programs of continuing education for priests and laymen in theology, and sponsors a program of field work in pastoral activity for students of the Schools.

Polish American Liturgical Center, which supplies Polish speaking people and their priests with homiletic and liturgical materials, and provides a special apostolate for the sick and aged.

Polish American Historical Association, which sponsors research in Polish American history, and publishes the quarterly Polish American Studies.

Center for Polish Studies and Culture, which develops curriculum materials for use in elementary and secondary schools dealing with the history, geography, society, economy, literature, art, music, drama, language, and general culture of Poland, and disseminates these materials to interested teachers. It is precisely this Center which is already equipped to furnish the kinds of material requested in the Ethnic Heritage Bill. It could well serve as a model for other ethnic groups in the establishment of their own centers.

What Orchard Lake Has Done

The Orchard Lake Schools have long felt that an academic institution must have a much broader responsibility than merely classroom teaching. Their ability to respond to the needs of the community which they serve has assured them of the continuing financial support so necessary in private higher education today. Some of the accomplishments of the Schools in recent years in the area of ethnic study have certainly answered the needs of the Polish American Community.

Development of Language Curriculum Materials

1. Present Polish Curriculum:

The Orchard Lake Schools are better prepared than anyone else to develop curriculum materials for the teaching of Polish. Eighty-five years of experience of teaching Polish on a secondary, college, and graduate level have taught us much about the kind and quality of material which is interesting to American youth. Our language teachers are very young, very American, and very much in

love with the culture of Poland. The excitement of this love is clearly contagious.

2. Polish Language and Heritage Program (FLICS):

Orchard Lake, in cooperation with the University of Michigan working under a Federal grant, has developed the Polish Language and Heritage Program as part of the Foreign Language Innovative Curriculum Series (FLICS). It consists of a teacher's manual and student text, with accompanying slides and tapes, of units on the history, culture, art, literature, customs, geography, social life, and architecture of Poland, and a unit on Polish American immigration. The materials have been tested on a secondary level for several years with our own preparatory students and others, have been revised, and have been distributed to more than four hundred Polish teachers throughout the United States. Although existing only in mimeographed form at present, the Program will be further tested, revised as necessary, and published in permanent format. (A copy of the FLICS Program is available for examination upon request.) It too could serve as a model for other ethnic groups wishing to develop materials of this kind.

3. Language Laboratory:

The complete facilities of the Orchard Lake Language Laboratory are also available for the further development of tapes for teachers interested in using the audio-lingual method of language instruction. While other large language groups have many commercially developed tapes, lesser known languages must develop their own at great expense. We are willing to share our experience in this area, as well as furnish copies of tapes we have already developed for classroom use.

4. Polish Room:

Of particular merit in ethnic heritage studies is the Polish Room, a special demonstration laboratory furnished with a collection of books, art objects, and folk art from Poland, where students may come into contact with some of the things they study about. Seasonal traditions and customs are displayed, and students participate in recreating them for their own classmates.

5. Polish and Polish American Books:

Sorely needed in the classroom by every teacher are books relating to the study of a foreign culture. Through the efforts of Prof. Robert Geryk, Director of the Center for Polish Studies and Culture, the Schools have published a bibliography of Polish books, Polish books in English translation, and Polish American books in the field of history and literature, and the College's Bookstore has served as a supply and distribution center for such materials. Many of the young Polish writers (Polanski in films, Grotowski in drama, Penderecki in music, Mrozek in literature, Kolakowski in philosophy), whose works are already available in English, spark much interest and enthusiasm among our youth.

6. Library and Archives:

Another key factor in supplying books, filmstrips, films, and records of things Polish is the Alumni Memorial Library and its Archives. The Orchard Lake Library already has one of the largest collections in the United States, numbering 60,000 volumes, of which more than 10,000 are Polish, including many first editions and autographed copies, Polish translations of English works, and an outstanding collection of books on Polish genealogy and heraldry, and many other items of interest. In addition, it annually receives 90 different current Polish periodicals and newspapers published here and abroad, and has a historical file of such items as the Prasa Podziemna of World War II, and the now extinct Dziennik dla Wszystkich of Buffalo.

The Archives continue to grow each day with additions from estates and older people who wish to preserve some memorabilia of Poland or the Polonia for permanent safe-keeping. Orchard Lake still issues requests for any and all materials of a historical nature having to do with Poland or the Polish American Community. The presence of the Polish American Historical Association gives added continuity and permanence to this dimension.

7. Art Gallery:

The Galeria of the Orchard Lake Schools has also provided a location for the display of Polish, Polish American, and Slavic art, and provides a source of information about it. It has already sponsored such exhibits as Marian Owczarski, sculptor; Helen Klisz Dudzinska, painter; Richard Kubinski, posters; Donna Wessell and Helen Szpakowski, painters, and many others, and plans to continue frequent exhibits in the future. Students are given a vivid experience of the best art a culture can provide.

8. The Museum:

In time the Schools would like to provide facilities for the permanent display of historical objects in a Museum. Its Galeria and Polish Room already contain a nucleus of material upon which a permanent collection can easily be based.

9. Artists-in-Residence:

Perhaps the most exciting aspect of the Schools is the Artists-in-Residence facility, which provides subsidized facilities for poets, novelists, painters, sculptors, composers, etc., to create original works of art. The stay on campus of the great Polish pianist Severin Turel several years ago was an experience which students will never forget. The more recent stay of Marian Owczarski also proved memorable. Further facilities can be developed on a thirty-eight acre island in the center of Orchard Lake, across from campus, and is presently available -- an ideal location for such a facility to provide for the living continuation of works of art.

Training Programs and Workshops

1. Workshops on Cultural Pluralism:

The Schools have hosted their second Workshop on Cultural Pluralism, in cooperation with the Michigan Department of Education. In 1969, the Workshop

consisted of fourteen different ethnic groups (Italian, Portuguese, Arbic, Russian, Polish, Scandinavian, Dutch, Greek, French, Spanish, Oriental, Black, American Indian, and Finnish) who met on campus to hear a guest speaker on cultural anthropology, and then broke up into individual groups to examine available instructional materials and discuss target problems for the teaching of language and culture within their respective ethnic group. In 1970, the Workshop addressed itself to the problem of how to introduce studies into social studies curricula in public schools. These two workshops prepared the way for the formation of a special committee in Lansing -- the Committee on Cultural Democracy, whose chairman is an Assistant Superintendent of Education for the State of Michigan. This Committee has been meeting regularly for the past ten months in formulating official policy for Michigan embodying the principles of cultural pluralism for all public schools. A "Position Paper" has been presented to the State Board of Education recently, and the Committee is now discussing ways of implementing this philosophy in the curriculum of the schools. (A copy of the Position Paper is available upon request.)

2. Conference on Racial Prejudice:

In 1969, the Schools hosted a Conference on Racial Prejudice, in cooperation with the Priests' Conference for Polish Affairs of the Archdiocese of Detroit, in an attempt to understand the problems of the inner-city in relationship to the Catholic parishes of Detroit. The Conference examined prejudice from a psychological and sociological perspective, and presented recommendations on how to deal with inner-city problems. This conference eventually became the spark behind the formation of the Black Polish Conference of Detroit, a coalition between the Black and Polish communities of Detroit, which constitute over 60% of the total metropolitan population.

It has received national recognition for its work in overcoming polarization between the Black Community and the white ethnic blue-collar working class, and has served as a model for coalition-building in other cities (Gary, Toledo, Cleveland, Newark, etc.)

3. Summer Abroad 1970 Program:

In cooperation with the Catholic University of Lublin, the Orchard Lake Schools has sponsored special intensive courses in Poland in Language and culture, with a guided cultural tour and an optional trip to Rome, for academic credit. Such a trip proves to be invaluable for Polish teachers and students.

Research

1. Polish Language Teaching in the United States:

In cooperation with the Southeast Educational Laboratory and their Bi-Lingual Design Project, Austin, Texas, the Schools initiated a research project into the amount and type of Polish language teaching in the United States. This information served the Congress in its recent passage of the Bi-Lingual Education Act, the first recognition by our Government of foreign languages as a natural resource which should be carefully preserved. Although Polish has long been listed by the Department of Defense as one of the "critically needed" languages, little has been done to encourage its teaching.

2. Polish Language Usage in Religious Services:

The Schools have also undertaken a research project in the use of the Polish language among priests of Polish background, in order to come to some objective evaluation of the need of Polish materials for liturgical and religious use. Through the Polish American Liturgical Center, the Schools have translated, published, and distributed the new Eucharistic Prayers and the new Ordo of the Mass to all Polish priests of the United States. The Center has also undertaken the responsibility of supplying other Polish liturgical materials needed -- prayerbooks,

missalettes, sermon outlines, prayers of the faithful, etc. After only one year of operation, the Center already mails over 35,000 Polish missalettes to 67 parishes nationally. Through a special apostolate to the aged and sick, the Center offers Polish materials of devotion for their use.

3. Original Research in Polish and Polish American Topics:

In the realm of scholarship, the Schools have sponsored original research into history, literature, and culture of Poland and the Polish American Community, and have published translations and reprints, in cooperation with the Eagle Yearbook of the Schools. Many of these are already available in reprint form: (*)

The Kopernik Quadricentennial (1943)

Polonia Panorama (1946)

The 700th Anniversary of the Canonization of St. Stanislaus (1953)

Centennial of the Massive Immigration of Poles to America (1954)

The Life of John Cieplak, Bishop and Martyr (1955)

*Polish American Fraternal Organizations (1956)

*The Polish American Press (1957)

Polish Forebears Who Settled at Jamestown in 1608 (1958)

*A Seventy-Five Year History of the Polish Seminary (1960)

*American Council of Polish Cultural Clubs (1961)

*Polish American Clergy (1962)

*Polish American Parishes (1963)

Our Lady of Orchard Lake Shrine

Poland's Millenium, 1,000 Years of Christianity (1965)

Celebrating 1,000 Years of Polish Christianity, The World Polonia (1966)

*The Orchard Lake Schools (1967)

Our Lady of Czestochowa (1968)

*Outstanding Men and Women of Poland (1969)

*The Arts in Poland Since 1945 (1970)

*Polish American Customs and Traditions (1971)

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4. Historical Research -- the Founder's Day Symposia

The annual Founder's Day Historical Symposia have, through the years, undertaken various themes related to the Polish American experience. The results have been published continuously in the Polish American Studies, quarterly of the Polish American Historical Association.

5. Visiting Artists and Scholars:

The Schools have long served as a host for most artists and scholars visiting this country from Poland, most of whom have either addressed our student body, or presented musical or literary programs of some kind. The recent appearance of a very young Polish Folk Rock Group (No To Co and the Alibabki) was enthusiastically received by the youngest and oldest set on campus. Several other groups are planned for the year.

6. Professional Contact with Poland:

A school which teaches a foreign language and culture cannot long exist without contact with theculture's source. The Orchard Lake Schools have had close contact with the Catholic University of Lublin, the Universities of Warsaw and Cracow, and with the leaders of the Catholic Church. Annual trips to Poland by students under faculty supervision have always produced very positive results. Students have returned with a new love for America and a new-found love for the country of their ancestry. Of particular merit is time spent among Polish peasants in the villages, some of them distant ancestors of our young. Nothing can match this kind of living contact in the laboratory of life.

Polish American Public Relations

1. Polish-Jewish Relations:

The Schools have cooperated with the Jewish Anti-Defamation League, especially in the Chicago area, in trying to find solutions to mutual problems of ethnic identity. The work of the American Jewish Committee in the area of ethnicity should be praised and supported. Much can be learned by such mutual support.

2. Polish-Black Relations:

One of the pivotal problems of the Polish American Community is its relations with Black Americans. Polish Americans bear a significantly greater proportion of criticism for racial prejudice because they happen to live closest to the problem. It is quite easy for white liberals who live in the antiseptic suburbs to level their charges then return to their ivory towers.

Poland's history of friendliness toward minorities is a fact of history. Present racial controversies generate far more heat than light. But when the dust finally settles, we are convinced that Polish Americans will emerge, in the long suffering tradition of their forbears, as those who weathered the storm.

The Orchard Lake Schools unequivocally support the efforts of the Priests' Conference for Polish Affairs in Detroit to find solutions to the magnitude of problems which we share with our fellow Black Americans. The experience of Polish Americans in dealing with the problems posed by a dominant culture decades ago can well serve our fellow Black Americans with some important lessons in acculturation and assimilation. And we laud the discovery that Black Americans have recently made of the necessity of respect and love for their cultural heritage.

Community work in these areas is slow and tedious, as many of our alumni who work with these problems are quick to testify. But much can be done. The Orchard Lake Schools laud the work of the Detroit "Black-Polish Conference," and the kind of thing it attempts to accomplish.

3. Polish-Canadian Relations:

The Schools also seek to establish closer ties with the Polish Americans of Canada. While Canada's problems differ from our own, many of the efforts we have exerted can benefit them. We have already made significant contacts with priests of Canada and their parishes. With the cooperation of Polish organizations in the United States, we will extend and strengthen the bonds we share in common.

What Orchard Lake Plans To Do

The Orchard Lake Schools would like to do much more. There has never been a dearth of ideas. Passage of the Ethnic Heritage bill would enable work in these areas to increase significantly, and would enable us to offer services not now provided. The Center for Polish Studies and Culture would also be happy to advise any other ethnic group on methods of procedure and areas of priority. Much of its past work could already serve as a guide to other groups interested in the preservation and dissemination of their cultural legacy.

Development of Language and Curriculum Materials:

1. Distribution of FLICS Program:

Although the Polish Language and Heritage Program is rather complete, much work is revision and re-editing must be done to make it a more effective program. Personnel and facilities for the adequate distribution to elementary and secondary schools throughout the nation is very inadequate. Further testing of the materials, especially in the so-called "Saturday Schools," where Polish is taught to children under private auspices, is essential.

2. Translation and Publication of Books:

Translation and publication facilities for historical, literary, and sociological studies must be provided as soon as possible. A special effort should be made to encourage new research, especially in the field of literary criticism of Polish works. Americans know very little of Poland's great literature beyond, perhaps, Sienkiewicz's Quo Vadis. Doctoral dissertations are especially productive of useful material.

3. Films and Filmstrips:

Newest educational technology must embrace audio-visual materials for classroom use. Orchard Lake has all of the necessary resources for the production of a professional film and/or filmstrip for social studies teachers about the Polish

American experience, and Polish culture in general.

Training Programs and Workshops

Lacking personnel, facilities, and financial support, the Orchard Lake Schools have a special need to provide for persons utilizing or preparing to utilize the curriculum materials eventually to be developed.

1. Summer Workshops:

Summer workshops can prove to be invaluable for language and social studies teachers, to introduce them to existing materials, and instruct them on newest teaching methodology. Additional personnel is available, but funds are not.

2. Summer Sessions:

With the rebirth of interest in ethnicity, there is much demand for summer courses in Polish language, history, literature, art, and culture. Facilities and personnel again are available, but funds are not.

3. Adult Education Classes:

A remarkable interest in things Polish can be found in the third and fourth generation Americans of Polish background who suddenly have realized the treasures of wisdom and beauty contained within their own ethnic heritage. Evening classes for adults could do much to enhance ethnic pride. Such study cannot be contribute to "a more harmonious, patriotic, and committed populace."

4. Seminars and Lectures:

In addition to sponsoring seminars and conferences on Polish subjects, the Schools plan to provide slides, films, recorded tapes, and traveling exhibits for possible use at schools and meetings of Polish American organizations. Lectures, dramatic presentations, music festivals, and film festivals can also be sponsored.

Sociological Research

Sociological research among America's ethnic groups in general, and within the Polish American Community in particular, is almost non-existent. Social

scientists know more about Australian aborigines than they do about the Polish Community in Buffalo, New York. Although research in this area has begun, largely through the efforts of the National Opinion Research Center of the University of Chicago, no systematic study has yet been attempted. Orchard Lake is anxious to begin a detailed and scholarly sociological study of Polish America. The preliminary outline for such a study was already presented by Dr. Lawrence Cizon, former Director of Research at Loyola University, Chicago. Such a study could provide invaluable information on the problems of our inner cities, especially those with large contiguous populations of Poles and Blacks, like Chicago, Gary, Detroit, Cleveland, Toldeo, Buffalo, New York, Philadelphia, and Baltimore.

The Orchard Lake Schools are anxious to contribute to this research. With the help of the Ethnic Heritage Bill, resources now diverted toward the development of curriculum materials could be used in this area.

Polish American Public Relations

1. Orchard Lake -- Focal Point for Polish American Organizations:

Orchard Lake has long served as the spiritual and educational focal point for the organization of the Polish American Community in the United States. Meetings of fraternals, professional organizations, mass media people, and religious leaders have always been hosted by the Schools. Only limitations of staff and personnel have limited this contribution. These organizations have much power to influence the rank and file Americans of Polish background for constructive effort and creative response to the needs of our country. The positive contribution of Polish Americans to this country cannot be calculated. It is significant to note, however, that there has never been a riot, a demonstration, or a march of any kind, nor has there been a destructive or disruptive movement toward America, despite the fact that they are more organized than any other national group, and stronger in

political influence in many sections of the country.

2. General Information Center for Polish Americans:

Many ethnic groups in the United States lack any kind of centralized facility for providing general information on their own ethnic group. Orchard Lake could well serve Polish Americans in this regard, especially in view of its personnel and resources.

3. Bi-Lingual Radio Program:

In keeping with this desire to serve Polish Americans, Orchard Lake now plans for a fifteen-minute bi-lingual radio program with a cultural emphasis, which will broadcast weekly. Its range of information and formation can thus be magnified many times over.

Conclusion

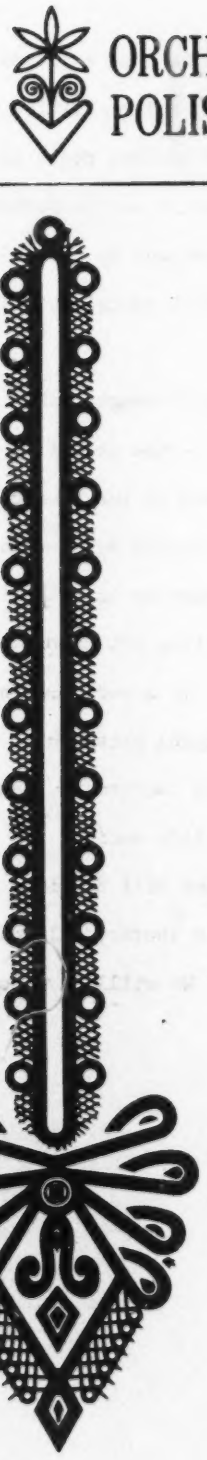
This Orchard Lake Plan, in its academic and non-academic aspects, is already well underway. We have 110 acres of land, 18 buildings, and a present staff of 30 priests and 20 laymen, all dedicated to the cause of the preservation and dissemination of Polish culture in the United States. The growth of the physical plant continues with the construction of a two million dollar residence facility which will house 300 students in semi-private rooms. The building has been purposely designed to function as a multi-purpose facility, especially during the summer months, when workshops and conferences can be held more easily. Future campus development includes a separate building to house the facilities of the Center for Polish Studies and Culture, and academic buildings like a fieldhouse, an auditorium, a faculty residence, and an addition to the Library. If we can serve the needs of America as we have in the past, we are confident that this plan will be realized before our centenary in 1985.

This, then, is the plan of the Orchard Lake Schools for implementing the

provisions of the Ethnic Heritage Studies Centers Bill. Orchard Lake stands ready, willing, and able to devote its entire resources, personnel, and facilities for the realization of these goals. The philosophy of Orchard Lake has its roots in its history and tradition of service to those who have supported it -- the Polish American Community in the United States. It stands as a monument to the faith and sacrifice of an immigrant America, a tribute to the deeply religious values carried to this country by our forefathers a century ago.

At a time when our country is undergoing profound social changes, the Schools continue to uphold the ideal of cultural pluralism -- the selection of the very best from the heritages of all the groups which make up the American mosaic, and the preservation of these elements in youth to enrich our American culture. The current movement on college and university campuses to establish Black Culture programs reinforces our rejection of the "melting pot theory," in which each minority in America would lose its complete identity. In a world moving painstakingly toward more vital cooperation and more meaningful brotherhood, Orchard Lake upholds the goal of true unity without absolute conformity, demanding the right to individual differences in a culturally pluralistic society.

This is the contribution that Orchard Lake has made, and will continue to make, to a country which has welcomed our forefathers to its shores, allowed them to grow and prosper, and permitted them their ethnic ways. We still have hope in the American dream.



ORCHARD LAKE CENTER FOR
POLISH STUDIES AND CULTURE

WHO AM I?

Reflections of a Young Polish American On the Search for Identity

by

Rev. Leonard F. Chrobot

MONOGRAPH NUMBER 4

February, 1971

SAINT MARY'S COLLEGE/ORCHARD LAKE, MICHIGAN 48034

Exploring the new ethnicity in America

THE ORCHARD LAKE CENTER FOR POLISH STUDIES AND CULTURE

. . . searches for a new way to define what it means to be an American. We embrace the American dream as culturally pluralistic -- a nation having a unity of spirit and ideal, but a diversity of origin and expression, a nation not of atomic individuals, but of dynamic, interacting groups, each of which brings forth its best to help build a just and equitable society, free of isolation, segregation, and racism.

We believe that people who are secure in their past and joyful in their present cannot but be hopeful in their future.

We call this the "new ethnicity."

ABOUT THE AUTHOR . . .

Rev. Leonard F. Chrobot

. . . is the youthful Dean of Saint Mary's College.

Graduating magna cum laude from the College in 1960 with a Bachelor of Arts degree in philosophy, he was ordained to the priesthood in 1964. He completed his work toward the Master's degree in English at Purdue University, and is presently a candidate for the doctorate in higher education at Wayne State University.

His early interest in ethnicity first appeared in his bachelor's thesis -- "The Philosophical Foundations for Cultural Pluralism." His doctoral research is exploring the same field. In addition, he serves as an ethnic consultant to the Committee for Cultural Democracy for the Michigan Department of Education, and to the Urban Task Force on Ethnic America of the United States Catholic Conference.

OTHER MONOGRAPHS . . .

Other Monographs published by the Orchard Lake Center for Polish Studies and Culture, and available upon request, include:

Number 1 -- "Polish Language and Polish Area Course Offerings at Colleges and Universities in the United States," a Survey. 1970.

Number 2 -- "Instructors and Professors Involved in the Teaching of Polish Language and Polish Area Courses at Colleges and Universities in the United States," a Survey. 1970.

Number 3 -- "Polish American Relations with Poland," by Zbigniew Stypulkowski, November, 1970.

CURRENT ATTITUDES ABOUT POLISH AMERICANS

The first ethnic joke was probably told at the Tower of Babel. Man's congenital need for structuring his universe very early found him dividing manking into groups. In the evolutionary process of the naked ape, experience soon taught him that physical violence and survival of the fittest could not long remain the criteria of continued existence on this planet. Man learned that to survive he must cooperate. But the memory of physical domination over others was buried deep within his collective unconscious. In order for man to find out who he was, he soon discovered a need to gather in tribes to support his own ego and to talk about the superiority of his own group. Just as a child begins a very long and careful process of self-actualization by discovering that he is not his mother, his father, or his sister or brother, man, too, discovers who he is by discovering who he is not.

National stereotypes began with nations. We classify men by the color of their skin, by the size of their noses, by the texture of their hair, by the sound of their language. And when we are bored, or insecure, we make jokes about them. If we know that they are not really true, then we can laugh with the objects of our jokes, not at them. Unfortunately, stereotyping is also a lazy man's way of dealing with reality. He classifies all people of a certain type according to his standards so that he doesn't have to make the effort to know an individual person. Most white Americans rely on these racial stereotypes in dealing with Blacks. And they can never penetrate appearances until they really get to know the person underneath.

The stereotype of the "Polak" is typical -- a dumb peasant worker who dances polka and drinks vodka. Were you ever to sit in a classroom at the University of Warsaw, or ride a bus in Cracow, it would be difficult to find such a "Polak." Many of these "dumb peasants" read poetry on their way to work. Most people in the larger cities of Poland are very familiar with the theater, while Americans watch their endless hours of T.V.

The Polish joke is not as popular today as it once was. I suppose the emotional reaction of the Polish press in America has killed them. Insofar as they perpetuated a negative stereotype of the Polish American, it is good that they are dead. But the reaction of some Polish Americans to this kind of joke tells us something about him. If he is secure in his identity, knows who he is and is proud of it, he should have been able to laugh, simply because he knew that the jokes were not true. If he ever feared that they might be true, then the problem was not with the joke-teller.

A far more damaging stereotype of the Polish American resulted from racial conflicts in our major cities. The white elite liberal who lives in the suburbs can easily charge bigotry of the Polish family that has lived, worked, played and prayed next to his Black fellow American long before the Selma March.

Most youth today have mixed emotions about their Polish American background. They have been kiddes about their multi-syllabic name. A few of their classmates have laughed at their grandmother's babushka. If they knew suburban

friends, they may have noticed that their city church tended to be more conservative than its suburban counterpart. But all of their friends respected some things too. They all knew how much real fun one can have at Polish wedding. When they visited their homes, they enjoyed Polish specialities -- homemade sausage, gołąbki, or pączki. They respected the Polish home's friendliness and hospitality. And they sometimes saw alcholic beverages used by the family in a truly Christian way -- to help people relax and enjoy each other, without puritanical fear.

The young Polish American today is probably third or fourth generation in America. He has never considered himself anything but an American. He has perhaps recently become intellectually curious about the language he sometimes hears his parents or grandparents use. He has heard the names of Chopin, Sienkiewicz and Stan Musial (and he probably knows most about the last one). He probably saw a statue of Kościuszko in a park somewhere, but he doesn't know why it is there. He has heard his sophisticated friends talk about Penderecki and Polański.

Even though his name is Polish he probably studied French or Spanish in high school. He heard that the Nazis overran Poland to begin World War II, but he doesn't understand why the Poles weren't better prepared. He knows that Poland is largely Catholic, but doesn't understand why they have a Communist government.

Above all, he is curious, about all the forces, traditions, and customs he has witnessed and experienced, but which he does not understand. He wants to know who he is, where he came from, and what he can do with his life. And he is ready for the discipline involved to find the answers. He is, in short, ready to study all these things, but he doesn't want to wave a flag about it.

If he is willing to sacrifice a little, he will grow to understand and appreciate his forefathers, and he will learn to love their land. He will begin to understand the role of Poland in the history of Europe, in the past, the present, and the future. He will learn about the literature, art, and culture of Poland. And by so doing, he will better understand America and himself. He will walk proudly as an American of Polish descent, and he will spell out his name carefully to fellow Americans. And for the first time he will see that the strength of America depends on its pluralism -- the selection of the very best from the heritages of all the groups which make up the American mosaic, and the preservation of these elements to enrich a nascent culture.

POLISH AMERICANS AND THEIR LANGUAGE

No ethnic group in America is probably as attached to its language as Polish Americans. It has been a century since the first large wave of immigration brought Eastern Europeans to this shore, and yet there are millions of Americans of Polish descent who still cultivate a love for their language. The emotional content of this love cannot be understood without a knowledge of the history of the people.

The Polish nation was born in 966 with the baptism of the Slavic chieftain Mieszko I. The acceptance of Roman Catholicism was one of the most important aspects of the nation's development, since it linked Poland, an eastern nation, with the great tradition of Rome and western Europe. Because of its geographical location, Poland has served through the centuries as a bridge between east and west, the eastern-most outpost of western civilization and the transmitter of that civilization to the "barbarian" civilizations of the Russians, Turks, Mongolians, and Tartars.

Poland's growth as a nation was steady. By the year 1600, it was probably the largest country in Europe, stretching from the Baltic Sea in the north to the Black Sea in the south, including much of what is now the Soviet Union and the Ukraine. But internal disorder and greedy neighbors sounded a death knell in the latter part of the eighteenth century.

Poland reached the depths of despair in 1795, when the country was finally partitioned by its three neighbors -- Russia, Prussia, and Austria. A map of Europe between 1795 and 1918 shows no such country as Poland. It did not exist. Yet the Polish people existed, and they continued as their ancestors had for centuries before, but now living the life of quiet desperation of a people without a country. A nation without a political existence is an anomaly. The people knew they were Polish; their history, language, culture, and especially their faith told them this. The anguished cry for the freedom to be themselves echoed through their poets, their novelists, their priests. Their national anthem -- "Poland is not yet lost," could not be sung without tears. Poland existed, in the hearts and minds of a people holding on to the only thing their conquerors could not take away -- their language. When conditions became worse, when it became illegal to even use their language, they revolted again and again. Some emigrated to the "new world," but carried with them the memory of a language as dear to them as life itself.

No nation in the world depended so deeply upon its language for its identity. When independence finally came in 1918 through the efforts of Woodrow Wilson, the victory was sweet indeed. But even that was to be short-lived. A country only twenty years old, an infant in the family of nations, had to face the greatest war machine ever built -- Nazi Germany. That September morning in 1939 is etched in the memory of all who remember it -- a Polish cavalry, on horseback, valiantly fighting for its country against German tanks. The battle was short-lived. Adolph Hitler decided to wipe the country off the map again. And he systematically and calculatingly destroyed every vestige of Polish growth and development of the previous twenty years. Some villages were leveled to the ground and bulldozers spread the dirt around so grass could be planted. By the end of the war, the mighty capital of Warsaw was reduced to rubble. The nation's leaders -- politicians, priests, doctors, lawyers, teachers -- were exterminated, buried in mass unmarked graves. Again, Poland ceased to exist on the map of Europe.

It is any wonder then that Poles sometimes cry when they sing their national anthem -- "Poland is not yet lost." Is it any wonder then that the Polish language is of special importance to these people? Is it any wonder then that Poles throughout the world share a type of fraternity unknown to many people of other nationalities.

The end of the war did not bring an end to political oppression. Stripped of its resources, of its leaders, of its very soul, Poland was again made a pawn, this time at Yalta and Potsdam. Another familiar chapter in Poland's long history of anquish and suffering began again.

The faith of the Polish people in themselves and in their God is the only explanation possible for so remarkable a comeback. Despite a Marxist ideology, despite the death and suffering which surrounded them on all sides, the Polish people set upon the task of rebuilding. The city of Warsaw stands today as a symbol of that indomitable spirit -- completely rebuilt; it is a thriving and exuberant capital of a nation too proud to even consider despair. In 1961, Stefan Cardinal Wyszynski addressed his priests by comparing the Polish nation to Ernest Hemingway. Hemingway had suffered much, sensitive that he was, but his end came in suicide. The Poles are made of sterner stuff. And the spirit manifested even today proves this. The nation goes on, despite the total control of its economy by the Soviet Union.

The central phenomenon of the Polish people's faith has been Roman Catholicism. The Communist atheistic ideology cannot explain packed churches on weekdays. Its visible personification today is Stefan Cardinal Wyszynski, who commands more support from its people than ten Communist parties. Each year on August 15th young and old from all corners of the country walk on foot, despite the harrassment of officials, to the Shrine of Our Lady of Częstochowa, there to renew their pledge of loyalty to the Queen of Poland. And the Queen reigns, despite party chieftains. It is an extraordinary experience to be at Częstochowa on August 15th. One touches the essence of faith there. It is an experience that one can never forget. Despite the concentration camps of nearby Lublinka and Oświecim, where over a million human beings were sacrificed on the pagan altar of racism, the spirit of man lives, ever new, ever fresh, ever conquering the evil that exists in the hearts of all men.

The memory of this experience is evoked every time a Polish word is heard. Youngsters may laugh at the tenacity with which their grandparents cling to their language. American Catholics may condemn the Polish parish with its seemingly medieval devotions. But until the condemners experience the same Gotterdamerung, they might do well to remain silent and respectful in the face of a mystery which challenges the very imagination of man. Polish Americans who know this heritage cannot reject it as "old country" thinking because they can see in it the real drama of the human condition and the real spirit which makes man what he is, "of all God's creation, the greatest."

THE POLISH IMMIGRANT IN AMERICA

Immigration to the United States at the turn of the century was an ordeal few of us fully understand. It is difficult enough to make a decision to leave your land, let alone suffer a three-month journey in the hold of a ship across a dangerous ocean to a land growing increasingly suspicious of foreigners. The sight of the State of Liberty in the New York Harbor was probably not too different from Moses' first sight of the promised land. The inscription on the base of the Statue was poetry, but when the "teeming masses" began to flood the principal cities of the east, America reacted with a characteristic ambivalence. Professing a doctrine of welcome, the earlier immigrants of older stock closed their ranks to the "foul smelling" peasants.

The drama of endurance suffered by the immigrants at the turn of this century is well documented in Sinclair Lewis' The Jungle. Its hero, Jurgis Rudkis, a Lithuanian, embodied the spirit of these immigrants, dumped into the great American Melting Pot. The old idea of America as a melting pot was a romantic notion about something which never really happened. As early as 1782, St. John de Crevecoeur wrote: "Here individuals of all nations are melted into a new race of men." The myth persisted, and in 1908, Israel Zangwill gave it almost religious significance:

> America is God's Crucible, the great Melting Pot where all races of Europe are merging and reforming . . . Germans and Frenchmen, Irishmen and Englishmen, Jews and Russians -- into the Crucible with you all! God is making the American!

But from the viewpoint of reality the minorities in the crucible continued to behave separately and distinctly, probably because of the opposition they received in the land of their adoption. Foreigners were defined as any individual who differed from the basic white Protestant Anglo-Saxon settlers by religion, language, and culture. Despite the fact that these "foreigners" numbered some 65% of the population, White Anglo-Saxon Protestantism (WASP) had long remained the most dominant and influential culture. In politics, business, and religion, WASP influence continues to this day, dictating many of the norms by which Americans must lead their lives.

Extremist views of the dominant culture became embodied in several movements -- the Know Nothingism and Ku Klux Klan of earlier in this century, which made being a foreigner a crime of the lowest kind. Immigrants were made to feel ashamed of their fatherlands, of their languages, of their customs and traditions. Everybody had to become "American," which meant WASP, since the only other Americans were the Indians, and they had been successfully packed off to their reservations decades before.

Many succumbed. They changed their names, forbade their children to speak any language but English at home, and disassociated themselves completely from anything which smattered of old-country thinking. And they rose to power, became successful and rich. But they lived a lie. Many people of this type are so opposed to Black Culture movements today because they are convinced that the only good Black is one who dresses in a Brooks Brothers suit, drinks his martini dry, and knows how to act in "polite" society. The lie was believed for centuries by the Blacks, until the recent civil rights movement made him aware that black can be beautiful, and one does not have to bleach his skin and straighten his hair to become an American. If a man can be himself in any country in the world, it should be America. The almost total

rejection of this kind of mass conformism by youth today shows signs of a deeper need.

But not all of the immigrants were willing to sacrifice their identity on the altar of success and advancement. Some reacted. They gathered in groups where they felt secure. They formed associations and fraternities, they built their own churches, printed their own newspapers, and fought for their right to be themselves. They felt that the American ideal had to be more than mass conformity, that unity could be achieved without uniformity, that a nation could be richer and stronger in its spirit if it allowed the preservation of the various heritages which made it up, that the separation of the various ethnic strains should always remain voluntary, yet characterized by a cheerful appreciation of another's differences.

The neighborhood in which I grew up was a living example of this kind of Americanism. We were all Americans, but of Belgian, Hungarian, Polish, and Black heritages. On Sunday morning we worshipped separately, but in the afternoon, we played football together. We retreated to our homes in the evening for our ethnic meals in ethnic traditions, but we grew up to love the country which made all of this possible.

John Graves, a Texan, expressed this ideal well when he wrote in Goodbye to a River:

> If a man couldn't escape from what he came from, we would most of us still be peasants in Old World hovels. But if, having escaped or not, he wants in some way to know himself, define himself, and tries to do it without taking into account the thing he came from, he is writing without any ink in his pen. The provincial who cultivates only his roots is in peril, potato-like, of becoming more root than plant. The man who cuts his roots away and denies that they were ever connected with him withers into half a man . . . It's not necessary to like being a Texan, or a Midwesterner, or a Jew, or an Andalusian, or a Negro, or a hybrid child of the international rich. It is, I Think, necessary to know in that crystal chamber of the mind where one speaks straight to oneself that one is or was that thing, and for any understanding of the human condition, it's necessary to know a little about what the thing consists of.

Polish Americans seem to have gone through four stages of development which bring them to today's concern for their background. The first generation, those Poles who came to this country and had to wrest a livelihood from its land by the sweat of their brow, fought gallantly to establish themselves and their families in their adopted land. In their struggle to meet their very basic needs, they had little time to pose philosophical questions about assimilation. The second generation, the sons of these immigrants, had to face the WASP culture, which frowned upon any old world ties as un-American and undemocratic. As a result, many of those whose first spoken words were Polish, fell prey to this attitude and rejected any connection wit it as soon as they meet the opposition of the dominant culture. The third generation of Polish Americans, who heard Polish spoken only when they visited their grandparents, began for the first time to question the source of their origin.

They underwent an "identity crisis," knowing full well that the only true Americans were the Indians, and that the vast majority of the people they worked and played with had some European ties. Many of these were ambivalent. Either they maintained some ties with this Polish past, or they looked with nostalgia at the colorful traditions and old world customs of their fellow Americans. The fourth generation of Polish Americans inherited this tradition of the past. Because most of their basic needs were already satisfied by the hard work of their ancestors, their needs became more complex. For the first time they looked to the higher aspects of civilization and culture to satisfy the longing of their hearts. For the first time, they were unafraid to assert and admit that they knew who they were. Feeling fully American, they no longer feared the multi-syllabic name they bore. They traveled to Poland, some of them, to touch their roots. They take pride in their folk art, read the literature (even if in translation), and dance their music. And many of them have developed a profound respect for the ethnic differences of the people who surround them.

Proof of this is the renewed interest on the college and university level to study the language. Although modern language requirements for advanced degrees almost always includes only German, French, Spanish, or Russian, many of these young men are anxious to do some research in Polish, if only because so few scholars are able to tap the vast resources of this country. The United States Department of Defense has listed Polish as one of the critical languages because it is necessary for the conduct of world politics and commerce. And only recently, with the passage of bi-lingual education legislation in the Senate, has the government become aware that native speakers of foreign languages are a natural resource that should be preserved and encouraged as much as possible. This change in thinking is full circle from the Know Nothingism at the turn of the century.

MONOLINGUALISM -- THE AMERICAN HERESY

Estimates vary, but it is generally agreed that man speaks about 3,500 different languages. The fact that Americans use English is quite an accident. When one ponders the accident he cannot but feel that Karl Marx was very close to the truth when he said that movements of culture and civilization are largely dictated by economics. Americans speak English today largely because it was economically more profitable to do so at the beginning of our country.

We always study foreign languages for the wrong reasons. The current interest in Chinese developed only because China has become a military threat to the rest of the world. The study of Russian became popular when Sputnik took to the heavens. And if Poland were to develop an atomic bomb tomorrow, within a week everybody and his brother would be memorizing Polish declensions. One woult hope that the study of foreign languages could have a more noble causation.

Foreign language study in the United States has never garnered the support it should. For most Americans, it is a luxurous fringe studied purely out of boredom. Foreign language teachers are looked upon as dreamers, while the real people who move the world are the engineers and technicians.

Such an attitude betrays a serious lack of understanding of the nature of man. Language is very closely related to the way a man thinks and acts, and masters of language have been able to move the world when they understood how very basic to man language really is. The language we speak not only determines what we say, but it also determines to a great extent what we perceive around us. As S.I. Hayakawa says in his The Use and Misuse of Language:

> Words . . . are more than descriptions of the territory of human experience; they are evaluations. How we think and evaluate is inextricably bound up with how we talk. The behaviorist school of psychology goes so far as to assert that all thought is subvocal speech . . . . How we act is determined by how we think. But even when we act without thinking, our actions are likely to follow in turn the lines laid down by our patterns of thought, which in turn are determined by the language we use.

The language we use not only frees us from silence, but it enslaves us to a view of reality imposed by that culture. The Polish language, for example, enshrines its notorious individualism by carefully avoiding use of the verb "musić," meaning "must," substituting the verb "powinien," meaning "should" instead. A freedom-loving people are not easily told they must do something.

A knowledge of many languages, or at least two, frees a man from the bondage of one world view. He then becomes able not only to see reality more richly, but he becomes aware of the strait-jacket imposed by monolingualism. Most Europeans are blessed by their geography in knowing several languages. Americans, on the other hand, are cursed with the provincialism that one language for man is sufficient. To really penetrate the surface of

another person in another culture, knowledge of his language is essential.

Alfred Korzybski, the founder of general semantics, the study of language, maintains that the structural assumptions implicit in language are of necessity reflected in how we act and what we are:

> A language, any language, has at its bottom certain metaphysics, which ascribe, consciously or unconsciously, some sort of structure to the world. Now these structural assumptions are inside our skin when we accept a language, any language. We do not realize what tremendous power the structure of an habitual language has. It is not an exaggeration to say that it enslaves us through the mechanism of semantic reactions and that the structure which a language exhibits, and impresses on us unconsciously, is automatically projected upon the world around us.

Every additional language a person knows opens the world to him in an entirely different way. Students of language wonder how long the present tendency to do away with language study in our high schools and colleges will last, and with what long-range effect.

It may be that the reaction of youth to the excessive rationalism of society and culture today is related to this limitation of man's view of reality. The phenomenon of the Woodstock Rock Music Festival of the summer of 1969 is a case in point. The experience was described by some of its commentators as almost mystical. The principal agent of this mysticism was drugs, said to be mind-expanding. They are supposed to enable the taker to see and experience more of reality and in a new light. Martin Duberman, in the June 1968 issue of the New Republic, said that

> . . . today's student radicals are . . . disenchanted . . . . Their disgust with traditional procedures is grounded in a growing distrust of rationality itself, of the importance of gathering and transmitting factual information and technical expertise. They are angry because they know that their growth depends on more than the accumulation of information. The kind of growth they value -- increased openness to a range of experience, emotional honesty, personal interaction -- seems actually threatened and compromised by additional proficiency in the manipulation of ideas and things.

The heightened awareness induced by a drug state lasts only as long as the drug itself. We wonder if any such human progress so easily attained can endure long enough to make the deep changes that are necessary in our society. There are no shortcuts to evolutionary breakthroughts.

Duberman continues:

> The rationalist tradition, as the student rebels see it, has produced a race of deformed human beings, or rather, a race of thinking machines; heads without bodies or feelings. The new generation does not wish men to become mindless; they wish them to become something more than minds.

It would be foolish to conclude that the study of foreign languages is the answer to the world's problems. But the hyper-rationalist world of technology produced by monolingual culture does not seem the answer either.

EXTREMES OF ETHNIC IDENTITY

There is an extreme to which any person of ethnic origin can go in the United States in the presentation of his world view -- excessive nationalism for either America or the country of his ancestors. And both are equally reprehensible.

Teilhard de Chardin has prophetically written "The age of nations has passed; now we must set upon the task of building the earth." We have seen the evils of excessive nationalism in the catastrophe of Nazism. With the memory of thirty million bodies from the concentration campus still with us, it is impossible for us to say what an earlier generation of Americans found it easy to say -- "My country, right or wrong." Our own experience of My Lai makes us painfully aware of the viciousness of man beneath the delicate facade of civilization. Modern youth culture and its internationalism also rejects any kind of nationalism. The under-thirty crowd of all the world has more in common with each other today than ever before. The Beatles are probably more universal in their appeal than a pope ever could be.

But man is a strange creature. He can only exist if he has one foot in the future and one foot in the past. Many a modern youth, cosmopolitan and sophisticated, international and tolerant of excess, with both feet in the future, suffers from an alienation that would make Sartre's Nausea read like Alice in Wonderland. Kenneth Keniston's description of him in the Uncommitted makes it understandable why he should seek escape from the pain of being in sex, alcohol, or drugs. Absence of roots can do this to a man. It makes him all shell and no substance, ready to splinter by the slightest breeze through his life. Such a man seeks his redeemers in the passing fad of the moment, and he is ready to follow any Pied Piper who promises relief from the gnawing pain of existence. Self-appointed saviours, be they Hefner of Playboy fame, or Leary of LSD, serve as the gurus of a new but frightening age.

The mature Polish American must try to maintain the delicate balance between the old and the new, the old because it tells him what man has been, and the new because it tells him what man can become. He must love and respect the land of his forefathers and his own land, but he must be critical of both. He must understand that a knowledge of both came make him a richer man.

We can afford to condemn the closed "ghetto mentality" of the few, who have a whole panoply of prejudices and stereotypes to comfort them in their laziness. The fiery individualism which has marked their ancestors can become a selfish egotism which destroys any common effort toward human progress. The ghetto mind is born of insecurity and fear. It closes itself off from the broader context of human life, be it in religion, ethnicity, education, or politics. It isolates petty concerns and makes them into major issues. It is a refusal to be human in the most profound sense of that term. It revels in a romantic past that never existed and refuses categorically to listen to the voice of the spirit expressed in our time. It fears the new and the different, becomes paranoic in the face of change, and is threatened by everything which is happening. While society collapses around it, it fritters away its time in the form of things, never allowing itself to find the substance. It creates imaginary monsters who personify all of its frustrations and weaknesses, then tries to fight them by making others believe that they are the cause of all the world's ills. It holds on to the

past not as a source of enrichment for contributions to the future, but as a comfortable retreat from the nitty-gritty problems of the present. This kind of mentality is found in many places, and it deserves the condemnation we give it.

Equally as bad are forms of the "new breed." Whereas the ghetto mind deifies the past, the extreme "new breeder" rejects forthwith all of the wisdom of the past because of his own ignorance and laziness. His fear and insecurity express itself in constant change, always hoping that something new and different will allay the terror he feels in facing himself. He wants to "do his own thing" because he lacks the self-discipline necessary to accomplish anything of worth. He prides himself in his openness, but upon investigation we find he is open only to people who think as he does. His naive optimism in human nature is possible because he has never examined, or refuses to examine, the evil he finds in himself. His is a constant search for some secret formula which will solve all. He is as prejudiced and stereotyping as the ghetto dweller he so abhores. The love which he proclaims glorifies titillation, while carefully avoiding sacrifice. He lacks a profound respect for persons, especially the old, the poor, the uneducated, the sick, and the lonely. He loves the beautiful people of fashion and form, and ignores the less attractive who sometimes know more about life than he could ever hope to. The ideal world he projects in the future is the object of his fantasy, not the product of his experience. And one cannot but wonder if the world might not be even more unlivable when he takes over its control. Age and experience may simply produce in him the next generation of the ghetto mentality. Perhaps, like the poor of the Gospels, this kind will always be around.

CULTURAL PLURALISM -- AN AMERICAN IDEAL

America, as Archibald Macleish wrote, is

> . . . a symbol of union because it is also a symbol of differences, and it will endure not because its deserts and seacoasts and forests and bayous and dead volcanoes are one mind, but because they are of several minds and are nevertheless together . . . . It is where the sand and the marsh and the rock and the grass and the great trees of the eternal wind compose the frontiers of diversity that there is greatness.

In the early years of our republic the United States was variously described as "mankind's one last hope." F. Scott Fitzgerald in The Great Gatsby described it as "the last and greatest of all human dreams." He added:

> . . . for a transitory enchanted moment man must have held his breath in the presence of this continent, compelled into an aesthetic contemplation he neither understood nor desired, face to face for the last time in history with something commensurate to his capacity for wonder.

It is precisely because so much was expected from this country that the disappointment in its failure has been so keen. The streets that were to flow with milk and honey are now blocked by the rubble of the latest interracial riot. Our embassies in remote parts of the world have been burned, and our representatives have been stoned and mocked. Some of our greatest leaders have been shot down in an orgy of violence. America is in a time of crisis, the winter of its discontent. And we search for the structure of a spring we hope for. The greatness of a country does not depent upon its military or economic strength; our experience of history should have taught us that. Greatness depends upon the vision of man we are able to institutionalize in our society.

The path of the melting pot seems at last to have been rejected. It took the Black Revolution in America to finally put it to rest. The paternalistic attitude of the dominant Anglo-Saxon culture tolerated the minorities "playing" with their various cultures until they grew mature enough to accept the "right" one. We are a bit wiser today. Although WASP domination is still the most effective force within our institutions, the climate has changed significantly in the past few years.

The ideal we set before us is that of cultural pluralism, the selection of the very best from the heritages of all the groups which make up the American mosaic, and the preservation of these elements in youth to enrich a nascent American culture. In a world moving painstakingly toward more vital cooperation and more meaningful brotherhood, we try to uphold the goal of true unity without absolute uniformity, demanding the right to individual differences in a culturally pluralistic society.

The term "cultural pluralism" can mean just about anything to anybody, however. Some understanding of the meaning we give it can be grasped by analogy. It has been called "an orchestration of diversity" by Horace Kallen

in his Cultural Pluralism and the American Idea. The analogy of an orchestra is a fitting one. By it we understand that in a symphonic orchestra diversity is a sine qua non for symphonic music. Each individual group of instruments, the violins, the cellos, the flutes, the clarinets -- must differ from the other groups, each must produce its characteristic tone, in its own characteristic way, in order that a symphony result. The perfection of the whole consists exactly in the harmony of the diverse. The drum has not the perfection of the flute, nor the cello of the violin. Each has its own perfection, and when combined in an orchestra, these perfections must be retained. Equalization would not produce harmony, but a solo. It is only when the drummer perfects himself in the use of his drum, the flutist in the use of his flute, et alia, and when each of these combine in harmony with the others that the symphony results. The difference between instruments and the characteristic way they produce their sounds creates a new perfection, infinitely greater than the perfection of the individual members, even greater than the sum total of all the members -- the perfection of symphonic music. The violinist cannot disdain the drummer because the violinist without the drummer cannot emit the perfection which both combined can.

From this analogy certain principles can be formulated to govern the individual and the way he looks at himself and his background.

1. In order to know any culture we should first know our own, know ourselves, our being, and all those things which have contributed to making us what we are, the spiritual values around which we have built our ideals.
2. Since each individual is a unique person before God, once we know who we are, we have an obligation to cultivate and develop that uniqueness, that difference, enhancing our own perfection so that it becomes truly an effective expression of our own unique selves, all the while we remain conscious of our own personal limitations.
3. Moreover, once we have developed that uniqueness, we will inevitably begin to study that which makes others unique, and cooperate with them to supplement the limitations of ourselves. We need always be conscious of the fact that in cooperation with others we can achieve a perfection which we cannot achieve by ourselves.

America needs this kind of diversity in its people. Our society gravely violates the dignity of any human being when it insists on conformity to a certain life style at the expense of a man's dignity. Insofar as white culture has insisted that the Black become a middle class suburbanite in order to reap the riches of the white harvest, we have sinned. Insofar as we have mocked the cultural heritage of any group of people by insisting they adopt the value system of the antiseptic suburbs, we have added to the destruction of the American dream. Insofar as we have created a climate in which a person must change his name to merit our respect, we have violated the very principles upon which this country was founded. There is real hope, however, that we have finally become aware.

THE CULTURALLY PLURALISTIC POLISH AMERICAN

The ideal Polish American is convinced that the future of America and his own personal future must be nourished and sustained by the past. We believe in the validity of this tradition because of the type of person it has produced. If you have ever met one you will not forget him. From a wasteland of conformity, he emerges as a refreshing exception.

The ideal Polish American knows who he is. He is able to stand erect because he has achieved a self-identity. He is an authentic human being, not a plastic imitation of form without substance. So many contemporary novels and motion pictures dwell on the theme of man's search for identity. The anti-hero of the recent "Five Easy Pieces" can find peace not in his past, his family traditions, not in his present, the love of a woman, nor in his future. The Polish American who is secure within himself does not have to agonize over such a search. He does not give in to the pressure to conform because his self-identity comes from a source that is rich indeed.

The basis of this self-identity must come from a source outside of himself. For a Christian it must come from a faith in God and an encounter with the God-Man-for-others -- Jesus Christ. His ultimate sense of worth is derived not from what he can do, but from what he is as a unique person. This faith must be tempered by the experience of suffering. It is not sectarian, but it must come from a tradition which has deeply felt this faith, and has suffered to prove it.

The ideal Polish American loves his country, not because of what it can do for him, but because it has given him the freedom to become truly himself. He deeply respects the amount of blood, sweat, and sacrifice that was necessary to build it. And he is anxious to add his own unique contribution to make it still better.

He really loves people, all kinds. He understands their differences and is tolerant of their faults. While remaining an individual himself, he realizes the importance of community, and how important it is in effecting real change in mankind. He knows the art of dealing with people of various minds and welding them together to achieve a common goal. He is able to penetrate the surface of social change because he knows that people do not change by changing laws, but by a gentle but dynamic tension between their own inner security and the ideal toward which they strive. He would like to go where the real social ferment is taking place today, in the inner-city communities which he knows so well.

The ideal Polish American is sympathetic with the plight of his fellow Americans who are black, because he understands far better than most the path which they must follow. He knows that the temporary necessity of separatism for Blacks is a step he had taken long ago to achieve his own identity. He does not wish for two separate Americas, one black and one white, but he knows of the pressures of the majority to mock a heritage and force uniformity.

The ideal Polish American is warm and hospitable, because he springs from a tradition which welcomes a guest as one of his own. He respects the customs of his family and his church, because they embody real human values which have weathered the test of time. Above all he loves life, not with a puritanical fearfulness or a Victorian facade, but with a robust passion. He is down-to-earth, because his ancestors knew the earth so well.

He knows the language, literature, and culture of at least two nations and is therefore able to appreciate his own so much more. He thanks God on his knees each day for what he has in America, because he knows what the suffering of two wars has inflicted on his ancestors. While he will never take his standard of living for granted, he knows that life is infinitely more precious than the gadget-ridden world he has been exposed to.

And the next time he hears a Polish joke, he will sit back and smile at the ignorance of a people too shallow to share his inestimable heritage.

Senator SCHWEIKER. I certainly appreciate the cooperation you have shown us before, and your help. So I appreciate your thoughts.

Now we will turn to Dr. John Buoncristiani, of the Boston Urban Planning Office.

Did I pronounce that right?

Dr. BUONCRISTIANI. Thank you, Senator Schweiker, for permitting me to come here to testify in behalf of this bill.

The way which I view ethnicity and culture is that there are phenomena in people. So cultural studies or ethnic studies are ways by which people learn of people to enhance understanding.

It is a forward-looking concept. These centers would promote studies of people by people as they are living now as they have lived and as they will live: Culture is an evolving phenomena.

From personal experience I hope that your mosaic Senator Schweiker does not turn out to be a souring smorgasbord. I have lived for 4 years in a black community in Boston—Roxbury—and I frequent the north end which is an Italian ghetto. Perhaps centers of the type proposed in this bill would help alleviate the despair and dislike that is perceivable among the working class in communities of the north end type.

Many outsiders, tourists, come to the north end and may remark, "Oh, aren't these Italians wonderful? They are out, they are so gregarious." These outsiders look but really don't see.

The north end community in a sense is a cafe society. It retains many old country traditions in its life. People in this community, whether they are here 1 year, 2 years, or 5 years, really don't feel as if they are a part of America. There is a feeling that America is beyond their community, out there somewhere. It is a sad attitude many wish and will return to Italy. Some come here; work here 5 or 10 years, and return to Italy to retire and live again. Among these people there is a low self-image in their present circumstances.

Later I will submit a formal statement, these remarks come from personal experience.

The situation in the north end is sad too, for the people don't tolerate blacks. Yet I am of Italian parents living and welcomed in a black community. They are all the same people!

Blue collar or working class people (blacks, Italians, Chicanos, Poles, etc.) struggle with many similar problems. These proposed centers would help people to understand themselves and other people of different cultures to enhance their coming together to resolve their common problems.

Senator SCHWEIKER. Doctor, we would appreciate getting some additional thought, because you are right on the firingline so to speak, and I think your views and specifics would—we would be very glad to get subsequently, so if you could, send it to us, we would like to have it for our deliberations.

Now we would like to call on Father Kubik, the director of the Polish Daily News, Detroit, Mich.

Dr. BUONCRISTIANI. Thank you, Mr. Chairman.

I appreciate the opportunity to testify here.

Mr. KUBIK. First of all, greetings to you, Senator, and to your panel there. You know, I own property in Pennsylvania, so some way I feel

akin to you. I lived in western Pennsylvania for quite awhile before moving to Michigan, Pittsburgh, McKees Rocks, Imperial.

I am making this statement on behalf of the Polish ethnic community.

I am prepared to answer questions relative to the following summarized comments and observations:

PERSONAL QUALIFICATIONS FOR REPRESENTATION

Twenty-two years as teacher and professor of modern history and economics at St. Mary's College, Orchard Lake, Mich. President of Priests' Conference for Polish Affairs 1967–71. Member of Board of Polish Daily News, member of and officer in over 20 foremost Polish- and Slavic-American organizations, including the Polish Roman Catholic Union, the Polish National Alliance, the Polish Legion of American Veterans, the Polish-American Activities League, American Polish Action Council, Polish Festival, Inc., and the Polish American Congress, Michigan division, where I am vice president.

SUMMARIZED OBSERVATIONS

Background for present demand by young Americans for ethnic studies, particularly history, culture, literature, arts, et cetera, of their own heritage.

1. Anglo-Saxon arms and swords conquered and suppressed vast areas of the world.

2. Military conquest again was followed by the total cultural suppression in the Colonies; literature and arts were subordinated to British even in India to such an extent and a generation of people grew up in India, as well as other colonies, on Shakespeare, Shelley, et cetera, while their own writers were forgotten.

3. Anglo-Saxon philosophy of conquest, exploitation and domination set the pattern for colonial America, so much as that we must today search for Indian arts, crafts, literature, et cetera, as if it came from the stone age.

4. Anglo-Saxons gave us slavery; the logical step from exploitation of natural resources is the exploitation of human resources of the Colonies.

5. Despite independence from England, Anglo-Saxon philosophy dominates the thinking and action of the American power structure—post Civil War American, after its manifest destiny to the Pacific, reaches for its manifest mission to the world, as witness involvement in regional defense treaties which cover the entire world.

6. When supply of slaves proved inadequate and the slaves themselves inefficient, doors of immigration were opened by Yankee-Anglo-Saxon business and commercial barons to channel needed manpower and skills into mines, mills, forests, and farms.

This immigration, like the colonial slave, was forced to accept the notion of Anglo-Saxon superculture and the notion that it must lose its ethnic identity in the huge American melting pot.

7. The immigrant and his children were persecuted mercilessly for his ethnicity; then in the public schools the child was really ridiculed for the food, clothing, customs, accent, et cetera which identified his heritage.

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In the mills and mines, in public offices the immigrant was denied service, promotion, or the commonest courtesy unless he spoke English.

8. In self-defense he clustered in closed ethnic communities. The Anglo-Saxon could advertise in tourist leaflets that he could be found in Dago Town or Greek Town, Polish Village, Hunky Town, et cetera.

9. He built his own schools, organized his own fraternal societies, and in every way struggled to assert his identity in this free America.

10. The American Anglo-Saxon press, the communications media. the schools, the government, all made him and his children feel so inferior that the physically, morally, and intellectually weaker members began to hide their ethnic identity behind Anglo-Saxon names and some, unfortunately, to deny their ethnic heritage.

All evil contains a self-destruction element. The evil of imperialism set this self-destructing element free during the Second World War.

The Polish-American realizes now that he was forcibly robbed of his language and that the poets, novelists, artists, scientists, and so forth of his heritage were equal in quality to others of the world.

The Polish-American and other ethnics see their culture rich in everything that is good, noble, and just in sharp contrast to the Anglo-Saxon culture built on other men's sweat, blood, and tears.

This rebellion is called antiestablishment in philosophy and mentality. The rebellion is far from point of explosion. There is time to correct the situation, to create an America which will not be a melting pot, but rather a beautiful bouquet of identifiable cultures, blended into colorful and harmonious unity.

The rebellion can be cooled, if discrimination against ethnics is ended by the WASP power structure in the United States.

SPECIFIC EXAMPLES OF DISCRIMINATION

1. Federal judgeships, held in heavily Polish-American Detroit by a Polish-American for over 20 years, has been granted, after death of Judge Machrowicz. to Kennedy, Feikens, Pratt, and now DeMascio. This type of discrimination is practiced by both parties at all levels of government and in all departments of government.

The naturalized ethnic citizen realizes that he is helpless but the native born ethnic intends to overthrow this type of vicious oppression by the power structure.

2. One-third of the teachers in the Detroit public school system is of Slavic heritage, but the power structure will not admit them to executive positions and in the board of education or its departments.

3. Ethnic newspapers and communications media are completely ignored by business and commerce. Lack of advertising revenue led to their early demise.

4. In predominantly Slavic-American areas the preferred American holds over 75 percent of all executive positions in the shops, mines, mills, and so forth, which his parents helped to build. All this despite an education level equal to that of his competitors.

5. Approximately 10 percent of population of the United States is Slavic heritage. You, ladies and gentlemen, establish what percentage of membership in the President's Cabinet, in the regulatory commissions, in various other departments of Federal Government and in the military reflects this reality.

The Polish-American community is uniting with other minorities to overthrow this establishment. Witness the Black-Polish Conference in Detroit and the Project Bridge in Cleveland.

There is some fear expressed about alleged antagonism between Slavic ethnics and blacks. Remember that both were equally exploited and suppressed.

There is urgent need for overhauling the education programs at all levels. Ethnic studies must begin in the primary grades. Ethnic studies centers should be established at our high schools, colleges, and universities. Scholars should be given grants to correct the omission of the contributions of the ethnics to American history and American society.

Ethnics are very interested in finding out as much as they can about their heritage. They can't find it in existing books in the schools they attend nor in the libraries which are open to them. They are clamoring for the truth and they will have it.

Ancentral traditions are being revived by ethnics. Throughout the United States of America, ethnic festivals are gaining in popularity.

Although I am a clergyman, I have spoken only of the people and for the people, not for any religious denominations. Ethnic Americans were and continue to be closely tied to their churches, despite the godless and amoral education forced upon them in the public school system of an America which professes: "In God We Trust."

RECOMMENDATIONS

Establish Slavic ethnic studies centers throughout the educational system in the United States

The areas of heavy concentration of Slavic Americans should receive particular favor: Boston-Northampton, New York City, Syracuse-Utica, Buffalo-Erie, Trenton-Philadelphia, Pittsburgh-Greenburg, Cleveland, Detroit-Toledo, Chicago-Milwaukee, St. Louis, Los Angeles, Miami.

CONCLUSION

There is a national identity crisis. Establishment of ethnic studies centers, promotion of ethnic studies and promotion of all programs which help all Americans to understand themselves to appreciate their fellow citizen, should unite the Anglo Saxon and the ethnic, the black, everybody into the one people we can be and must be, if we are to prosper and to survive.

(The prepared statement of Rev. Kubik follows:)

PREPARED STATEMENT OF REV. JOSEPH J. KUBIK ON BEHALF OF THE POLISH ETHNIC COMMUNITY WHICH REFLECTS OPINION, THOUGHT, AND HOPE OR FEAR OF AMERICANS OF THE POLISH, CZECH, SLOVAK, UKRANIAN AND OTHER EASTERN EUROPEAN HERITAGE

I am prepared to respond to any questions relative to the following summarized comments and observations.

PERSONAL QUALIFICATION FOR REPRESENTATION

Twenty two years as teacher and Professor of Modern History and Economics at St. Mary's College, Orchard Lake, Michigan. President of Priests' Conference for Polish Affairs 1967–1971. Member of Board of Polish Daily News, and of the defunct Polish-American Publishing Co. Member of and Officer in over twenty

foremost Polish and Slavic American Organizations, including the Polish Roman Catholic Union, The Polish National Alliance, the Polish Legion of American Veterans, the Polish American Activities League, American Polish Action Council, Polish Festival, Inc., and the Polish American Congress, Michigan Division, where I am Organizational Vice-President.

SUMMARIZED OBSERVATIONS

Background for present demand by young Americans for ethnic studies, particularly history, culture, literature, arts, etc. of their own heritage.

1. Anglo-Saxon arms and swords conquered and suppressed vast areas of the world.

2. Military conquest was followed by the total cultural suppression in the colonies: literature and arts were subordinated to British even in India to such an extent and a generation of people grew up in India, as well as in other colonies, on Shakespeare, Shelly, etc.

3. Anglo-Saxon philosophy of conquest, exploitation, and domination set the pattern for colonial American, so much as that we must today as Miss Harris indicated search for Indian arts, crafts, literature, etc., as if it came from the Stone Age.

4. Anglo-Saxons gave us slavery: the logical step from exploitation of natural resources is the exploitation of human resources of the colonies.

5. Despite independence from England, Anglo-Saxon philosophy dominates the thinking and action of the American power structure—Post Civil War American, after its manifest destiny to the Pacific. reaches for its manifest mission to the world, as witness involvement in regional defense treaties which cover the entire world.

6. When supply of slaves proved inadequate and the slaves themselves inefficient, doors of immigration were opened by Yankee-Anglo-Saxon business and commercial "barons" to channel needed man power and skills into mines, mills, forests, and farms. This immigration, like the colonial slave, was forced to accept the notion of Anglo-Saxon "Super-culture" and the notion that it must lose its ethnic identity in the huge American "melting-pot".

7. The immigrant and his children was persecuted mercilessly for his ethnicity: in the public schools the child was ridiculed for the food, clothing, customs, accent, etc. which identified his heritage. In the mills and mines, in public offices the immigrant was denied service, promotion, or the commonest courtesy unless he spoke English—His acceptance into Society was conditioned on this language: no driver's license, no citizenship, no job unless he spoke English!

8. In self-defense he clustered in closed ethnic communities. The Anglo-Saxon could advertise in tourist leaflets that he could be found in "Dago-Town", "Greek-Town", "Polish Village". "Hunky Town" etc.

9. He built his own schools, organized own fraternal societies, and in every way struggled to assert his identity in this free America.

10. The American, Anglo-Saxon press, the communication media, the schools, the government all made him and his children feel so inferior that the physically, morally and intellectually weaker members began to hide their ethnic identity behind Anglo-Saxon names and some, unfortunately, to deny their ethnic heritage.

All evil contains a self-destruction element. The evil of imperialism set this self-destructing element free during the second World War. The British Empire crumbled. Anglo-Saxon philosophy of life was exposed for what it really was historically: rapacious, villainous. During the War the child of the slave and of the immigrant had opportunity to see the cultures of other nations. One thing this child carried home: the best things of the world are certainly not Anglo-Saxon. The ethnic American, the Black, and even the Anglo-Saxon searched for truer values in their heritage. This was the beginning—Rebellion grew in their soul when the power structure continued its oppression and suppression and attempted to carry it into other parts of the world. Rebellion reached boiling point with the involvement in Viet Nam.

The Polish-American realizes now that he was forcibly robbed of his language—that the poets, novelists, artists, scientists, etc. of his heritage were equal in quality to others of the world.

The Polish American and other ethnics see their culture rich in everything that is good, noble and just in sharp contrast to the Anglo-Saxon culture built on other men's sweat, blood, and tears.

This rebellion is called "Anti-establishment", in philosophy and mentality. The rebellion is not far from point of explosion. There is time to correct the

situation, to create an America which will not be a melting pot, but rather a beautiful bouquet of identifiable cultures, blended into colorful and harmonious unity.

The rebellion can be cooled, if discrimination against ethnics is ended by the WASP power structure in the United States.

SPECIFIC EXAMPLES OF DISCRIMINATIONS

1. Federal Judgeship, held in heavily Polish-American Detroit by a Polish American for over twenty years, has been granted, after death of Judge Machrowicz, to Kennedy, Feikens, Pratt, and now DeMascio! This type of discrimination is practiced by both parties at all levels of government and in all departments of government. The naturalized ethnic citizen realizes that he is helpless, but the native born ethnic-American intends to overthrow this type of vicious oppression by the power structure.

2. One third of the teachers in the Detroit area public school system is of Slavic heritage, but the power structure will not admit them to executive positions in the Board of Education or its departments.

3. Ethnic newspapers and communication media are completely ignored by business and commerce. Lack of advertising revenue leads to their demise.

4. In predominantly Slavic-American areas the "Preferred American" holds over 75% of all executive positions in the shops, mines, mills, etc. which his parents helped to build. All this despite an education level equal to that of his competitors!

5. Approximately 10% of population of U.S. is Slavic heritage—You, Ladies and Gentlemen, establish what percentage of membership in the President's Cabinet, in the Regulatory Commissions, in various other departments of Federal Government, and in the Military reflects this reality!

The Polish American community is uniting with other minorities to overthrow this "establishment". Witness the Black-Polish Conference in Detroit. I was instrumental in establishing this Conference—the Project Bridge in Cleveland is another example.

There is some fear expressed about alleged antagonism between Slavic-ethnics and Blacks. Remember that both were equally exploited and suppressed. The ethnics work as hard and died as frequently as any slave ever did—The slave in the fields, the ethnic in the mines, the steel mills, the forests, the farms. The ethnic lived and worked in harmony with the Black for decades in our cities.

After the second World war came the rapid rise of "Black Power". The ethnic sees history passing him by—He worked hard to provide for himself and his children without aid or assistance from government agencies. Now a paternalistic government showers generous favors on the Blacks and continues to ignore him. The Black creates a "Points-in-Our-Favor" Society at all levels. The Black demands and receives "points" which qualify him for better housing, promotions on jobs, scholarships, and other benefits to the detriment of the ethnic American who worked patiently within the system.

The Slavic ethnic can live with his Black neighbor when the discriminatory policy is stopped and when racism in reverse is ended.

There is urgent need for overhauling the education programs at all levels. Ethnic studies must begin in the primary grades. Ethnic studies centers should be supported at our High Schools, Colleges and Universities. Scholars should be given grants to correct the ommission of the contributions of the ethnics to American History and American Society. Support should be given to the many organizations which are already carrying on this work, as for example the Cultural Center at St. Mary's College, Orchard Lake, Michigan; the Polish American Studies Center at Alliance College, Cambridge Springs, N.Y., the Cultural exchange program of the Kosciuszko Foundation of New York; the intensified programs of the Polish-American Congress, of the Fraternal Organizations like the Polish-Roman Catholic Union, the Polish National Alliance, the Polish Women's Alliance, the Polish Falcons, National Associations of Polish Cultural Clubs, the Polish-American Historical Association and numerous others. Remember that these labor among the Slavic-Americans to maintain the highest values of this culture to the benefit of all Americans.

SOME PLUS FACTORS

Ethnics are very interested in finding out as much as they can about their heritage. They can't find it in existing books in the schools they attend nor in the libraries which open to them. They are clamoring for the truth and they will have it.

Ancestral traditions are being revised by ethnics throughout the U.S.A. Ethnic Festivals are gaining in popularity. Polish Festival in Detroit in 1970 prompts 12 ethnic festivals in Detroit in 1971, including a Far Eastern Festival.

Ethnics are reacting to abuse by individuals and by communications media. The reaction was peaceful against the Detroit Free Press and against the "Laugh In," but may not be controlled in future.

The Ethnics do not resent the English language which is forced on them. This is major plus factor because they can learn of their heritage in that language, rather than in their native tongue. Learned scholars are in ample supply to provide translation. Publishers are reluctant to publish, except at a profit, so subsidies are needed. Libraries are reluctant ot accept contributions of literature on ethnic heritage. This must be corrected.

The Ethnics have served notice repeatedly to governments of their parents' homeland that they are Americans, not Poles or Czechs or Slovaks in exile. They feel that they are part of this Pluralistic, fragmented Society.

ADDED OBSERVATION

Although I am clergyman, I have spoken only of the people and for the people, not for any religious denomination. Ethnic-Americans were and continue to be closely tied to their Churches, despite the Godless and amoral education forced upon them in the public school system of an America which professes: "In God We Trust."

RECOMMENDATION

Establish Slavic Ethnic Studies Centers throughout the educational system in the United States. The areas of heavy concentration of Slavic-Americans should receive particular favor: Boston and Northampton, New York City, Syracuse-Utica, Buffalo-Erie, Trenton-Philadelphia, Pittsburgh-Greensburg, Cleveland, Detroit-Toledo, Chicago-Milwaukee, St. Louis, Los Angeles, Miami.

CONCLUSION

There is a national identity crisis. Establishment of Ethnic Studies Centers, promotion of Ethnic Studies and promotion of all programs which help all Americans to understand themselves, to appreciate their fellow citizen, should unite the Anglo-Saxon, the Ethnic, the Black, everybody into the one people we can be and must be, if we are to prosper and to survive.

Congratulations to you, sir, for this step in the right direction.

Senator SCHWEIKER. Thank you very much. I certainly appreciate the remarks of all the members of the panel and the fine cooperation, and we will be keeping in touch with you as the legislative picture unfolds.

I regret because of our time we won't have additional time for the panel. I want to thank you very much for coming, and we appreciate your help and support.

Now, we will call on the Pittsburgh panel. I want to insert two previous statements at this time, however, into the record, one submitted for the record by representatives from the Center for Migrations Studies, the Reverend Silvano Tomasi, and Mr. Michael Wenk.

These gentlemen have been authorized by Mr. Anthony Scotto, the executive director of the International Longshoremen's Association, to thank the committee for its invitation to appear before it and to express his regrets for being unable to appear due to a previous commitment.

Mr. Scotto wishes to go on record as supporting S. 23 and he hopes that should additional information be contemplated by this committee he would again be requested to share his views with us.

(The prepared statement of Reverend Tomasi and Mr. Wenk follows:)

Statement of Rev. Silvano Tomasi and Mr. Michael Wenk

CENTER FOR MIGRATION STUDIES

New York

As members of CENTER OF MIGRATION STUDIES, we are honored and pleased to be asked by this committee to submit a statement in reference to S. 23, the Ethnic Heritage Studies Center Bill, which we believe to be a farsighted measure and one of the most important acts of legislation that should be passed as an auspicious opening to the year 1972.

Over the past few years, we at the Center for Migration Studies have spoken out many times on what we consider to be the identity crises in our society today. We have on numerous occasions suggested that the realization of the American dream is gradually - especially when viewed in terms of some of our urban communities, - turning into a cataclysmic nightmare.

That there is a great deal of confusion in our nation today is evident. Many individuals within our nation, who consider themselves the legitimate heirs to the American dream feel that the American dream is no longer achievable. On the contrary, it is felt that the American dream is becoming more and more allusive and will soon be altogether impossible to achieve.

The real issue that faces us, - this committee, and the American people, is how to respond to and effectively deal with the pessimism and the sense of anonymity, and confusion in our people.

We feel S. 23 is a constructive step toward coping with the current purvasive sense alienation. We see the establishment of

Ethnic Heritage Studies Centers, as creating a new source of stability. We see increased scholarship, - a fuller awareness of, and an added application of the traditional ethnic values serving to establish the in-depth personal identity and stability, so very necessary to our working class society today.

Most important, we see the necessity of the American people learning in realistic terms about the cultural pluralism that exists in their society, and we see that the prospects of members of one race, color or creed learning about the background of other groups, - comprehending their different approaches to life and their traditions, may bring about, through new understanding, a positive response of individual to individual; - a getting along better with each other, a working together, and a beginning in the effort to make the American dream a reality.

To this end, the Center of Migration Studies has been devoting its energies. To this end, our publications including our latest book entitled The Italian Experience in the United States (recently adopted as a textbook by the State Universtiy of New York), are intended. In addition, our daily contact with prominent leaders of the Urban ethnic community (also hopefully) serves this purpose.

We are priviledged at this point to relate to the committee, the support for S. 23 by Mr. Anthony Scotto, Executive Director of the International Longshoreman's Association. Mr. Scotto, we feel, has for a number of years exemplified his concern and interest in this subject by supporting many constructive programs on behalf of minority groups and ethnic communities, programs which sought to make

the American dream a reality.

In conclusion, may we say that the unity and identity which will be created through S. 23, can be paramount in eliminating many of the tensions so evident in our urban communities today. Members of all ethnic groups, of all races, creeds and color realize that their common quest for meaningful employment, safe and healthy families and harmonious and peaceful communities is a necessary goal.

The creation of ethnic centers will become the focal point for this goal. Nothing can be more fundamental to the American ideal and to our democracy than close and harmonious relations among citizens of all racial and ethnic groups. Walt Whitman's definition of America: "Not merely a nation, but a teeming nation of nations" expresses our sentiments that the passage of S. 23 would significantly contribute not only to the restoration of equlibrium in the U.S. but to the future enrichment of this country as a leader in world affairs, and in final analysis, forge true understanding and unity of purpose among our communities for the general well being of all mankind.

Senator SCHWEIKER. I would like to make a specific comment about a written statement which is to be submitted for the record on behalf of Anthony W. Novastitis, from Philadelphia, Pa., vice president of the Lithuanian American Committee of the U.S.A., Inc., and also cochairman of the Nationalities Division of the Philadelphia Republican City Committee.

Mr. Novastitis reminds us that in a few short years we will be celebrating the 200th anniversary of our great country, and points out that no celebration could be complete without paying tribute to the contributions each respective ethnic group has made to the development and growth of America.

He suggests that the ethnic centers envisioned in the bill could be unifying vehicles for the national bicentennial focus on these ethnic contributions.

When educators and sociologists refer to the point that the melting pot theory has not really worked in our country, they are really making the point that many different groups of people have forged a life in our country, and in so doing have made the contributions to America which Mr. Novastitis refers to.

His statement is incisive and interesting, and I ask that it be inserted at this point in the record.

(The document referred to follows:)

STATEMENT OF ANTHONY W. NOVASITIS, JR., VICE PRESIDENT, LITHUANIAN-AMERICAN COMMITTEE OF U.S.A., INC., AND COCHAIRMAN OF NATIONALITIES DIVISION, PHILADELPHIA REPUBLICAN CITY COMMITTEE

Mr. Chairman and members of the (Sub)committee: I want to thank you for the opportunity to present the views of several organizations I represent regarding Senate bill 23, creating the Ethnic Heritage Study Centers Act of 1971.

The Lithuanian-American Committee U.S.A., Inc., is a national cultural organization representing in excess of 200,000 Lithuanian-Americans throughout the nation. The nationality division is an organization consisting of responsible representatives of 17 nationality groups centered in Phila. They are: Chinese, Estonian, German, Greek, Hungarian, Indian, Irish, Italian, Latvian, Lithuanian, Norwegian, Polish, Puerto Rican, Rumanian, Slovak, Ukranian.

In this dual capacity, I want to express to the members of this committee that both organizations strongly and whole-heartedly endorse and support the intent, purpose and objectives of Senate bill 23. Regarding the nationalities division, the endorsement is not politically inspired nor is the endorsement local in character but it is national in scope. Each of the representatives of the nationalities division has reported that their respective nationalities organizations—civic, religious, fraternal, cultural and educational call for favorable action on this bill.

Today this committee will hear many sound presentations for the adoption of this bill. In the interest of brevity and to avoid repetition, I desire at this time to present to this committee a most opportune and unique circumstance as a further substantial reason for prompt, favorable action on this bill. I specifically refer to a program of implementation on one of the substantial policies of the bill relating to "contributions of those ethnic groups to the American Heritage." What I am going to suggest at this point to the committee would in my opinion be one of the most potent reasons and purposes of this bill "creation and unity among and within heterogeneous American society."

Shortly, the American nation will commemorate its 200th anniversary through the Bi-centennial celebration. This celebration, it is respectfully suggested, would present a most appropriate stage to illustrate the substantial contribution of each particular group to the greatness of America. The Centers contemplated by this bill are the unifying vehicles for such joint or individual expositions and have as a further purpose the education of the American people and the world. Accordingly, it is recommended that serious appropriate consideration be given by this committee to provide for this specific means of implementation. This recommendation would create a unique stimulus and also provide a means to measure the effectiveness of this program.

Senator SCHWEIKER. There are more than 20 groups in Pittsburgh that support this ethnic centers bill. It reminds me a little bit of the

whole movement of what we are trying to do, the concept "E Pluribus Unum" one out of many.

We have emphasized the melting pot theory, but when you see a city that can get together in the way they have in Pittsburgh, this will explain the emphasis on one out of many. I think it shows why we need a change in our approach.

I think their experience in Pittsburgh of bringing a city together with all the nationality backgrounds shows why the one out of many is an important change in our direction.

STATEMENT OF JOHN RADZYMINSKI, JOSEPH SABOL, JR., AND CHARLES T. KOVAL, PITTSBURGH COMMITTEE FOR ETHNIC HERITAGE STUDIES CENTER, PITTSBURGH, PA., COMPOSING A PANEL

Senator SCHWEIKER. I call on Mr. Radzyminski.

Mr. RADZYMINSKI. Thank you, Senator. I just want to say that I worked with the United Steel Workers for some 30 years, and I am also president of Council 38 of the Polish National Alliance, the Pan-Slavic Alliance of Pennsylvania, and I am chairman of the Pittsburgh Ethnic Heritage Study Center Committee, and am vice president of the recently established National Heritage Association.

I am here today to support the Senate bill 23 calling for here the establishment of ethnic heritage studies centers in this Nation and to tell you why I hope this bill is passed soon and why one of these centers ought to be in Pittsburgh.

Every American has his own cultural heritage and tradition. But has been more difficult for some of us to get equal respect and recognition for our heritage.

I am Polish American and my parents came to this country from Poland. My daughter is a student at the University of Pittsburgh where she is studying linguistics.

She has heard Polish since she was little and studied it at Alliance College in Cambridge Springs, Pa.; but there is only one professor at Pittsburgh that teaches Polish.

And in only a few secondary schools can a young person learn Polish. Usually if they are interested, a family member can teach them the language or give them a sense of their heritage. But many parents don't have time or don't know enough of the language, to even teach our children.

There are more than 200,000 Polish Americans living in and around Pittsburgh who are interested in knowing more about their heritage. I am not speaking just for Poles. I now know Italians, Serbians, Ukranians, and members of many other groups who think the same way I do. Many of us still have close ties with our heritage, but the younger people seem to know less about it and be less proud of it.

I don't know if the school system is to blame or if parents are to blame or what is to blame. I only know that something should be done to allow young people to take pride in who they are, and what they are, and where they came from. I think if young people knew these things, they would be much better off.

Last year Secretary Rostow, in the Department of Labor, wrote a report about the situation of workers. A lot of these people are union members. They work hard and their labor and taxes go a long way in

supporting the Government. Yet, few if any Government programs are aimed at the workers' problems.

People in the newspapers call us the forgotten Americans. The silent majority, and white racists, but we came to this country later than a lot of other immigrant groups and we do have problems in the schools, and in our neighborhoods, and even in our unions, and we work hard to preserve what we have.

I am not denying that the civil rights movement is important. I can walk into any bookstore and find lots of books on the black culture, but it is almost impossible to find anything on the Slavic groups.

Yet these two groups are comparable in size and have similar needs. The Government and the foundations are spending thousands of dollars to study blacks, Puerto Ricans, and Mexican Americans, but who's spending money studying other groups?

This country could not have been a great industrial power without our help. I wonder how many people realize that the Poles established the first factory in America in Jamestown in 1609.

You never read about it. You also never read about the fact that the Polish people had the first strike in America, when the King of England extended the right to vote to the colonists in Jamestown, and did not include the Poles.

The Polish workers laid down their tools and struck because that privilege was not extended to them. They won that strike. This was in 1619. One year before the Pilgrims came to Plymouth Rock. But you don't read about those things.

As a public relations man for the Steelworkers Union I talk to people all over the country, and I believe the economic situation is a big problem, but as someone said, "man cannot live by bread alone." Whoever said that was right. We want for ourselves and our children to be able to learn about our heritage and be proud of it just like the English, Germans, and Irish have learned to be proud about theirs.

Our homelands, Poland, Yugoslavia, Hungary, and others have fallen under the domination of communism. But this surely does not mean that the cultures that were there before that time are any less worthy of learning about.

We are loyal Americans too, and we believe that each American has a right to know about his heritage.

Knowing about our heritage will make us better able to understand other peoples'. After all, the United States is a multiethnic society; the more we learn and know about each other and the more we understand each other, the more respect there will be.

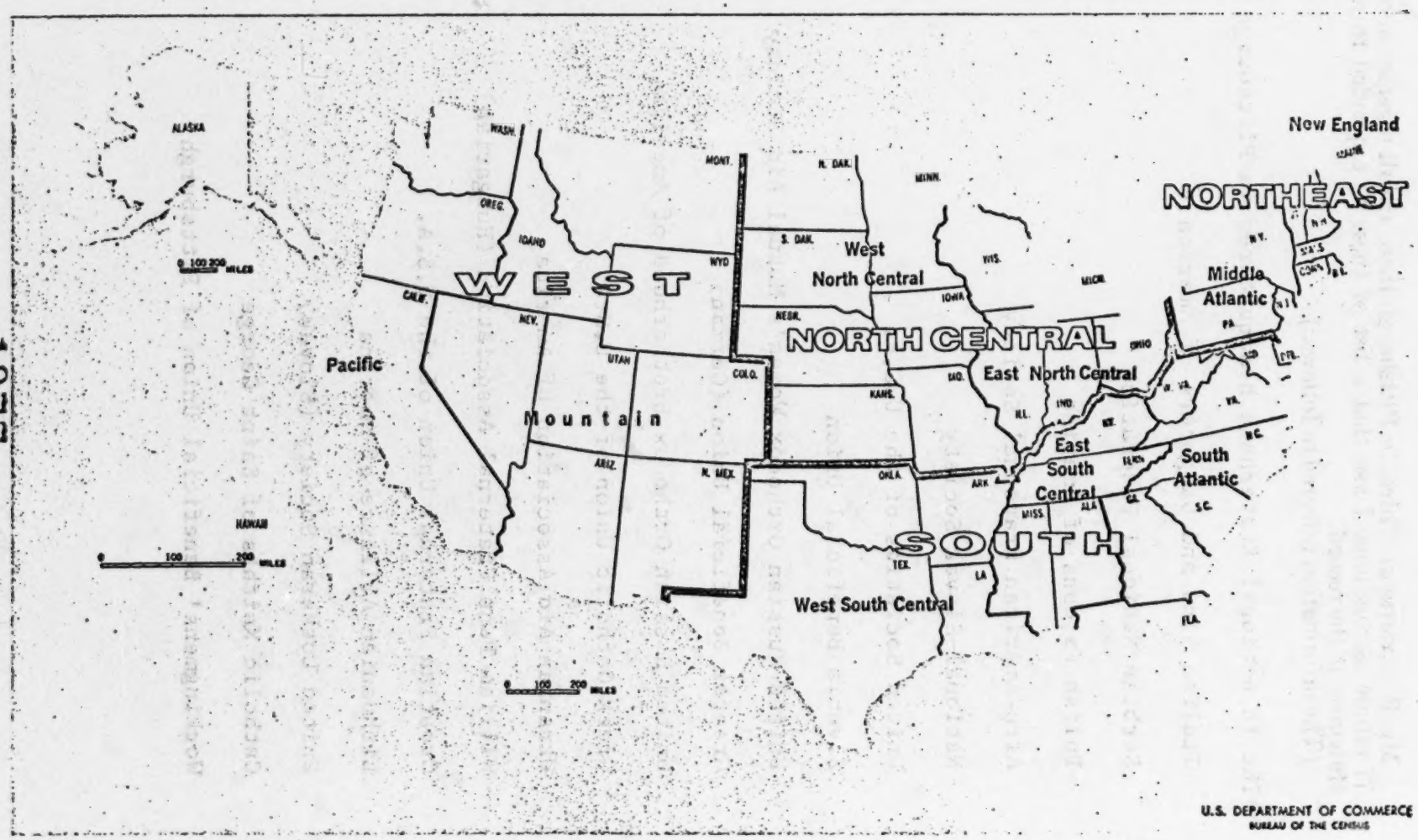
America can only gain by ethnic studies. This legislation if enacted can go a long way to accomplishing this goal. I want to urge its early passage.

Now I would like to make several points about why I think Pittsburgh is a natural place for one of these ethnic study centers. First, Pittsburgh is logical from a geographic standpoint because it is located right in between the north-central and northeast regions.

Second, compared to other cities in the northeast and north-central regions of the United States, there is a large population of eastern and southern European origin. There are other groups in the area also, but the Slavic and southern Europeans predominate. I include a map of the United States to show that Pittsburgh geographically is a good place for a center.

(The information referred to follows:)

REGIONS AND GEOGRAPHIC DIVISIONS OF THE UNITED STATES



U.S. DEPARTMENT OF COMMERCE
BUREAU OF THE CENSUS

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Mr. RADZYMINSKI. Third, in Pittsburgh there are all together about 77 ethnic associations. I ask that a list of these be appended to my statement in the record.

(The information referred to follows:)

**The 18 national fraternals headquatered in Pittsburgh are:

Italian Sons and Daughters of America

Serbian National Federation

Polish Falcons of America

Afro-American Fraternal Society

National Slovak Society

United Societies of the U.S.A.

Zivenia Beneficial Union

United Russian Orthodox Women's Mutual Aid Society

Greater Beneficial Union (German)

United Russian Orthodox Brotherhood of America

Greek Catholic Union of the U.S.A.

Ukranian Aid Association of America

William Penn Fraternal Association (Hungarian)

Croatian Fraternal Union of the U.S.A.

Lithuanian Alliance of America

United Lutheran Society (Slovak)

Catholic Knithts of Saint George

Workingmens' Beneficial Union of Pittsburgh

Mr. RADZYMINSKI. Pittsburgh is headquarters of 18 national fraternal societies, including the new Afro American Fraternal Society are located in Pittsburgh. I submit a list of these for the record. Nearly all have archives, publish newspapers and hold special days to celebrate their traditional customs.

Except for one other State, Pennsylvania has the highest number of fraternal insurance policies in force in the entire country. They number just short of one million and have assets of more than one billion dollars.

(The information referred to follows:)

FRATERNAL INSURANCE POLICIES IN FORCE BY STATES*

	No. of Policies	Amount
Illinois	901,366	$1,775,906,126
Pennsylvania	874,293	1,270,572,598
Wisconsin	779,610	2,233,442,980
Ohio	603,592	1,177,583,877
Minnesota	521,611	1,499,150,203
California	514,661	1,639,087,829
Michigan	483,920	1,162,942,816
New York	456,371	858,124,813
Texas	386,529	790,933,266
Indiana	261,970	564,423,544

*Statistics of Fraternal Benefit Societies, 1970, The Fraternal Monitor, Indianapolis, Indiana, 1971.

Mr. RADZYMINSKI. The leaders of these fraternals participate in the Pittsburgh Ethnic Heritage Study Center Committee. This committee actually represents a widespread interest for an ethnic study center in Pittsburgh.

Members include representatives from the Italian, Rumanian, Carpato-Russian, Afro-American, Ukrainian, Serbian, Russian, Lithuanian, Latvian, Bulgarian, Slovak, Czech, Slovene, Greek, Croatian, Jewish, Arabic, Polish, English, Hungarian and Irish groups.

In fact all the groups in the Pittsburgh regional area are represented. In addition to these, there are representatives from the labor unions, jaycees, foundations and colleges and universities in the regional area. The committee has been developing broad based support for the legislation and I am sure some of you Senators have probably heard from some of our committee members.

There is also a planning committee composed of persons from various colleges and universities in western Pennsylvania. This group has been developing a national model for an ethnic center which is national in scope but is related to the local situation in Pittsburgh.

Besides these committee efforts, Pittsburgh has a tradition of ethnic recognition. There are the nationality rooms at the University of Pittsburgh which were established in 1936 to recognize the contributions of various ethnic groups in the area; Pittsburgh also has an International Folk Festival which is sponsored by Robert Morris College and holds yearly festivals in the Civic Arena. The Tamburitzen Cultural Center at Duquesne University has a wonderful folk arts and dance program, children in the program travel around western Pennsylvania, the United States of America, and to European countries performing the traditional dances of eastern European peoples.

In the western Pennsylvania area is Alliance College, in Cambridge Springs, Pa., which has a Kujawaki group that also travels at home and abroad performing traditional dances. All of these activities testify to the fact that Pittsburgh regional area has a variety of resources that could and would make possible the establishment and maintenance of an ethnic heritage study center.

Thank you.

Senator SCHWEIKER. I thank you. And I would again want to commend you and the other leaders for what you have done in Pittsburgh. I think what you have done is outstanding.

I would like to call on Charles T. Koval to explain his interest and participation and also the group he represents.

Mr. KOVAL. I am Charles Koval from Pittsburgh, Pa. I am Secretary Treasurer of the Pittsburgh Ethnic Heritage Study Center Committee, advisor-director to the Scholarship Committee of Pan-Slavic Alliance, a member of the Croatian Fraternal Union, the National Heritage Association, and various other fraternal orders.

I was born the son of a former coal miner. I grew up in a small residential town in Pennsylvania south of Pittsburgh, and like many small towns in that area, we were so surrounded by mines and steel mill towns composed of different ethnic groups.

Some people used to look down on us because we were so-called hunkies and because we were Catholic. Therefore I always figured I had to work 10 percent harder than other guys to get ahead.

I can understand some of the problems that the Negro has had and because of color, he must work 20 percent harder. People burned crosses on our lawns and because we were foreign and had different ways, and thoughts, and perhaps actions, and because we supposedly posed an economic threat. They had a lack of understanding and prejudice toward us because of it.

I worked my way through college, spent 5 years in the Marine Corps as an aviator and 6 years ago started my own business, Allegheny Planned Income, Inc., a brokerage firm.

Although I am third generation, I inherited my interest in fraternal societies and other ethnic organizations from my parents and grandparents and have gotten a lot of satisfaction out of helping other young people whose background is similar to mine.

Fraternal societies that I belong to have really done a great deal to help young people get ahead and get an education. They have also instilled pride, love of country and helped foster a greater understanding of other peoples.

Their scholarship fund that I am advisor to, have given over $200,000 in the past years, and also year—last year alone we gave $25,000 to needy young students, primarily of Croatian and Slavakian backgrounds.

At the present time in America I think we need a new understanding of fraternalism. I think due to the downgrading of fraternals and a lack of awareness of fraternals that this is changing, and this is one reason we need an ethnic study center, to bring back the awareness that these children that we have, that was instilled in me when I was a child—most of the people I know who were proud of their own heritage are considerably more tolerant of other people, and it is those who have pride about who they are and where they came from and those who have the lack of pride are the most prejudiced people.

We're also considerably better educated than our forefathers, and this helps break down suspicion. We also have more leisure time, ignorance is one of the main ingredients of prejudice.

As an aside from my statement I would like to say, No. 1, we have to emphasie attacking prejudices and intolerance from a different angle, by accentuating the differences between the cultures.

A second thing is to keep in mind our No. 1 goal which is to stop the divisiveness in American society, and thirdly, the bill has a built-in—how would you phrase it?—for people who have an ax to grind, creating jobs. We already find people who are looking for a job to teach, administrative positions, and I think it will have to be handled very delicately in a sense as to who the people who head up this board will be, so that people do not have an ax to grind, whatever group they belong to.

Thank you very much.

(The prepared statement of Mr. Koval follows:)

PREPARED STATEMENT OF CHARLES KOVAL, SECRETARY-TREASURER OF THE PITTSBURGH ETHNIC HERTITAGE STUDY CENTER COMMITTEE

I am Charles Koval from Pittsburgh, Pennsylvania. I am Secretary-Treasurer of the Pittsburgh Ethnic Heritage Study Center Committee, Advisor-Director to the Scholarship Committee of Pan-Slavic Alliance, a member of the Croatian Fraternal Union, the National Heritage Association, and various other fraternals.

I was born the son of a former coal miner. I grew up in a small residential town in Pennsylvania south of Pittsburgh, and like many small towns in that area, we were surrounded by mines and steel mill towns composed of different ethnic groups. Some people used to look down on us because we were so called "hunkies" and because we were Catholics. Therefore, I always figured I had to work 10% harder than other guys to get ahead. I can understand some of the problems the Negro has had and because of color, he must work 20% harder. People burned crosses on our lawns too because we were foreign, had different ways, and thoughts, and perhaps actions, and because we supposedly posed an economic threat. They had a lack of understanding and prejudice toward us because of it.

I worked my way through college, spent five years in the Marine Corps as an aviator and six years ago started my own business, Allegheny Planned Income, Incorporated, a brokerage firm. Although I am third generation, I inherited my interest in fraternal societies and other ethnic organizations from my parents and grandparents and

have gotten a lot of satisfaction out of helping other young people whose background is similar to mine. Fraternal societies that I belong to have really done a lot to help young people get ahead and get an education. They have also instilled pride, love of country and helped foster a greater understanding of other peoples.

Fraternalism is a word familiar to most of us. It means brotherhood, peace and goodwill. This grew out of the need of various immigrant groups to deal with their problems - when they came to this country. Fraternal associations formed to establish ethnic parishes. They were also mutual aid societies that helped individuals and their families to solve such problems as paying for medical aid and death benefits when a breadwinner was taken from the family. You must remember that in the early days around the turn of the century there were no government agencies like, Health, Education and Welfare or insurance companies like Blue Cross and Blue Shield to provide financial help in time of need. Since most of the men who worked in the steel mills and the mines were not citizens at first, whatever minimal benefits that companies provided its employees were not available to them. Fraternal societies were also organizations that made it possible for people of similar backgrounds to get together after work to hear and talk their own native language, and to perpetuate traditions they brought with them from their homeland.

As an example, the Croatian Fraternal Union organized in 1894, like other fraternals, still celebrates these traditions. The Croatian Fraternal Union has a cultural federation that continues to encourage folk art and folk lore, and organizes Tamburitzan groups among children throughout the country fostering in them a love for Croatian songs and music. We have held four National Tamburitzan Festivals that have attracted as many as 700 boys and girls age 8-18. Through our scholarship foundation we have distributed over $200,000.00 in grants to needy and deserving young people for their college educations. Through both organizations that I advise we gave over $25,000.00 last year.

At the present time in America, we need a new awareness of fraternalism, a new sense of brotherhood; not just for members of one ethnic group or fraternal society but for members of all groups whatever their ethnic or racial background. We must achieve this new awareness as American citizens in order to solve the many basic problems facing us.

One of the best ways I know, to develop this new sense of brotherhood and to begin to solve some of these problems, is through the Ethnic Heritage Study Center Act of 1971, and I urge that it be passed as soon as possible.

Now some people think that ethnic studies might cause problems, that ethnic studies might increase prejudice rather than diminish it.

I don't believe this. Most of the people I know who are proud of their heritage are also more tolerant of other people. It's those who don't have pride about who they are and where they came from who are the most prejudiced. Also we are considerably better educated than our forefathers. This helps to break down suspicion, distrust and we also have more leisure time to contemplate the consequences of divisibleness on our nation.

After all isn't ignorance the main ingredient of prejudice. If people could learn more about themselves through ethnic studies programs, the new leadership which America needs might be developed.

The future leaders of America are certainly not going to be those undisciplined young radicals who have rejected the past, and along with it all the good things which America has stood for. What has made America great and will continue its ideals as a nation are those well proved virtues of discipline, hard work, respect for society and its laws, and respect for parents who care about what their children become. All societies who have "made it" have had traditions of strong family ties, religion, respect for law and order, and feeling for the best of the past. If America wants to realize the most from its people, it must begin to be honest about ethnic diversity; and it must begin to provide an equal start for its children as they move through the American school system and into the mainstream of American life.

I believe that the school and the educational system is probably the best place for developing a sense of ethnic pride and at the same time for developing responsible American citizens. First of all, our hope for a better world lies with our children. They aren't born with prejudice but we help give it to them. Young people spend a lot of time in school from the time they are 3, 4 or 5 years old to the time they graduate. Unfortunately some school systems don't really "educate". Kids complain that classes aren't relevant. What could be more "relevant" than ethnic studies, which, properly taught, can develop a sense of ethnic pride, foster greater mutual understanding among different groups, and turn out young people who have an ability to feel and act as well as to think responsibly. Furthermore, I can't help but think that such instruction would develop a renewed sense of America, its ideals and goals as a Nation. Second, how, after all, can we be critical of oppression abroad if we don't have our own house in order. The United States has a great opportunity to come forth with and develop a new sense and awareness of brotherhood. The Ethnic Heritage Study Center Act of 1971 is right on target. It would begin to put us on the right track in achieving this. We are not subscribing to the theory that this Bill would be a panacea to all of our social ills. However, we feel it would certainly help toward eventual goals of total brotherhood.

This Bill should be passed quickly and money should be appropriated immediately, so that ethnic studies can get under way.

Moreover, the people in Washington charged with developing the guidelines must seek out those educators and experts who have the most knowledge and experience with various ethnic groups for their advice and consultation. We have in Pittsburgh, for example, a Planning Committee composed of persons knowledgeable in a variety of disciplines who are planning and developing programs in some of the schools. We need this kind of non-political support to make sure that those put in charge are not just out for themselves or trying to make a fast buck. I hope that America really means it this time, when it seeks to demonstrate genuine respect for the cultural heritage of all its peoples. Lets stop the old thoughts of 'lets not stir the pot' - lets face this problem of ethnic differences head on, and lets foster togetherness in this country in times other than national disasters.

Naturally, as a native Western Pennsylvanian, I think Pittsburgh would be an ideal place for an ethnic center. Besides its central geographic position, 18 national fraternal benefit societies are headquartered in Pittsburgh and altogether there are about 77 ethnic associations in the area. The population of the region contains a broad distribution of ethnic background - Americans of South and East European origin as well as those of Scottish, Irish, German, Scandinavian, Afro-American origin. Religious organizations also include a wide variety - Russian Orthodox, Greek Catholic, Roman Catholic, Polish National Church,

and various Protestant sects. Furthermore, Pittsburgh is a center for higher education - there are several universities there, namely Pitt, Duquesne, Carlow, Chatham, Carnegie-Mellon, Point Park, Robert Morris, Allegheny Community College, Alliance College in Cambridge Springs, Pa., W & J, and the Pennsylvania State system, which has several community extensions in the region. I could go on and talk about many other resources. But in my view, Pittsburgh is an ideal site for a center. Thank you.

Senator SCHWEIKER. Thank you very much and now I would like to call on another leader in the Pittsburgh movement, Mr. Joe Sabol, Jr.

Mr. KOVAL. Thank you, Senator Schweiker.

Mr. SABOL. I am Joseph Sabol, Jr. I am in the real estate and insurance business in the city of Duquesne. I was a former mayor of the city of Duquesne, and a former national president of the gymnastique branch of the Greek-Catholic Union.

It is a national organization, and I was president from the term of 28 years.

Being a fraternalist, I belong to and am a member of 11 Slavic fraternities, in addition to being active in 25 other civic, fraternal, or religious organizations.

I am a Carpato-Russian by extraction. I am unique insofar as I am the only Byzantine Catholic here, and I was instrumental in founding the St. Cyril Seminary as well as a Byzantine club.

I read, write and speak seven languages, so I guess I could be termed a polyglot.

I am, of course, deeply appreciative and truly grateful for the invitation to be present, because I am at once proud and pleased to be here.

Just as all of those who have appeared or who will appear before this committee I too am most desirous of having the Ethnic Heritage Studies Center created. However, unlike some I want very much when this bill is passed, to put in a plug as it were, for the city of Pittsburgh.

While it is true that steel is basic and important to Pittsburgh, her populace of the various ethnic backgrounds are truly termed a melting pot and as such they also bring fame and glory to the city.

The creation of the Ethnic Heritage Studies Center would present to the world a moral unity, identity, growth, continuity and a particular personality. The centers would win the admiration of the youth by their creation, they would kindle the affections of the middle aged by their associations, and they would firmly fasten the fidelity of the aged by their traditions, that still flourish because they are firmly fixed in the will of a faithful people.

We all know that over the years there have been many changes and transformations, that there were forces powerful enough to destroy yet helpless to reconstruct.

Because of this adversity as well as prosperity, now gives us a singleness of purpose, a fixed grasp of our aims, and a noble earnestness to make positive that U. S. Senate bill S. 23 is enacted.

With the passage of this bill and under the leadership of the bills godfather, Senator Richard S. Schweiker, there will be a rebirth and a resurgence of the good past practices of our forbearers.

This most assuredly would be a strange, majestic contrast to the agitation and turmoil of confused passions, hesitating ideals, tentative virtues, and the groping panaceas of this jet age.

Our people must be restored to a pride of place and a pinnacle of power and prestige. You cannot afford the luxury to err in this. By following the paths and precepts of our pioneers and predecessors, we

can and we will pass onto posterity our proud heritage, our many fine, time honored cultures, and customs.

Today time is of the essence, for if time is allowed to run its natural course, our people will be absorbed, we will be assimilated, and we will suffer the loss of our identity. I am sure that none of us want to see this happen. I sincerely hope that bill No. S. 23 which promises so much, does not cease to exist nor be disappointing in its own promises.

Gentlemen, I thank you for your kind indulgence and patience.

Senator SCHWEIKER. I think you for your testimony, Joe. I would like to come back to one point that I think is important, and reemphasize it.

John, you mentioned the various groups that are centered in Pittsburgh, who have their national centers there. Just how many groups is that?

Mr. RADZYMINSKI. Eighteen have their national offices in and around the city of Pittsburgh.

PITTSBURGH AS A CULTURAL CENTER

Senator SCHWEIKER. I know that even though I am from Pennsylvania, I was not clear until recently how many groups look to Pittsburgh as a cultural center, and therefore perhaps this explains the phenomenal success you folks have had in coalescing the community from many diverse backgrounds.

I think this is extremely interesting because I think it portends what can happen in the country to a great extent when you see so many divergent groups getting together and agreeing in terms of a common approach, in terms of a common goal and common objective. I think this really is the essence of what the bill tries to do, and I think you folks by your own spontaneous approach have demonstrated that it is possible, and that even Pittsburgh, with all those various ethnic backgrounds, can get together and agree on goals and objectives and national purpose, which I think is really the meaning of this.

Mr. RADZYMINSKI. What I mean to say, Senator, is that there are 18 national offices of franternal offices in and around Pittsburgh. All together in the Pittsburgh area there are some 77 organizations, churches, lodges, or what have you. I believe they are all around the Pittsburgh area. This is why we have such a large committee.

One time somebody took a quick count, and we had 50 different nationalities present at one of the meetings.

Senator SCHWEIKER. I attended one of those, and I was impressed with the ability to bring together those groups.

Joe?

Mr. KOVAL. I think we should include the names of the people who were able to come together in Pittsburgh.

Senator SCHWEIKER. We should include it.

Mr. KOVAL. We have a list of people and their affiliations an so forth. Maybe we could submit that later in writing.

(The document referred to follows:)

PITTSBURGH COMMITTEE FOR ETHNIC STUDIES CENTER

1. OFFICERS AND DIRECTORS

Chairman, John Radzyminski (Polish)
Vice Chairman, Joseph Sabol, Jr., (Carpatho-Russian)
Treasurer, John Kolesar (Slovak)
Recording Secretary, Patricia French (Bulgarian)
Financial Secretary, Charles T. Koval (Ukrainian)
Public Relations, David Vinski (Croatian)
Director, Walter W. Kolar (Croatian)
Director, Nicholas Jordanoff (Bulgarian)
Director, Clarence Huff (African)
Director, Joseph Borkowski (Polish)
Director, John Badovinac (Croatian)
Director, James Federoff (Russian)
Director, Dora M. Alski (Polish)
Director, Florence Knapp (Polish)
Director, Michael Maynosz (Ukrainian)
Director, Guy Mendola (Italian)
Director, Margaret Galey (Irish)
Director, August Jeski (German)
Director, Paul Kazimer (Slovak)
Director, Mario LiVolsi (Italian)
Director, Michael Zahorsky (Slovak)
Director, Michael Komichak (Ukrainian)
Director, Julia Orosz (Hungarian)

2. GENERAL MEMBERS

(African) Eugene Mathis and Ted Vasser, Jr.
(Carpatho-Russian) George Batyo
(Greek) Paul Kachulis and Louis Maneseottis
(Hungarian) Elmer Charles
(Irish) John Hannigan and John Donahue
(Israel) Nathaniel Shore, Esq., Howard Stine, Jerome Leiber, and Jay Joseph
(Italian) Hon. Patrick Tamilia and Al Capozzi
(Latvian) Dr. I. Spilners
(Lebanese) Joseph Mowod
(Lithuanian) Paul Dargis
(Netherlands) Dirke Boomgard
(Russian) P. P. Ratica and Frank Tallerico
(Scandinavian) Emil Forte
(Scotland) Frank Slater
(Serbian) Robert Stone
(Slovak) John Maruzak and John Pankuch
(Slovene) Peter Elish
(Spanish) Alan Boal
(Syrian) Philip Roy
(Ukrainian) Dan Zamos
Meril C. Smith
Mr. John J. Balkovac
John S. Posavatz
Robert Cunic
Leo Jablonski
Michael Maruscak
Anthony Studnicki
M. J. Wasilewski
Alex Cieciera
Vincent Namiotka
Vincent Murovich
Mary Grelewski
Joseph Honeygosky
Adam Petrovich
Nick Trdina
John P. Lynch
Edward Verlich
Michael Kolesar
Jeremiah A. O'Mara
George J. Vukmanic

Mr. SABOL. I would like to comment on the organizations which are domiciled in Pittsburgh. Although they are domiciled there, they may spread from Maine to California. Under the lodge system, each city has a lodge, where our people are predominantly in numbers. The effect of the national headquarters in scope, because as I said before, you may have lodges in Texas, in Minnesota, Colorado, Wyoming, I know when I was the president, we had 1,814 lodges extending from Bangor, Maine, to Van Nuys, Calif., and from Anchorage, Alaska, to Miami, Fla.

Senator SCHWEIKER. 1,814 in your group?

Mr. SABOL. Yes. So this will have an impact across the country.

Senator SCHWEIKER. Once again, I thank you all sincerely. You folks have made a contribution and you have indicated the direction our country ought to go.

Thank you for being here.

Senator SCHWEIKER. I have additional statements for the record which I will submit, and I would like to announce that when we adjourn this morning, the next meeting of the committee will be at 10 a.m., Wednesday, April 21.

(The information referred to follow:)

STATEMENT OF SENATOR FRANK E. MOSS (D-UTAH)
EDUCATION SUBCOMMITTEE
SENATE COMMITTEE ON LABOR AND PUBLIC WELFARE
APRIL 20, 1971

SUBJECT: S. 23, ETHNIC HERITAGE STUDIES CENTERS ACT OF 1971.

Mr. Chairman, I asked to appear personally in behalf of S. 23, the Ethnic Heritage Studies Centers Act of 1971, because of the great interest in my state of Utah in ethnic studies, and in increasing educational emphasis on ethnic heritages, backgrounds and traditions.

We established some time ago at the University of Utah in Salt Lake City a Center for the Studies of the American West, and one of its activities has been the study of Indian history and culture. We also have under way at the University a number of other programs relating to Indian education and opportunities. We would be very much interested in the establishment and funding at the University of an Ethnic Heritage Studies Center as proposed by this bill since it would allow the expansion of many programs already in progress and the establishment of others. We approve of the new and challenging approach suggested in S. 23 by Senator Schweiker and feel it holdsgreat promise for finding solutions to some of the educational and social problems ~~of our~~ American minorities.

Dr. Floyd A. O'Neil, Assistant Director of the Centers for Studies of the American West, has described to me in some detail the work of the Center with respect to Indian Affairs, and because I feel his

experiences may be of value to the subcommittee in evaluating S. 23, I would like to quote from Dr. O'Neil's letter:

"For about four years the Center has been involved in the collection of documents and tape recordings relating to American Indian history and culture. Miss Doris Duke, the tobacco heiress, has given yearly grants to the Center which has enabled us to obtain the largest Indian oral history collection in America and accomplished here at the University of Utah under the direction of Dr. C. Gregory Crampton.

"Our efforts have been to collect material relating to the history and culture of the American Indians which has yielded more than one-third million pages of primary documents which are unpublished.

"In the past year we have cooperated with many tribes to develop curricular materials for use in the public school systems, which included Ute People, An Historical Study, developed jointly with the Uintah School District. We are currently working on additional texts to be used in the public schools for the Southern Utes in Colorado; the Zuni Pueblo in New Mexico; the Fort Hall Reservation in Idaho; and the Pyramid Lake Reservation in Nevada. These projects are actually in process now.

"In conjunction with UCLA and California State College at

Fullerton, the Center is conducting a survey of the Urban Indians and compiling a guide for California Indian Affairs. We are gathering together personnel and resources which will contribute to the education of the American Indian students particularly on the graduate level."

Dr. Wick R. Miller, Associate Professor of Anthropology and Linguistics at the University has been conducting basic linguistic research on the Shoshoni language in the Great Basin for the past 6 years, and he has written to me of his work, and of how he feels it could be expanded and improved through the establishment of the type of centers envisioned by S. 23. Dr. Miller writes:

"I expect in the next two years to concentrate on language replacement, that is the process that is involved as English replaces the native language. While most of my research has been of a basic theoretical nature, it has some applied implications, particularly in the area of education.

"In the past few years, I have become involved to some extent in questions of policy and goals in teacher training in Indian education. In my work with Indians, it has become clear to me that educational policy for American Indians must take into account the linguistic and cultural context of the child, something which up until now has been done only peripherally

and in a rather haphazard fashion. Those of us at the University of Utah that are concerned with this problem have been able to make some progress in developing teacher training programs. It is clear that if we were able to establish a center for Indian studies, we could do a better job."

The University of Utah is also engaged in many other activities which would expand ethnic awareness and opportunities for Indian minorities, and would train both Indians and non-Indians for work with Indian groups. There are probably more faculty members at the University of Utah with knowledge about and experience with the American Indianthan in any other university in the United States, so there is naturally great interest in any bill which would establish programs and channels to help encourage members of this minority group to study and have a greater awareness of their own background, as well as the backgroundsof other minorities, and furthermore to establish, through self understanding and mutual understanding - basic groundwork for mutual cooperation.

I sincerely hope that the subcommittee will report this bill favorably at an early date.

4

THE IMPORTANCE OF ETHNIC STUDIES AND INTERCULTURAL UNDERSTANDING IN AMERICAN EDUCATION

Statement by Ward Morehouse, Director, Center for International Programs and Comparative Studies, State Education Department, University of the State of New York, and President, National Council of Associations for International Studies, Submitted to the Senate Committee on Labor and Public Welfare, April 20, 1971

My name is Ward Morehouse. I am Director of the Center for International Programs and Comparative Studies, State Education Department, University of the State of New York. I am also serving currently as President of the National Council of Associations for International Studies, an organization composed of a dozen regional associations of over 400 colleges from Vermont to Hawaii concerned with strengthening the international and intercultural dimensions of American education. I appreciate very much this opportunity to present my views in support of the bill entitled "The Ethnic Heritage Studies Centers Act of 1971" (S.23) to the Senate Committee on Labor and Public Welfare.

The need for a legislative enactment such as the present bill should be readily apparent to all concerned Americans. Over the past decade, polarization of cultural and ethnic groups in the United States has surfaced as a major source of tension in our society, sometimes erupting into violence and often resulting in the breakdown of meaningful social relationships. This phenomenon involves not only Blacks, Puerto Ricans, and Mexican Americans, but also American Indians, Chinese Americans and various ethnic groups in our society from Eastern and Southern Europe as well as elsewhere in the world.

This polarization also exists on a world scale, involving not only cultural and racial differences within and between other nations and the United States but also growing disparities in personal income levels between the developed nations and the Third World of Asia, Africa, and Latin America. By the year 2000, the operative time frame for today's students who will then be assuming positions of adult responsibility

in our society, four out of five human beings will live in the Third World. The gap in per capita income between, for example, the United States and India is expected to virtually double by that time. Whether we like to contemplate this future or not, North America, along with Europe and Japan, will have become, in a very real sense, a "golden Ghetto" in a vast worldwide slum of grinding poverty. Something must be done now to prepare today's students for this kind of future.

While I support strongly the basic provisions of this bill, I would like to suggest an important additional emphasis which I believe should be reflected in the language of the bill and in its implementation if it should become law. The statement of policy in the bill properly emphasizes the importance of providing students with "an opportunity to learn about the nature of their own cultural heritage" and also indicates that they should have an opportunity to "study the contributions of the cultural heritages of the ethnic groups of this nation," which presumably includes study of cultural heritages of ethnic groups other than the students' own. I believe that it is essential to give greater emphasis than does the present bill to the importance of understanding other cultural groups, not only within the nation but also within the world, and the relationships between different cultural groups.

To underscore this point, I recommend that the language of the bill be amended, wherever the context makes this appropriate, to include the phrase "and intercultural" between "ethnic" and "studies". I also urge that consideration be given to a revised statement of policy along the lines of the following, which I believe would incorporate all the essential features of Section 1201 of the present bill as well as the additional emphasis which I am advocating:

> The Congress hereby finds and declares that the United States of America is composed of peoples with ethnic and cultural backgrounds from Europe, Asia, Africa, the Pacific area, and Latin America, in addition to our indigenous Indian cultures;

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that a greater understanding of one's own heritage and those of one's fellow men will contribute to a more harmonious nation and world, and will enrich the quality of life in America; that future generations of Americans should be assured ample opportunity to develop to the fullest extent possible their knowledge and understanding of all ethnic and cultural groups in the United States and the world; and that it is therefore necessary and appropriate for the federal government to assist in the development of opportunities and resources for ethnic and intercultural studies and programs.

Intercultural relations are far too often consigned to a place of secondary importance in the curriculum. The study of man's relationship and responsibility to his fellow man, the concept of social justice, the value of cultural diversity--these ideas form the very foundation of human civilization. Thus we tend to take for granted their presence in our educational institutions. Unfortunately, such assumptions are totally unwarranted.

In 1968, the conferees attending a symposium on "Patterns of American Prejudice" at the University of California at Berkeley agreed that "virtually no one in educational institutions is trying--very much--to do anything about prejudice." It was recommended that "American public schools should grasp 'missed opportunities' to reduce racial and ethnic prejudices, despite the limitation of their powers to change the social system" ("Schools Urged to Attack Prejudice," Education USA, April 1, 1968, p.169.)

A study released at the conference by M. Brewster Smith, Director of the Institute for Human Development at the University, found that children enter the eighth grade already furnished with prejudices--and they do not change greatly during their high school years. Teachers questioned in connection with the study were found to be generally unconcerned about the issue. These findings and many others underscored the fact that "Americans are failing to reduce prejudice even while we are trying to eliminate discrimination." (Ibid.) The tolerance of injustice and racism at home inevitably

affects our relationship with other nations and their peoples. If we are to fulfill our larger responsibilities to the family of man, however, it is not enough to set our own house in order. For the principles of equality and justice which we espouse apply equally to men of all races, colors, creeds, and nationalities.

The Kerner Commission Report brought home to the nation a critical awareness, if not action, with its assertion that "our nation is moving toward two societies, one black, one white--separate and unequal." Let us hope that the tragic events surrounding our involvement in Viet Nam during the past decade will serve a similar purpose with regard to our understanding of supranational human rights and responsibilities. The 60's have been a decade in which we have become increasingly aware of the existence of social injustice; in the 70's, we must find ways to translage that awareness into constructive social action.

That our young people could profit greatly from better instruction in intercultural understanding is illustrated in a study entitled Children's View of Foreign Peoples. The authors of the study found that at the age of 6, children do not yet have any stereotypes about foreign peoples. By the age of 10, they have become aware of foreigners as people, and are particularly open to new ideas and information. The more the child knows about a particular country or people, the more friendly he is likely to feel toward them. The study indicates that the age period between 10 and 14 provides important opportunities for the development of openmindedness and friendliness toward other cultures. Yet children in this age group rarely mentioned their teachers as important sources of information. Rather they depend on television, movies, books and magazines. One reviewer discussing the implications of this study, suggests that parents and teachers--

> must help children, from early childhood on, to understand that although there are many distinct peoples and cultures in the world,

mankind is one; that although there are many distinct varieties of human behavior in the world, they all reflect social environments created by man in response to common basic needs and problems; that although there are various viable alternative solutions to these basic human problems, "other" ways of solving the common human problems are not necessarily unnatural or perverse. ("How Do National Stereotypes Originate in Children's Minds?" Phi Delta Kappan, December, 1967, p.235.)

I should like to address myself to one other point concerning the language of S.23. In the statement of policy in this bill, reference is made to "all students in elementary and secondary schools" while elsewhere in the bill (for example in Clause 1 of Section 1202 the language includes institutions of higher education as well as elementary and secondary schools. Formal education is a continuous process for the individual student experiencing it, even though we may divide it up into four and six year compartments for administrative convenience, and I believe, therefore, that the provisions of this bill should include institutions of elementary, secondary and higher education. A revised statement of policy along the lines I suggested above would help to remove ambiguity on this point; additional changes in language might also be incorporated elsewhere in the bill or in the Committee's report, as appropriate, to clarify congressional intent.

I believe that the present bill, amended along the lines I have suggested, would constitute a major piece of social legislation and a constructive innovation in public educational policy which would command widespread support not only from the educational community but also from all segments of our multi-cultural society.

Thank you for giving me this opportunity to submit my views on the importance of ethnic and intercultural studies in American education.

STATEMENT OF THE GREATER WASHINGTON CHAPTER OF THE NATIONAL CONFEDERATION OF AMERICAN ETHNIC GROUPS, INC. IN SUPPORT OF S. 23.

The Greater Washington Chapter of the National Confederation of American Ethnic Groups greatly welcomes S. 23 providing for the establishment of Ethnic Heritage Research Centers and for the distribution of the knowledge of the ethnic heritage of the peoples of America to our children in the elementary and secondary schools.

As one of our well-known historians, Oscar Handlin stated, the history of the immigrant in America cannot be written. For the immigrants were American history as such. Yet, we must state that university-sponsored research has generally neglected the sociology, politics, economic structure and literature of the various ethnic groups in the past. This neglect was a result of the belief that the immigrants and their children would finally become "Americans," which meant that they would assume in a modified form, the value judgments and the cultural milieu of the early settlers from Europe, those of the English.

Several witnesses from among the ethnic organizations, have pointed out the consequences of this neglect and the negative aspects of socio-psychological enforcement of the "melting-pot" theory on the first and second American-born generations of non-English European settlers, particularly on those who had entered this country at the end of the 19th and in the 20th century.

Our chapter wants to emphasize at this juncture the interrelationship of individual and cross-ethnic research and its importance in connection with S. 23 which it supports wholeheartedly.

First, there are serious lacunae even in individual ethnic group research in the United States. Local historical and state historical associations have often shied away from relating the story of the cultural, religious and social institutions of the non-English immigrants in the past. Sociological studies, while sometimes analyzing city life and city problems and the immigrant's role therein from a class viewpoint, also lack the depth usually associated with the fine traditions of American sociology in other fields. The phenomena of group life, identity, succession, separatism, cultural pluralism, assimilation and acculturation must be studied further and put into a larger framework of historical reference. Until now ethnicity was dealt with only from a problematical viewpoint and was not analyzed as a source of potential strength to American society.

Thus, we believe that the overriding need is for the interpolation of the results of existing individual ethnic group research and its expansion in the areas and with regard to particular ethnic groups (if and when applicable) to a cross-ethnic level. This way we will emphasize the ties and trends which bind the ethnic groups together, and analyze the experiences which shape an invisible, but very real, community of value systems, cultural archetypes and socio-economic

and even political interests on a cross-ethnic basis in the United States. This integrative, cross-ethnic process would be immensely assisted by project-oriented, sociological and behabior research on the one hand, and by a comparative cultural and literary research into the literature and cultural value systems of Americans on the other.

Second, we believe that the need for self-appreciation and self-knowledge of the individual ethnic groups as to their place role and functions in American history and society exists and should be promoted. Both in the research field and in community realization this integrative cultural and sociological process has already created in the last decade a community of socio-economic and political interests among the various ethnic groups in the United States and American scholarship has also been increasingly realizing the invalidity of the melting pot theory on a socio-economic and cultural level.

The Greater Washington Chapter of the National Confederation of American Ethnic Groups underlines the need for cross-ethnic research. As an organization which includes in its leadership many of the Washington representatives of the major ethnic organizations of the country, including several professors and researchers, ut expresses its willingness to cooperate in solving the research tasks inherent in S. 23 upon its enactment.

It should be mentioned in passing that several of our ethnic national organizations, among them the Joint Baltic Committee and the American Hungarian Federation, are also testifying in support of S. 23 and join us in stressing the need for expanded individual and cross-ethnic group research and the distribution of knowledge of our ethnic heritage in American history and society among our schoolchildren as foreseen in S. 23.

277 CHESWOLD LANE
HAVERFORD, PA. 19041

April 22, 1971

The Honorable Clairborne Pell
United States Senate
Chairman of the Subcommittee on Education
Of the Senate Labor and Public Welfare Committee
Washington, D. C. 20510

Dear Senator:

ETHNIC HERITAGE STUDIES CENTERS ACT OF 1971

In view of the heterogenous composition of our country, it seems essential that a better understanding of the contributions of one's own heritage and those of one's fellow citizens be established. I feel that the enactment of the Ethnic Heritage Studies Centers Act would contribute to a stronger and healthier nation by making available to schools, colleges, and community groups materials concerning the history and culture of the various ethnic groups in our country.

I therefore hope that you will do everything in your power to expedite the enactment of Senate Bill 23.

Sincerely yours,

Otto J. Patzau

OJP:cm

CROATIAN FRATERNAL UNION OF AMERICA
HRVATSKA BRATSKA ZAJEDNICA U AMERICI
ORGANIZED 1894
KINGSTON AND DELANEY DRIVES
PITTSBURGH, PA. 15235
JOHN BADOVINAC
SUPREME PRESIDENT
PHONE: (412) 881-3909

APR 20 10 36 AM '71

April 19, 1971

Honorable Richard S. Schweiker
United States Senate
Washington, DC 20510

Dear Senator Schweiker:

Notice has reached us that the first public hearings on your Bill S-23 titled "Ethnic Heritage Studies Centers Act of 1971" have been scheduled for the morning of April 20, 1971, and our Society, the Croatian Fraternal Union, would like to go on record of endorsing this Bill wholeheartedly.

Our organization, a fraternal benefit society, has 117,000 members with insurance in force totaling $143,000,000. We operate in 27 States of the United States and in 6 Canadian provinces. Our people are very much interested in the establishment of an ethnic center and they endorse the idea of having one such center in the City of Pittsburgh, because it is here in Pittsburgh and Western Pennsylvania that we have the largest representation of the various ethnic groups in the United States. People from every ethnic group will be found in Western Pennsylvania, and Pittsburgh would be an ideal location for such a center.

I am sure that you are familiar with the fact that in our Society alone there has been a great resurgence of interest by our children in their background. They have taken a great interest in Croatian music and culture and all that is best of their race. I am sure that the establishment of an Ethnic Heritage Center in Pittsburgh would encourage an even greater pride in their heritage than now exists, and this can be applied to every other nationality group in Pittsburgh.

We are grateful to you for introducing this Bill in Senate, and if we can be of any help to you in any way to further the adoption of this Bill, please let us hear from you.

Sincerely and respectfully yours,

JBadovinac

John Badovinac
Supreme President

JB:LK

CROATIAN FRATERNAL UNION OF AMERICA

THE JOINT BALTIC AMERICAN COMMITTEE

% AMERICAN LATVIAN ASSOCIATION IN THE UNITED STATES, INC.
SUITE 913 SHOREHAM BUILDING
1406 15TH STREET, N.W.
WASHINGTON, D. C. 20005
U. S. A.

THE ESTONIAN NATIONAL COMMITTEE IN THE UNITED STATES
THE AMERICAN LATVIAN ASSOCIATION IN THE UNITED STATES, INC.
THE LITHUANIAN AMERICAN COUNCIL, INC.

TELEPHONE
AREA CODE 202
347-8064
628-1188

APR 12 10 45 AM '71

April 5, 1971

Honorable Richard S. Schweiker
Room 6221, New Senate Building
1st and C Streets N. E.
Washington, D.C. 20510

Dear Senator Schweiker:

The Joint Baltic American Committee is a nationwide organization representing over a million Americans of Estonian, Latvian, and Lithuanian descent.

We want you to know that our Committee heartily endorses and supports your bill S. 23, known as "The Ethnic Heritage Studies Centers Act of 1971." We urgently need the proposed assistance to improve our educational opportunities and to maintain our schools. This country's ethnic groups are loyal citizens. Their contributions range from scientific achievements to the supreme sacrifice in military service. At long last, your ethnic heritage studies act promises us a proper and deserved recognition.

We respectfully suggest that public hearings should be held soon on S. 23. Our Joint Baltic American Committee would be proud to testify and present significant data in support of this bill.

You, sir, as a sponsor of this bill and your fellow co-sponsors merit our great respect.

Sincerely yours,

Gerhard A. Buschman
The Estonian Committee in the United States

Gunars Meirovics
The American Latvian Association in the United States, Inc.

Dr. John B. Genys
The Lithuanian American Council, Inc.

Special Committee for the Promotion of the Ethnic Studies Centers Act of 1971.

THE AMERICAN NATIONALITY HERITAGE FOUNDATION, INC.
611 Naysmith Road
North Versailles, Pa. 15035
A NON-PROFIT CORPORATION

APR 6 4 54 PM '71

April 3, 1971

Honorable Richard S. Schweiker, M.C.
United States Senate
Washington, D.C. 20510

Dear Senator Schweiker:

I would like to have the following statement inserted in the record of the Hearings on Senate Bill #23.

I have been informed recently that excellent progress has been made in the efforts by yourself and co-sponsors of "The Ethnic Heritage Studies Centers Act of 1971" in bringing Senate Bill #23 before the U.S. Senate for consideration and passage.

It is my firm belief that the passage of this very important bill will open a new era of understanding among the diverse races and ethnic generations of the American descendants of the immigrants that came to this country seeking a new life, and the rest of the American people, the old stock Americans. We are all descendants of colonizers and immigrants of the past 300 years, truly reflecting the cultures and heritage of the entire world of peoples and nations.

"The heritage of a people is a nation's most priceless possession, as it mirrors the soul of that nation and is forever engraved upon the face of history." The cultural heritage of these United States is deeply rooted in the many people of diverse ethnic and racial backgrounds. The sum total of these contributions enrich our national life and truly make us an amalgam representative of the world's people, a unique human experience in our world civilization. It is only through an understanding of each other's backgrounds, the culture, the traditions that have been a part of each group's past that will make us a more informed and tolerant people towards each other.

One of the most dynamic and progressive ways to create "avenues of understanding" in an ethnic community is to create regional Ethnic Heritage Studies Centers in the major centers of ethnic concentration throughout these United States. These centers would become regional information, educational, research, and study institutes for the use of the students, scholars, colleges, and community interests for giving new approaches to people's mutual understanding through creating the much needed image awareness of each ethnic and racial group's past, its traditions, culture, heritage, and past contributions to America since arriving upon these shores.

One of the greatest concentrations of racial and ethnic groups in our country exists in Western Pennsylvania in and and around Allegheny County. Here we have people from all the nations and continents living and working together. On many occasions these same people participate together in community festivals like Pittsburgh's own International Folk Festival, McKeesport's International Village,

The heritage of a people is a nation's most priceless possession, as it mirrors the soul of that nation and is forever engraved upon the face of history.

Michael Kolesar, Jr.

and Ambridge's Nationality Days.* These celebrated festivals, in which the entire communities participate, are a proven indication of the underlying ethnic traditions that prevail among the people. It has been said that first we are Americans, patriotically proud of our country, our history, its people; and secondly we are all descendants of immigrants, proud people all, retaining some of the rich ethnic traditions and the cultural heritage of our past.

The time for action of this most important contribution towards making us a more harmonious society is now. Let us make the Ethnic Heritage Studies Centers Act of 1971 but the first step on a national level towards seeding our future national life with a homogeneous culture based on the cultural contributions of all the racial and ethnic people within our nation.

It is the firm, irrevocable belief of this organization, The American Nationality Heritage Foundation, which is promarily interested in the preservation of the cultural heritage of all the diverse races and nationalities, that our greatest hope for a healthy and prosperous society is to relieve the existing tensions, the hatred prevailing amidst our races, ethnics, and creeds through fostering greater understanding among our people. The passage of the Ethnic Heritage Studies Centers Act of 1971 constitutes the most significant step to bring peace and harmony to our country.

With best wishes for success in your efforts for passage of this most significant Senate bill.

Sincerely,

Michael Kolesar Jr.

Michael Kolesar Jr., Director

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* Our reconstructions at Williamsburg, Virginia; Sturbridge Village, Massachusetts; Greenfield Village of the Henry Ford Museum in Dearborn, Michigan; and Upper Canada Village near Morrisburg, Ontario, among the many heritage and historical museums in North America will attest to this cultural renaissance. Over the years these reconstructions have been a Mecca for students, historians, scholars, and interested citizens in increasing numbers. As an example, Sturbridge Village in Massachusetts draws around 400,000 visitors a year. World-famous Henry Ford Museum and Greenfield Village are one of the great attractions of America, drawing over a million visitors each year.

human relations commission

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April 26, 1971

Chairman
Committee on Labor and Public Welfare
United States Senate
Washington, D. C.

Dear Mr. Chairman:

Individually, and as a member of the staff of the Providence Human Relations Commission, I would like to urge you and your committee members to recommend immediate passage by the Senate of Bill S. 23 cited as "The Ethnic Heritage Studies Center Act of 1971."

Such centers would provide a base of operations for the dissemination of knowledge, affording students an opportunity to learn about the nature of their own cultural heritage and to learn about the contributions of the cultural heritages of other ethnic groups of this nation.

With the ever-increasing social tensions and polarization that is besetting our cities, it behooves our leadership to encourage our educational systems to provide programs designed to counteract this trend by stimulating interest in the heritage and cultures of our poly-ethnic American society.

By advancing us toward a redefinition of the meaning of America as a mosaic, rather than a melting pot, we may be more secure in our own cultural identity and thereby better equipped to understand the cultural identity of others, as well as more sympathetic to the struggle for human dignity in which other groups are presently engaged.

Sincerely yours,

Elizabeth J. Shea

Elizabeth J. Shea
Deputy Director

rab

NATIONAL ASSOCIATION FOR ARMENIAN STUDIES AND RESEARCH
FOUNDED AND INCORPORATED IN 1955
175 MT. AUBURN STREET + CAMBRIDGE, MASSACHUSETTS 02138
Telephone: TRowbridge 6-7930 (Area Code 617)

April 19, 1971

Hon. Richard S. Schweiker
United State Senate
6221 New Senate Office Building
Washington, D. C. 20510

Dear Senator Schweiker:

It is with pleasure that I respond to your request for a statement on the "Ethnic Heritage Studies Centers Act of 1971."

The enclosed statement deals with your bill as well as the one filed by Congressman Pucinski in the House. It was sent to all Armenian-American newspapers and periodicals in this country with the request that continued publicity be given to the legislative progress of both bills.

Of the two measures I think yours is more comprehensive in that it takes in also institutions of higher education. However, I think the funding in Congressman Pucinski's bill is perhaps more realistic in that, once these measures are enacted and the differences reconciled, the program will require all of $50,000,000 to be fully realized. Perhaps, when and if the bills pass the respective Houses, the compromise measure will provide for funding over a three-year span with $10 million allocated for the first year and $20 million each for the next two years.

One other suggestion which I would make is to broaden the applicability of the bill so as to include private elementary and secondary schools as being eligible under its provisions. There are numerous ethnic schools throughout the country in dire need of funds in order to improve their curriculums in the areas which both bills envisage.

I am pleased to enclose also a selected group of printed materials describing the nature, scope, and objectives of our organization.

I shall look forward to receiving further information on the progress of your measure, and I shall be glad to assist in any way I can.

Sincerely yours,

Manoog S. Young

Manoog S. Young
Chairman
Board of Directors

Enclosures

THE CONGRESS AND ETHNIC HERITAGE STUDIES

A Statement on Impending Legislation Requiring Community Support

by Manoog S. Young
Chairman, Board of Directors
National Association for Armenian Studies and Research, Inc.

- - - -

Senator Richard S. Schweiker of Pennsylvania and Representative Roman C. Pucinski of Illinois have introduced legislation in the respective Houses of Congress in order to provide for the study of the cultural heritages of ethnic groups in America.

The Senate bill (S.23), entitled "The Ethnic Heritage Studies Centers Act of 1971," and the House bill (H.R. 1499), entitled "The Ethnic Heritage Studies Act of 1971," are nearly identical in language and purpose. Both are important and long overdue pieces of legislation which should cause every American to rejoice.

These bills provide for financial grants in order to enable public and private nonprofit educational agencies and organizations to (1) develop curriculum materials for use in public schools as well as institutions of higher learning for the study of the history, geography, society, economy, literature, art, music, drama, language, and general culture of ethnic minorities; (2) disseminate such curriculum materials for use in academic institutions from the elementary school level to universities; and (3) provide for training of persons in the utilization of such curriculum materials.

The creation of ethnic studies programs, as provided by these bills, will help not only to bring about a greater recognition and understanding of the role of the ethnic minorities in the growth and development of the United States but will also help to preserve for present and future generations the rich cultural heritage and traditions which these groups have brought to this country.

It will help them develop greater pride in their cultural past and will encourage them to maintain those traditions which are consistent with our multi-ethnic American culture. More important, it will help the various minorities to develop better understanding of each other and will as well promote greater tolerance of each other.

In this day and age when our country is being confronted by a mounting internal crisis as a result of the war, racial tensions, conflicting life styles, economic uncertainty, and the rising expectations of the people, the enactment of such legislation will anger well in helping to bring about much

needed understanding and tolerance and to redirect the energies and efforts of minority groups towards lasting constructive ends. If the Congress of the United States enacts this legislation, it will show all groups that it - and the nation - cares.

For Armenian-Americans this means that significant financial assistance will be available to develop greater and better library resources, much needed curriculum materials, and more meaningful and extensive cultural events and activities. These will be valuable and practical ways to augment the efforts of the various cultural and educational organizations within the American-Armenian community to perpetuate and promote Armenian culture and traditions.

The financial grants which will become available will serve to complement and provide needed additional financial support for the various Armenian studies programs which are now in operation at such institutions of higher education as Harvard University, University of California - Los Angeles, Columbia University, Fresno State College, and Wayne State University as well as at other colleges and universities which have or are now introducing courses in Armenian language and history.

Sen. Schweiker and Rep. Pucinski should be congratulated for conceiving and introducing this legislation in Congress. At present hearings are being conducted in both Houses by their respective education committees. The support of many other Senators and Congressmen will be needed to make this comprehensive ethnic studies legislation a reality. In this respect individual Armenians can help by making their sentiments known to their own senatorial and congressional representatives regarding this legislation.

175 Mt. Auburn St.
Cambridge, Mass. 02138

4/17/71

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MEMBERSHIP 50,000

Greek Catholic Union of the U.S.A.

Greko Katoličeskoje Sojedinenije

3528-3530 FORBES AVENUE

PITTSBURGH, PENNSYLVANIA 15213

GEORGE BATYKO, President

Phone: 682-3456

April 19, 1971.

The Honorable Richard S. Schweiker,
United States Senate,
6221 New Senate Office Building,
Washington, D.C., 20510.

Dear Senator Schweiker:

Relative to your memorandum dated April 6, on Ethnic Heritage Studies Centers, I submit to you the following:

As President of the Greek Catholic Union, with a membership of 50,000 throughout the United States, I strongly urge and will support the passage of Senate Bill S. #23, establishing Ethnic Heritage Study Centers.

Ethnic fraternalism has made lasting contributions to the stability and development of American ethnic groups. The Ethnic Hertiage Study Center Bill offers a unique opportunity for fraternals to become involved in a process whereby the entire nation may learn and benefit from sources of history.

At a time of national discord this important legislation will focus emphasis on cultural contributions of all groups, and will hopefully serve to counteract the fragmentation that endangers our nation's existence. I would like to further point, that all ethnic and racial groups must be represented in the Ethnic Studies Centers, since no single group or social class has claim to the title of "Ethnic American."

I further recommend for your consideration that the Greater Allegheny County area be designated as one of these centers, since 17 fraternal organizations are domiciled here and over 77 affiliated fraternal groups have active local

branches. Annual ethnic festivals held in Pittsburgh, McKeesport, Ambridge, McKees Rocks and other smaller surrounding communities attract thousands of people, indicating that ethnic cultural interest exists, and Senate Bill S #23, will provide necessary framework of permanence equipollent to the interest evident in ethnic activities.

I commend you for your vigouous support for Senate Bill S. #23, and we stand ready to support you in this endeavor.

Sincerely yours,

George Batyko,
President.

GB/tk

April 16, 1971

Senator Richard Schweiker
U.S. Senate
Senate Office Building
Washington, D.C.

Dear Senator Schweiker:

We would like to have the following statement included in the forthcoming record of the Senate Hearings on Ethnic Studies Heritage Bill #23.

The revitalization of American ethnic groups is a social fact that needs only the newspaper for confirmation. The existence of cultural and social heterogeniety has characterized American society from the colonial period to the present, only growing much more complex as time has added more ethnic groups. The beginning point for all future research and planning lies in the recognition of ethnic diversity and inquiry into its specification.

Over the past decade, in response to civil rights movement and in recognition of the need to assist Blacks, many primary and secondary schools and universities have established departments of Black Studies. At the University of Pittsburgh a program in Black Studies was established in 1969. Local and national foundations also support such programs. Within the Black Studies curriculum there is considerable emphasis on demonstrating the absolute differentiation between black and white but rarely focusing on ethnic or cultural differences and similarities a) among blacks themselves, b) between blacks and whites and c) among whites. In short Black Studies are not taught comparatively but rely wholly on subjective experience for explanation. It is clear there persists a common misunderstanding of the meaning of race and ethnicity.

Color is not culture. Indeed, it is culture that dictates the meaning of color, yet the two concepts are often equated and the misunderstanding is perpetuated. Only by focusing on culturally engendered similarities and differences and interpretations that follow therefrom can a comparison between all racial and ethnic groups be made.

In recent months educators have come to question the future of Black Studies. One of the problems is the lack of available and qualified persons to instruct Black Studies as well as scholarship in this area. Recently the Ford Foundation has made a series of grants to universities and to students to study Black, Mexican-American, and Puerto Rican groups. Beyond this, there is a large amount of work to be accomplished in training of teachers and in preparing curriculum materials not only for Black Studies but for genuine inter-ethnic exploration.

If programs for Black Studies can be said to be overdone, then studies of European Ethnics can be said to be virtually non-existent.

There are hardly any classes in universities and colleges in the country that focus on the European immigrant dimension of ethnicity. One such class was given by Professor Otto von Mering at the University of Pittsburgh, Winter, 1969, entitled "American National Ethnic Traditions."

Many classes in political science, anthropology and history focus exclusively on foreign cultural areas and neglect the vital link provided by historical immigration movements. It is clear that this "overseas" focus on foreign areas has been stimulated and maintained for a long time by foreign area fellowships. Departments of Sociology, Anthropology, Political Science, Social Psychology are just beginning to awaken to the need for such comparative studies in history and society. However, the existence of new, but centrifugal interest in comparative ethnic studies within universities and colleges results in a politicization of scholarship in departments, between departments, and between universities.

There is a clear need for inter-institutional, inter-departmental and inter-disciplinary cooperation and coordination in order to achieve the desired end of programs in comparative ethnic studies. There is also a need for a central repository for scholars and interested readers to refer for bibliographic assistance. However, the current trend in fragmenting libraries into sections for Black Programs, and for area studies has the effect of scattering resources. This scattering effect is complemented in the fragmentation of scholarship, curricula, and student body along ethnic and racial lines. This situation must be remedied if genuine comparative research is to be accomplished. Finally, the basis for sound public policy cannot lie in one-sided arbitrariness, but can only emerge from the fullest possible understanding of the complexities of modern multi-ethnic life.

The Ethnic Studies Planning Committee, a Pittsburgh based multi-disciplinary and inter-university group of persons trained in various aspects of "Ethnic Science", has been meeting weekly for the past year to plan programs in Ethnic scholarship, education, traineeships and community action. The basis for this planning has been an attempt to understand more deeply the multi-ethnic community in which it is embedded and which it currently serves.

Certain committee members have been involved in a) local ethnic community workshops, b) seminars on ethnicity in American history in both private and parochial schools, c) an inquiry into the nature and function of the role of ethnic fraternalism in health and insurance, d) the role of ethnic leadership in local and the wider communities, e) an inquiry into the persistence and change of ethnic identity, f) a systematic study of "Ethnic folklore" and g) a continuation and expansion of European expressive culture, (music, dance, costuming, etc.).

It is our belief that the greater Allegheny County area would serve as a rich human laboratory for long-term study and involvement by an Ethnic Studies Center located here. Historically, the Allegheny County area is where the east ends and the west begins, the funnel through which all change in America has taken place. It is not much stretching the point to say that a history of "The Point" encapsulates the history of America.

Sincerely,

Ethnic Studies Planning Committee
Pittsburgh, Pennsylvania

Joseph Borkowski
Robert Byington
James Clarke
Richard Crum
Margaret E. Galey
John Hannigan
Robert F. Hill
Nick Jordanoff
J.A. O'Mara
Howard F. Stein
Ralph E. Thayer
Otto von Mering
John Szala

3

UNIVERSITY OF PITTSBURGH

CHANCELLOR OF THE UNIVERSITY

APR 16 10 01 AM '71

April 14, 1971

The Honorable Richard S. Schweiker
United States Senator
Room 4311, Senate Office Building
Washington, D. C. 20515

Dear Senator Schweiker:

Dr. Burkart Holzner, Chairman of the University's Ethnic Studies Committee, has sent me the enclosed letter supporting Senate Bill 23 that you recently introduced providing for a program for the study of cultural heritages of ethnic groups. I endorse the recommendation of the Ethnic Studies Committee, including the suggested amendments.

I hope that you and your colleagues will be successful in the passage of this important legislation. If I can be of any assistance to you in this regard, please let me know.

Best regards.

Sincerely,

Wesley W. Posvar
Chancellor

FACULTY OF ARTS AND SCIENCES
UNIVERSITY OF PITTSBURGH
PITTSBURGH, PENNSYLVANIA 15213

DEPARTMENT OF SOCIOLOGY

March 22, 1971

Chancellor Wesley W. Posvar
107 Cathedral of Learning

Dear Wes:

The Ethnic Studies Committee met and reviewed the language of the Bill introduced by Senator Schweiker on January 25, 1971, entitled S. 23, "To provide a program to improve the opportunity for the study of cultural heritages of all ethnic groups in the Nation." The Committee feels that in every respect this Bill represents considerable progress over the earlier bills introduced both in the Senate and the House and recommends that the University indicate to Senator Schweiker its support.

It further recommends that the language of the Bill be modified to include the necessary emphasis on research required to prepare the basis for curriculum development. To this end, it suggests that line 21 of page 2 after "Each such center will have" the words be inserted "programs of research and" with the text continuing "courses of study related to all ethnic groups represented in the regional area to be served by such center." On page 2 it is suggested that on line 1 be inserted a new paragraph 1, "Establish and maintain archival collections and programs of research as a basis for the development of curriculum materials." The present paragraph 1 then would become paragraph 2, etc.

Otherwise no modifications are desired.

Sincerely,

Burkart Holzner

encl.

THE POLISH INSTITUTE OF ARTS AND SCIENCES IN AMERICA, INC.
POLSKI INSTYTUT NAUKOWY W AMERYCE
59 EAST 66TH STREET, NEW YORK, N.Y. 10021
TEL. YU 8-4338

APR 16 1 05 PM '71

April 14, 1971

The Honorable Richard S.Schweiker
United States Senate
Washington, D.C.20510

Dear Senator Schweiker,

In reply to your Memorandum of April 6, I would like to state the following :

The Ethnic Heritage Centers Bill corresponds to such basic needs in the United States that one may only wonder why its ideas have not been implemented in Federal legislation sometime ago.

In a country which during the last 150 years has absorbed 45 million immigrants from various nations the process of integration must be of fundamental concern to the Administration and Congress.

This is primarily a practical problem, since life alone will decide among the various theories that have been applied to its solution. Obviously a process of assimilation will exist side by side with expressions of national and other individualism for a long time.

Wherein lies the interest of the American community as a whole ?

It has been often too lightly accepted that the United States should look forward to the simplest process of national absorption of the immigrant. This concept overlooks important psychological aspects of the transformation of an immigrant into a valuable citizen. Without elaboration it can be pointed out that a person who easily rejects his background and tradition may easily become a rootless individual, a stranger in his new country, solely interested in the pursuit of material gains and impervious to the higher ideals of citizenship, nowadays often undermined in this period of transition. On the contrary, participation in an ethnic group keeps the same individual to the values of honesty and pride which were demanded of him in the old country.

I do not claim that the above reasoning is true of all ethnic groups in the United States. Undoubtedly, however, it corresponds to the mood of several of them, and most certainly of that of the Polish group, one of the most law-abiding and hard-working and always prepared to give its sons to the defense of the United States.

It is further to the United States' interest to see to it that the various ethnic groups of immigrants do not hold their mutual antagonisms, often brought with them from the old country.

In these two major respects, the level of integrating the individual ethnic groups and their mutual collaboration the Ethnic Heritage Centers may play a role of utmost importance. I give them wholehearted support.

I am unable, upon such brief notice, to express detailed opinions on the functioning of the future Ethnic Heritage Centers. In short it seems necessary that the organization of EHC takes into account the existing ethnic institutions and cultural organizations in this country. In the Polish American sector I would like to mention here: The Polish Institute of Arts and Sciences in America, The Kosciuszko Foundation, Józef Piłsudski Institute in America, The Orchard Lake Schools, Alliance College, the Polish Veterans organizations, The American Council of Polish Cultural Clubs and last but not least The Polish American Congress. This by no means is a complete list.

I mention these Polish organizations only as an example in order to stress that the EHC should not start from scratch so to speak, but supplement the activities of various ethnic organizations, some of them with working libraries, well established publications, large memberships, and engaged in extensive cultural activities.

Most of all I see the coordinating role of EHC :

a) between the various ethnic organizations and the American public at large

b) between the various ethnic groups of different backgrounds.

With reference to a particular item in your excellent speech on the floor of the Senate on January 25, 1971, it would seem that the work of EHC should simultaneously begin on two levels, i.e. the regional level you describe as a starting point, and the national level for those organizations and institutions whose scope already spreads over the entire country.

In my very brief outline I would also like to say that the organization of the EHC should not be rigid but adaptive to the different forms of ethnic sholarly and cultural life presently existing.

Please note attached sheet on the Polish Institutemof Arts and Sciences in America.

encl.

Sincerely yours

Jan Librach

Dr.Jan Librach
Executive Director

THE POLISH INSTITUTE OF ARTS AND SCIENCES IN AMERICA, INC.
POLSKI INSTYTUT NAUKOWY W AMERYCE
59 EAST 66TH STREET, NEW YORK, N.Y. 10021
TEL. YU 8-4339

N o t e.

The Polish Institute of Arts and Sciences in America was founded in 1942 in New York by a group of outstanding Polish scholars, members of the Polish Academy of Sciences. They hoped that after the liberation from Nazi occupation the Institute would become the American station of the Polish Academy of Sciences. Owing to the political events in 1945 this hope was frustrated and the Polish Institute of Arts and Sciences in America became an independent Polish American scholarly organization. It has now nearly 500 members in the United States and 150 in Canada, comprising scholars, educators, researchers, writers and artists.

The purpose of the Institute is to maintain, develop and promote Polish American cultural relations, to spread knowledge of Poland and her culture in the United States and the knowledge of the United States in Poland, and to establish cooperation areas between American and Polish scholars.

To this end the Polish Institute organizes and supports research work pertaining to Poland in this country by offering facilities to scholars, by maintaining a private library and archives, by arranging for regularly held lectures, discussions and conferences. It cooperates with research institutions in Poland by sending them American books and scholarly material.

In 1966, in observance of Poland's Millennium, the Polish Institute convened at Columbia University, New York, the First Congress of Polish American Scholars and Scientists, at which 170 scholars, representing 20 American and Canadian universities, read papers in their special fields. A Second Congress, also to be held at Columbia University in April of 197[illegible] is now being organized by the Institute.

Over the years the Institute published two scholarly quarterlies (The Bulletin 1942-1945) and The Polish Review , now in its sixteenth year, as well as about 35 volumes of books of which the following may be mentioned :

Haiman, Miecislaus, Kościuszko in the American Revolution, 1943.
" " Kosciuszko, Leader and Exile, 1945.
Kosinski, Jerzy, ed. Sociologia amerykańska, wybór prac/American Sociology Selected Studies/, 1962.
Krzyżanowski, Ludwik, ed. Joseph Conrad: Centennial Essays, 1960.
Kucharzewski, Jan, The Origins of Modern Russia, 1948.
Lednicki, Wacław, ed. Adam Mickiewicz in World Literature, 1956.
" " ed. Zygmunt Krasinski: Romantic Universalist, An International Tribute, 1964.
Noyes, George Rapall, ed. Poems by Adam Mickiewicz, 1944.
Register of of Polish American Scholars, Scientists, Writers and Artists 1969, D. Wandycz, Ed.
Wszelaki, Jan, ed. John F. Kennedy and Poland: A Selection of Documents, 1948-1963, 1964.

TAKOMA PARK, MD., *April 17, 1971.*

Re Bill S. 23: Statement by the Federation of American Citizens of German Descent.

Senator RICHARD S. SCHWEIKER,
Senate Office Building, Washington, D.C.

DEAR SENATOR SCHWEIKER: Mr. Robert Brueckner, the President of the Federation of American Citizens of German Descent, has authorized me as Honorary President, to transmit to you the STATEMENT on Bill S. 23, Ethnic Heritage Studies Centers.

Though time prevented submitting the STATEMENT to the full membership for their vote, we can confidently say that it reflects the sentiments of the membership of the FEDERATION.

We hope you will present it at the hearings on April 20.

In addition to the STATEMENT attached to this note we also inclose the formal published "Aims" of the Federation.

We support your Bill S. 23, and hope for its passage.

Respectfully yours,

DR. A. J. APP,
(In behalf of National President Robert Brueckner).

Copy to Mr. Brueckner.

FEDERATION OF AMERICAN CITIZENS OF GERMAN DESCENT SUPPORTS BILL S. 23, "ETHNIC HERITAGE STUDIES"

The Bill for "The Ethnic Heritage Studies Centers Act of 1971" is introduced as intended "To provide a program to improve the opportunity for the study of cultural heritages of all ethnic groups in the Nation." In introducing the bill Senator Schweiker says "that too much faith has been put on the dream of a 'melting pot.' In the process our peoples have lost a sense of identity."

Americans of German Descent have special cause to welcome governmental efforts to promote, as Senator Schweiker put it, "greater study, awareness, and application of ethnic traditions and cultural activities . . ." The traditional "Melting Pot" concept has for some time needed qualification. This concept only works when it is non-coercive, when the dominant majority, in this case the Anglo-Saxon or the fully Americanized one, merely by its efficiency, its moral and cultural eminence, and above all by its Christian tolerance and sympathy, induces in the ethnic minorities general admiration and voluntary imitation—culturally and linguistically.

This uncoercive process for a century or more worked in America more successfully than anywhere else in the world. Then, as Professor Carl Wittke reports, "In 1915 President Wilson began the discussion of 'hyphenism' and made his first attack upon 'hyphenated Americans'" (See *The German-Language Press in America*, 1957, p. 244). Within two years, he reports:

> "German music and literature, German church services, the German language, the activities of all German societies, and everything even remotely associated with a German origin came under the ban of superpatriots . . . the 'Hun' language was banished from the curriculum . . . German books were thrown out of libraries, hidden in cellars and attics, or burned in the public square with patriotic ceremonies." (Ibid, pp. 268–9)

As a consequence of the reproach of "hyphenism" during World War I, "the German element in America "suffered" the most difficult and humiliating experiences, writes Prof. Wittke, which any immigrant group has ever had in the long history of American immigration, with the possible exception of the Japanese-Americans in World War II. Misunderstanding, suspicion, slander, emotional conflict, bewildered readjustment, and tragedy" were visited upon Americans of German descent.

But the reproach of "hyphenism" formally by the Presidency could not remain confined to making only German-Americans feel that they are being considered second-class citizens. It naturally spread first to the ethnic minorities from Austria-Hungary who were associated with Germany in World War I. And then the impetus of logic forced all the other ethnic heritage groups to feel that if those of German descent, who had furnished so many industrial and

cultural and even military leaders to America, were accused of "hyphenism" and inferior Americanism, then they themselves were in no better case!

Therefore, this proposal to establish "Ethnic Heritage Studies Centers" signalizes the government's belated reversal of Wilson's tragic policy of attaching "hyphenated Americans." This is long overdue. Where the spirit of that policy caused German books to be burned and the teaching of German to be prohibited, this Ethnic Heritage Bill is intended to encourage the teaching of this and other foreign languages, and of ethnic histories and cultures. It will develop curricula for ethnic studies, and train teachers, and provide research centers for studying the ethnic heritage of the various components of the mythical American "melting pot."

Therefore, the officers of the Federation of American Citizens of German Descent believe they express the overwhelming sentiment of their membership—and even of the friends of our members—when they emphatically give their affirmative to Senate Bill S. 23, to establish "The Ethnic Heritage Studies Center."

AMERICAN HUNGARIAN FEDERATION
Washington, D.C., April 13, 1971.

Hon. RICHARD SCHWEIKER,
U.S. Senator,
Senate Office Building,

DEAR SENATOR SCHWEIKER: In response to your April 6, 1971 memorandum on the hearings scheduled for April 20, 1971 on your bill, S. 23, the "Ethnic Herfitage Studies Centers Act of 1971" we are enclosing an amended version of our supporting statement for the same bill in the House of Representatives in 1970.

We request that you include this statement into the transcript of the hearings and we are wholeheartedly supporting your efforts to get the bill enacted. If you want me to testify personally I would be willing to do as well.

With best personal regards, we are,

Sincerely yours,

Dr. Z. MICHAEL SZAZ,
Secretary of International Relations.

(Enclosure.)

STATEMENT OF Z. MICHAEL SZAZ, PH. D., SECRETARY OF INTERNATIONAL RELATIONS, AMERICAN HUNGARIAN FEDERATION, WASHINGTON, D.C.

One of our finest historians, Oscal Handlin stated that "Once I thought to write a history of the immigrant in America. Then I discovered that the immigrants were American history."

This quote may serve as the best justification of the goals and methods of S. 23, which I have the pleasure of supporting in the name of the American Hungarian Federation. Our 63-year-old organization is composed of most of the American Hungarian churches, fraternal insurance companies and many of the social, cultural and youth organizations of Americans of Hungarian descent. I was also instructed to support it in the name of other American Hungarian national organizations not officially affiliated with the American Hungarian Federation, like the United States Chapter of the World Federation of Hungarian Freedomfighters, the Federation of Free Hungarian Jurists, the Transylvanian Committee and others who met at the meeting of the Coordinating Committee on January 25, 1970. The American Hungarian Federation and the above-named organizations represent close to 90 per cent of all Americans of Hungarian descent who belong to some church or other organizations of American Hungarian character.

Americans of Hungarian descent number about 700,000 according to the 1960 census. In two states their number exceeds 100,000 (New York: 142,834 and Ohio 100,786) in another two states they approximate the 100,000 line (Pennsylvania 83,417, New Jersey, 82,017). In Middlesex County, New Jersey the 1960 census also showed 13.8 percent of the population to be of Hungarian stock.

The story of the American Hungarian immigrant is not a separate story but a thread woven intricately into an American pattern. From the beginning, whether Kossuth hussars or factory workers, freedomfighters or army heroes, scientists, musicians or scholars, they all have given their particular talents to build a new land which has also become their land.

HUNGARIAN CONTRIBUTION TO AMERICAN SOCIETY

Contributions of Hungarians to American culture and history were manifold, for exceeding the percentage of their numbers to the population as a whole. American Hungarians were loyal and patriotic citizens from the days of the Revolutionary War of 1776 (in which Colonel Michael de Kovats led the cavalry charge in the battle of Charleston), to the Hungarian generals of Lincoln's Union army (through the heroes of the two World Wars to the present Vietnam conflict in which Captain Akos Szekely has become the quintessence of the devotion of duty and love for the nation among American Hungarians.

Science and scholarship constitute other landmarks of American Hungarian achievement. By 1962 an incomplete survey listed 1,682 engineers, 1,172 physicians, 484 university and college professors, 428 lawyers, 188 economists, 110 librarians, and these numbers have increased since. Two American Hungarians are holders of the Nobel Prize, and many of the most prominent atomic scientists in the United States have been and still are American Hungarians including Professor Edward Teller and Eugene Wigner, both of them honorary directors of the American Hungarian Federation.

Hungarian contribution to American musical life has also been significant. Today two of the major philharmonic orchestras (Washington and Philadelphia) are conducted by them (Antal Dorati and Eugene Ormandy) as are three more major city orchestras. One of the best known American violin soloist (Joseph Szigeti) is also of Hungarian descent. The above incomplete survey also lists 34 more composers and 30 conductors among American Hungarians.

There is an alleged story that in the 1920's, the American Hungarian movie producer, Adolph Czukor, had a sign put up in his office: "It is not enough to be Hungarian, you must have talent, too." This reflects the number of American Hungarians involved in creating the Hollywood film industry. Two of the early movie giants, Adolph Czukor and William Fox were of Hungarian origin and even among the stars of recent past and the present we find several American Hungarians like Tony Curtis, Ilona Massey and the Gabor sisters.

The honor list could be continued for many more pages, proving that American Hungarian talent excelled in quality in the course of American cultural history. Their influence on science, scholarship, music and entertainment was substantial and remains so to this day. Yet we should also remember the masses of factory workers and miners who, living often amid squalor and inadequate wages, helped to build Cleveland, Detroit, Buffalo, the New Jersey industrial complexes and Pennsylvania mines, and who, despite deprivation, exploitation and often also derision, remained loyal citizens of their new country.

The paragraphs above sketch only inadequately and incompletely American Hungarian individual achievement in the United States. American Hungarians also developed their own institutions like the two fraternal insurance companies wihch today comprise about 110,000 members and capital assets of over $40 million. They also formed their own Catholic, Protestant and Jewish churches and synagogues which, despite the process of waning bilingualism still continue their religious and cultural work. There are several hundred American Hungarian cultural and social clubs and organizations in every major American city and in the northeast and the mid-west and California. Numerically small, but very articulate groups are also playing an active part in American politics and in keeping the facts of Hungarian life in Hungary also under close scrutiny.

If we summarize the accomplishments of these people and associations, we must also discern with sadness that little money or energy has been expended to research and publish about the American Hungarian cultural heritage and the American public has been given even less opportunity to familiarize itself with the contribution of American Hungarians to our culture.

Scholarly works, except for the Kossuth immigration of the 1850's are practically non-existent, and even journalistic works are rare, except for Professor Emil Lengyel's book (*Americans from Hungary*) and some smaller works of late 1960's vintage (Leslie Könnyü, *Hungarians in America* and Rezsö and Margit Gracza, *The Hungarians in America*). This situation proves both past neglect and a renewed residual interest.

Despite its inclusion under the National Defense Education Act, the Hungarian language is taught as a regular subject only at six universities (Rutgers, SUNY at Buffalo, Western Reserve, UCLA, Indiana and American University). These statistics compare unfavorably with the teaching of other East Central European languages, and ever the extant courses are mostly restricted to language courses, rather than the teaching of literature and culture.

As a result, there is particularly no mention of the American Hungarian even in the existing limited literature on the American immigrant, Professor Wittke's famous text, *We Who Built America* devotes only three of its 521 pages to the American Hungarian. School textbook references on high school and college levels in history, political science and geography often contain erroneous and distorted data about Hungary and its history, especially for the 1867–1945 period.

Only a handful American Hungarian cultural or scholastic foundation are in existence (New Brunswick, New York, Buffalo) and their aggregate assets do not exceed one million dollars, and much of them is in real estate. They cannot, despite their present efforts, even partially fulfill the tasks of Hungarian ethnic research, or even general Hungarian research and publishing, in the United States.

WHY ETHNIC RESEARCH?

In the past, ethnic research in America suffered not only begin neglect, but also was obstructed by the conscious belief on the part of many of the universities, schools and foundations that its promotion would interfere with the national consensus, slow down the Americanization of the immigrant and produce the emergence of unassimilated, culturally pluralistic and politically separatist national minorities. This was to be the negation of the American dream. In 1970, the President of the National Education Association, testified before the subcommittee on Education of the House of Representatives that:

The clannishness of some ethnic groups in some areas has been a detriment to minorities in their communities. We do not believe this is in the interest of the country. Conflicts between ethnic groups have been responsible for some degrading chapters in our Nation's history.

Yet, despite the eloquent presentation, his arguments are no longer valid.

First, the age of large-scale immigration has come to an end with 1924. There are no large blocs of unassimilated immigrants whose presence and attitudes in the 19th century caused the events referred to by the NEA President. Alienation from the mainstream of American culture is not an ethnic group problem in the United States, rather it has become the problem for the youth of the long-established social strata many of whose children are today in the forefront of radical and anarchist movements and proclaim their total alienation from prevailing cultural and socio-economic valuables and patterns.

Second, the American dream in its oversimplified version in which immigrants were supposed to change their language, conform to American customs, Anglicize their names, is not a reality any more, if it ever has been. Cutting off the immigrant from his tradtions and socio-economic value system was never successful, but the first-born American generation usually regarded the unwritten rules of aculturation as valid and usually struck out at the "primitive," "alien" and "reactionary" heritage of his parents, yet it was never able to forget them. This generation was given a feeling of rootlessness which was, however, more discernible in the second-generation American though he had no longer had the language problem or the problem of subtle discrimination. He still lacked, however, the social acceptance and the self-pride which older established layers of the population had already possessed.

Yet an individual must possess a positive self-image and a strong sense of his own worth in order to compete in a free society. To find one's identity, one must go outside of the ego by participating in social groups beginning with the family and ending in the broader cultural community. The search for material improvement can only temporarily overshadow the feeling of rootlessness in these generations and the shallowness of cultural life of some of our better-educated middle-class groups can only be understood against this background beyond the surface of their Americanization.

Therefore, teaching the ethnic heritage and/or researching it, does not produce alienation, but only an even more intensive commitment to American ideals, a deeper recognition of the role played by the immigrant generations and their communities in creating our present culture, a consciousness which seems to be vaning in the children of some of our elite groups.

Third, such presentation in teaching and research cannot create new conflicts between the various ethnic groups. Ignorance is always the mainspring of prejudice and accusations against any particular ethnic group are usually fed by lack of knowledge and understanding. Having a clearer understanding of the role of the various ethnic groups in American history and present-day society will bring them closer together and to the mainstream of American thought and values, assuring them their rightful heritage in a culturally pluralistic American nation.

NEEDS OF AMERICAN HUNGARIAN ETHNIC RESEARCH AND H.R. 14910

In order to promote even the most basic tasks of American Hungarian ethnic research, a concentrated and well-endowed effort is necessary which would unite community initiative, academic personnel and facilities and Federal and academic financial incentives.

The titles in S. 23 use a similar modus operandi. They call for the utilization of research facilities and personnel of the colleges and universities. At the present, there are few, if any, American Hungarian scholars engaged in full-time ethnic research of their community. There are, however, numerous American Hungarian historians, sociologists, linguists, political scientists who, given the financial and academic incentive could produce high-quality work in the field. Without the possibility of funded research or even using their results as bases for college and graduate courses, it is impossible to interest full-time academic personnel in individual ethnic research. It would be relatively easy to expand either the American, Rutgers, or Indiana University programs so that they would embrace the needed sociological, historical and political science courses and also literature and linguistic courses, and to have them promote in-depth studies on the American Hungarian community and the mutual effects of American Hungarian developments and Hungarian traditions and values on the culture, social stratification and political views of the American Hungarian community.

The American Hungarian Federation, and I believe that the other national American Hungarian organizations as well believe that the primary need is for *one* comprehensive university-affiliated Ethnic Heritage Studies Center for the American Hungarian community. If personnel or geographic reasons should make this solution infeasible, *two* centers should be established with a division of labor as far as academic disciplines are concerned. The Federation stands ready to utilize its manpower and personnel resources in helping such centers come into existence, or to help existing programs to be expanded.

As academic research into the American Hungarian community in the fields of history, sociology and linguistics is largely a virgin field, S. 23 points out correctly the need for utilizing the special knowledge of ethnic groups in local communities. For this body of knowledge will be needed for surveying and collating the available source materials. American Hungarian churches, societies and their archives, Hungarian-language newspapers and periodicals, and in some cases even the personal memory of local leadership (oral history projects) must be relied on in order to collect research materials. Journalists, writers, clergymen and local politicians who are already familiar with parts of the material must also be utilized for purposes of preliminary analysis.

While some sociological studies were published, and two bio-bibliographical directories were issued (*Hungarians in America; a biographical directory of professionals of Hungarian origin in the Americas.* New York, 1963 and 1966 editions), research on American Hungarians, their language and culture is still in the initial phase. In the field of linguistics, Elemer Bako's pioneering effort in collecting text samples, dialogs, folksongs and other materials from numerous representatives of the older generation of American Hungarians, offering the first practical and theoretical introductory courses sponsored by the American Hungarian Studies Foundation in New Brunswick, New Jersey, and publishing an outline on the aims and methods of *Hungarian Dialectology in the United States*, opened the gate for further study. But there is also an immediate need for a systematic survey of available library materials, archival collections, both public and private, which constitute the avowed purposes—on the side of a number of professional goals more closely related to librarianship—of the Hungarian Library Association of America, Inc., which has been founded in 1968. This Association is also a member organization of the American Hungarian Federation.

However, no matter how much voluntary personnel is utilized, the American Hungarian community alone is unable to carry on the financial burden of funded research. It needs federal and state funds for this purpose. In order to gain these, there must be a general need for the material thus produced, otherwise they will remain in the same community which is more or less already familiar with the main features of its own structure and development. One of the strong points of S. 23 remains that it does not seek ethnic research for its own sake, or just to satisfy the demands of ethnic groups. It points out rather the need for distributing the product of research and teaching among the American youth (elementary and secondary schools), thus including even the other ethnic communities and informing the general public.

H.R. 14910 AND THE NEED FOR INTER-ETHNIC RESEARCH

The President of NEA in his testimony was correct about his objection that the bill does not seem to sponsor inter-ethnic research. Reading it for the first time, one gains this impression. Both from the viewpoint of scholastic methdology and in some cases, even of the subject matter under study, ethnic research follow similar or even identical roads of analysis and data collection. Therefore, a need for cross-ethnic, or inter-ethnic research exists. There is also a need to know more about the heritage of the various ethnic groups not only for the general public, but also for the members of other ethnic groups which entertain narrow, and sometimes distorted images of themselves and their ethnic neighbors.

The American Hungarian Federation sincerely believes that some of funds under Sec. 905 should be expended for the establishment of centers for inter-ethnic group research in the United States, or for expanding existing institutions like the one at the University of Chicago. It is with satisfaction that I received the assurance of the subcommittee chairman that nothing in the language of the bill would preclude the use of funds under the bill for such purposes, but perhaps some clarification of the text of the bill in this regard would be helpful.

ETHNIC RESEARCH AND HUNGARY AND THE AMERICAN HUNGARIAN COMMUNITY

The American Hungarian Federation and the other national American Hungarian organizations call the attention of the Subcommittee to the considerable efforts which are made by the Budapest Communist government in order to collate and publish material on the American Hungarian community.

Publication of a history of the American Hungarian community is planned for next year by the Budapest Government's historians in accordance with Marxist-Leninist principles and proving "exploitation," "second-class citizenship" and the inequities of the "capitalist" system. If we would like to avoid that this coming work become the most complete presentation on the subject be made by Communist writers and that their work should become the standard work distributed among the American Hungarian community also promoting Communist infiltration among them there is need for competent research in the short-run on the American Hungarian heritage and its publication in accessible style and form.

The reverse side of the coin is that ethnic research could also be used as a proof of our interest in the American ethnic communities toward the countries of their origin. This is especially valid toward East Central Europe as the Voice of America and Radio Free Europe still report in part about the activities of our East Central European ethnic groups. The results of in-depth research would also constitute good cultural diplomacy showing these peoples that we appreciate their culture and have not forgotten their contribution to American life.

In conclusion, let me quote Walt Whitman's definition of America: "Not merely a nation, but a teeming nation of nations" and express our opinion that the passage of S. 23 would substantially contribute to the restoration of an equilibrium in the United States by helping our national consensus be based upon cultural and sociological realities rather than unattainable desiderata.

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THE PENNSYLVANIA STATE UNIVERSITY
N-438 BURROWES BUILDING
UNIVERSITY PARK, PENNSYLVANIA 16802

APR 12 9 41 AM '71

Department of Slavic Languages

April 6, 1971

Area Code 814
865-1352

The Hon. Richard S. Schweiker
U. S. Senator
4317 Senate Office Building
Washington, D. C. 20510

Dear Senator Schweiker:

We, the undersigned members of the faculty and staff of the Department of Slavic Languages, wholeheartedly support the bill which you introduced in the Senate on January 25, 1971, and whose intent is to provide a program to improve the opportunity for the study of all ethnic groups in the Nation.

We strongly believe, as you do, that in a multi-ethnic society such as ours a greater understanding of the contributions of one's own heritage and those of one's fellow citizens can in turn contribute to a greater national and social harmony and understanding. Therefore, we welcome the assistance which your bill would provide by affording all elementary and secondary school students, as well as our growing college population, an opportunity to learn about the nature of their own cultural heritage and to study the contributions of the ethnic groups to the cultural heritage of this Nation.

We hope that this "Ethnic Heritage Studies Centers Act of 1971", through your and your Colleagues' efforts, will be soon reported out of the Committee on Labor and Public Welfare and brought to a vote in the Senate.

Sincerely yours,

Lyman C. Bishop
Richard P. Martin
Walter F. Kolonosky
James J. Gebhard
Joseph Peterson
Louis T. Kostic
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ELMER CHARLES
NATIONAL PRESIDENT

April 16, 1971

Honorable Richard S. Schweiker
United States Senate
6221 New Senate Office Building
Washington, D. C. 20510

Dear Senator Schweiker:

As I have previously on several occasions indicated interest in your program and for which I have pledged my support, I now submit this letter which you may use in the forthcoming hearings on Bill S.23, The "Ethnic Heritage Sudies Centers Act of 1971". I regret that because of previous commitments I cannot appear in person.

I can certainly agree with you that with the great strides and changes that have been made in the Civil Rights Movement, the concept of an Ethnic Center certainly is in order. While the history of different nationalities' arrival in our country varies, each group has contributed much, perhaps first in labor then in culture and today in Science. This I know from the people of my organization who are mostly of the Hungarian Ethnic background and I am sure their children, grandchildren and great grandchildren will want to be just as proud and will want it to be known and studied and preserved for centuries to come.

Our Association, I am proud to again state, is of Hungarian background and is a fraternal benefit association, celebrating its 85th Anniversary this year. The Association, through consolidation with other Hungarian background societies today is comprised of some 80,000 members with close to $35,000,000.00 of assets. Just fifteen years ago we changed our name from Verhovay and adopted the name of the father of our great State of Pennsylvania, William Penn, and recognizing our responsibility to our second, third and fourth generation, are proud of that name.

The Association's philosophy is:

"Providing fine life insurance at lowest possible cost consistent with safety is a tradition William Penn Fraternal Association has developed since 1886. Over these years, a philosophy of service and policyowner protection has made William Penn Fraternal Association one of the fastest growing and most highly regarded fraternal associations in the United States today".

Besides that, every year we support a National Bowling Tournament, a national Christmas Party for our children and just last year established the William Penn Fraternal Association Scholarship Fund to help to support an educational program. We have several social homes throughout the country and are proud that during the Second World War and Korean War, while all of our life policies contained the War Clause we paid all claims in full. We actively support our Local, State and Federal Civic Programs and churches of all denominations.

Hoping that this very important Bill receives tremendous support and I pray that you will succeed in this tremendous undertaking, I again promise my support.

Sincerely and Fraternally yours,

Elmer Charles

Elmer Charles
National President

EC:gml

Slovak League of America

A CULTURAL AND CIVIC FEDERATION OF SLOVAK AMERICANS
ORGANIZED IN 1907 AT CLEVELAND, OHIO

APR 19 2 11 PM '71

EDWARD J. BEHUNCIK, President
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Stratford, Conn. 06497

DR. JOSEPH PAUČO, Secretary
313 Ridge Avenue
Middletown, Pa. 17057

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Wisconsin: Bernardine Wandke

April 14, 1971

Re: Ethnic Heritage Studies Centers Act of 1971

The Slovak League of America, a civic and cultural federation of Slovak-American organizations, representing over 420,000 members and publications with 165,000 subscribers, fully supports Bill S. 23, because --

1. We are convinced that the Ethnic Heritage Studies Centers will aid in creating an interest and familiarity among the various nationalities in the United States and this will in turn create a recognition of the cultural, economic and social growth of these groups as one entity regardless of religion, race or political persuasion.

2. The Ethnic Heritage Studies Centers will help to research the past and present historical role of all nationalities and their severance from their mother country.

3. The Ethnic Heritage Studies Centers will be a bridge between the nationalities and their mother countries, and thus America will weld a lasting friendship with these countries that have given such a vast number of its people who are now our citizens.

4. The Ethnic Heritage Studies Centers should serve as depositors to the cultural treasury of the United

Slovak League of America

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Illinois: Anna Elahusiak
Wisconsin: Bernardine Wandke

States, because in the fields of science, arts, literature and folklore the countries of origin will be drawn closer to each other and America will have the opportunity to select the best, for example, in literature and technology.

5. The Slovak League of America has a special reason to support the Ethnic Heritage Studies Centers, because --

a. America, through the medium of its citizens of Slovak descent, gave the Slovak nation a political program and philosophy for several decades with the famous Pittsburgh Pact of 1918. The spirit of the Pact was to guarantee and effect the principals of autonomous rights for Slovakia

b. Over one-third of the Slovak people migrated to the United States to find a new home. For the past 90 years Slovakia received financial and moral support from those who imigrated to these shores. The pure democratic philosophy brought to Slovakia by visitors of Slovak descent from this country, or those who returned to stay, continues to have enduring effect.

Joseph Paučo, Ph.D., Secretary
Slovak League of America

AMERICAN LATVIAN ASSOCIATION
in the United States, Inc.
SUITE 913 - SHOREHAM BUILDING • 806 15TH STREET, N.W.
WASHINGTON, D. C. 20005
TEL. DISTRICT 7-8064

April 20, 1971

The Honorable Richard S. Schweiker
Room 6221, New Senate Building
1st St. and C Streets, N.E.
Washington, D.C. 20510

Dear Senator Schweiker:

In response to your memorandum of April 6, 1971, we transmit a statement expressing the views of Dr. Joseph Lelis, Professor of Linguistics at Howard University, Washington, D.C. His views coincide with those of the American Latvian Association in the United States, an organization representing Americans of Latvian origin living in the United States.

The goals and membership of the American Latvian Association is described in the attached pamphlet.

We appreciate your interest in and sponsorship of ethnic heritage studies.

Sincerely yours,

Bruno Albats
Secretary General

April 20, 1071

The Honorable Richard S. Schweiker
Room 6221, New Senate Building
1st and C Streets N.E.
Washington, D.C. 20510

Dear Senator Schweiker:

In addition to the common benefits that this bill enumerates and would ensure, the enactment of such bill could fill two other national needs:

1. It would create and maintain a "home-grown" minor languages pool of experts within the United States.

2. It would encourage a development of a completely American-orientated viewpoint for looking at cultural, political, and other features among the small nations of the world.

Small nations and ethnic groups constitute the majority of world population. Even where their voices are stiffled, their overlords listen to them. By the same token, to find out what is going on, for example, in the Soviet Union, one needs to ~~mx~~ watch not only Moscow, but also Riga, Tbilisi, and other places.

The United states has global interests. It needs experts not just for the languages of the populous nations. To have such experts, it often trains people with no preparatory background. That entails great expenditures of time and money.

At the same time the best material for developing such expertise goes to waste unnoticed. These are the immigrants' children, the second or third generation Americans from various ethnic backgrounds representing practically the whole world. Usually they have spoken their parents' or grandparents native tongue in their childhood, but later have lost their knowledge of it due to the fact that a small ethnic group is weaker to withstand assimilation pressures and lacks financial

resources to develop and maintain on its own the needed teaching materials and institutions for preservation of their heritage.

A descendant of speakers of a well-known language may have a chance to brush up his childhood knowledge of it even in his local high school, but for the youth of a less common linguistic background there are no outside resources or inducement to study his ancestral language.

The United States has made no efforts for the preservation of the languages of its smaller ethnic groups that immigration brings to its shores. Hence, the proficiency in the inherited language dies out in the second or third generation. Thus a valuable national resource becomes repeatedly wasted. When a need arises, trained experts are not readily available, and to train such requires more expenditures that it would have cost, perhaps more, than to establish an ethnic study center on a permanent basis.

Under the provisions of this bill, a native American pool of experts in various languages of the world could be established and maintained efficiently.

Such study centers would help to develop a national viewpoint concerning smaller nations, a viewpoint that would be well informed and America-orientated.

Despite the heterogenous origins of this country, the general attitude concerning good citizenship has been molded by the 19th century European nationalism. It really tolerates only nonessential ethnic distinctions (different foods, perhaps even garbs), but it actually discourages the maintenance of the ancestral language -- and with the loss of original language all other essential aspects of a cultural heritage are also lost.

If an individual or a small ethnic group is nevertheless motivated still to maintain its original heritage, practically everything concerning it must be imported from the ancestral country. This creates an ambiguous situation for the importers, a cultural and psychological dependence and perhaps even an involvement in the controversies of the old country.

The passage of this bill would encourage more qualitative cultural developments among the ethnic groups within the U. S. The ethnic groups would be helped to retain the best of their original heritage and given resources to adapt it to and fit it in the mainstream of the nation. Dependence on another country would be minimized or removed.

The end result would be a large number of citizenry in practically every community who would have an intimate and thorough knowledge of cultural and other aspects of another country with no emotional dependence ties involved. The benefits would be reciprocal and manyfold for all.

To illustrate the main ideas, I should like to refer to my personal observations. For several years I have been teaching summer courses xx in the Latvian language and literature at Western Michigan University (Kalamazoo, Mich.). To this program flock youths of Latvian ancestry from the whole U. S. and Canada.

Among these young people there is a strong interest to know more about and to retain the best of their Latvian heritage and cultural identity.

At the same time they consider themselves Americans or Canadians.

From the staff of this program they expect an attitude that would satisfy both of these requirements — acquaintance with their parents' language and cultural heritage, and a presentation of all this from a viewpoint that is not colored by the ideologies and biases that were or are prevalent in Latvia. They want to develop and have their own opinion.

We are trying to accomodate them, but we lack financial resources that would enable us to prepare materials for our weekend Latvian language courses for children; we lack resources for textbooks and other things that we could use. However, we are making various efforts, and they are not going to be abandoned, but with a little aid we could do more. The enactment of this bill would solve a great many of our problems.

Sincerely,

Joseph Lelis

LELIS
9603-49th PLACE
COLLEGE PARK, MD. 20740

AFL-CIO STATEMENT ON

ETHNIC HERITAGE STUDIES CENTERS ACT

S. 23

The AFL-CIO is pleased to express its support for S. 23, the Ethnic Heritage Studies Centers Act.

For generations, textbooks and other curriculum materials were preoccupied with middle-class, white America. American history was written as the story of the white man in America, predominately the story of the Anglo-Saxon Protestant white man, with occasional reference to the French and Spanish explorers, passing mention of European immigration in the 19th century, and condescending, brief accounts of the slaves.

Largely as a result of efforts by civil rights groups, considerable steps have been taken to change this curriculum image of America by introducing, as a corrective measure, textbooks, courses, and teaching materials dealing with black history and black culture. The result, unfortunately, still remains a distorted picture of the American nation. This nation has been a vital amalgam of the cultures of a multitude of ethnic groups. No one is in a better position to know this than the American labor movement which includes in its ranks workers who have descended from virtually every ethnic background in the world. The labor solidarity which we have achieved has been welded from the greatest conceivable diversity.

The melding of diverse ethnic cultures into a single nation is in fact the central story of America and it is a story in which the labor movement has played a major role.

We, therefore, welcome the Ethnic Heritage Studies Centers Act which has been introduced by Senator Schweiker. It would help to bring into focus one of the most important, but most educationally neglected aspects of American Life.

We note that there are several differences between S. 23 and the similar bill introduced in the House, HR 1499.

The House bill is presented as an amendment to the Elementary and Secondary Education Act whereas the Senate version is presented as an amendment to the Higher Education Act. Since the proposed ethnic study centers will presumably be located in colleges and universities, we are inclined to think the Senate approach makes better sense.

More important, the language of the House bill encourages the establishment of ethnic studies centers each of which would specialize in the study of a single ethnic group. The Senate bill has language which more clearly requires the centers to be multi-ethnic in their concerns. We very much prefer the Senate approach. One of the main functions of the centers would be to provide teacher training. We, therefore, feel that each center should be designed to help put the separate parts together into a coherent whole, rather than to focus exclusively on a single part of America's ethnic heritage.

Finally, in expressing our support for the Ethnic Heritage Studies Centers Act, we want to emphasize our commitment to the full funding of existing federal programs in education. Money appropriated under the Ethnic Heritage Studies Centers Act must be new federal funds. It would be unworthy of the purposes of the bill if it were to be supported with funds whittled away from existing federal programs. We, therefore, express our support for this bill urging in turn that others who support it pledge themselves to work for full funding of all of the education programs which Congress has enacted.

STATEMENT BY DR. LEV E. DOBRIANSKY OF
GEORGETOWN UNIVERSITY, PRESIDENT, UKRAINIAN
CONGRESS COMMITTEE OF AMERICA, SUPPORTING
S. RES. 23

Mr. Chairman, I'm delighted to submit this brief statement and the accompanying analytical article "Cosmopolitan Americanism Via Ethnic Heritage Studies Centers" in full support of Senator Schweiker's Ethnic Heritage Studies Centers bill, S. Res. 23. The Ukrainian Congress Committee of America, which it is my privilege to head in representation of the sentiments and convictions of 2 1/2 million Americans of Ukrainian ancestry, has voted unanimously in favor of the passage of this vital measure.

Last year, extensive testimonies and statements were submitted in hearings on a counterpart measure in the House of Representatives. Problems concerning the objectives, implementation, facilities, operation and financing of the proposed heritage studies centers were raised and discussed at length. Following a meeting with the basic sponsor of that measure, it devolved upon me to undertake an analysis of the treatment of these problems as covered by the hearings. In as compressed a manner as possible, the analysis was put in article form and was subsequently published in the spring 1971 issue of The Ukrainian Quarterly, under the title "Cosmopolitan Americanism Via Ethnic Heritage Studies Centers."

Our views on these problems are clearly set forth in the systematic progression of thought contained in this analytical article. They range from objectives to financing, and concrete proposals are advanced on the basis of the critical examination made of all the testimonies and statements that were published as part of the House hearings on the counterpart measure. To avoid unnecessary repetition and duplication, I attach the article herewith as the substantial part of my statement in favor of S. Res. 23, and also strongly recommend that your hearings on this bill be extended in order to examine in depth the guidelines and concrete proposals that in summary form are offered in the remainder of this statement.

- Cosmopolitan Americanism Via Ethnic Heritage Studies Centers -

The Ukrainian Quarterly

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COSMOPOLITAN AMERICANISM VIA ETHNIC HERITAGE STUDIES CENTERS

By LEV E. DOBRIANSKY

In the 91st Congress of the United States a couple of multi-sponsored bills were submitted, calling for the establishment of ethnic heritage studies centers throughout the country. One was H.R. 14910, offered by Congressman Roman C. Pucinski and thirteen other Representatives, including the Honorable Edward J. Derwinski of Illinois. The other, S. 3807, was an exact copy of the House bill which Senator Smith of Illinois advanced in the Senate, with the support of Senator Richard Schweiker of Pennsylvania and others. The bills were referred to the respective committees in the two chambers, to the Committee on Education and Labor in the House and the Committee on Labor and Public Welfare in the Senate. Hearings were held on the House bill, but none were conducted on the Senate one.[1] In both cases, the lagging 91st failed to act for passage of these measures.

At this writing, plans are under way for the reintroduction of these bills in the 92nd Congress. It is expected that Congressman Pucinski and his cosponsors will again assume the lead in the House. With the defeat of Senator Smith in the last Congressional elections, it is likely that Senator Schweiker will take the lead in the Senate. Because of the long-term value and vital importance of the bill, it is hoped by many observers that the need for any additional hearings on the bill be expeditiously satisfied so that the subcommittees may adequately consider the measure and report it for full committee consideration. The sooner this is done, the sooner the bill can be reported out for a House vote. In the Senate, where no hearings on the bill were held in the 91st Congress, it would be reinforcing to the anticipated process in the House to have such hearings conducted in the other chamber. A concerted effort should be made in both chambers right from the start of the 92nd Congress.

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[1] *Ethnic Heritage Studies Center,* Hearings, Committee on Education and Labor, U.S.G.P.O., Washington, 1970, pp. 363.

On the basis of the hearings that have been held so far in the House, there is no need whatsoever to alter the main thrust and objective of this far-seeing bill. Its consummate end is to provide a program for improving the opportunity of students in elementary and secondary schools to study the cultural heritages of the major ethnic groups in our Nation. The funding of the program would be $10 million in the first year, doubled to $20 million in the second year.

Subsequent funding would depend on the results of the program's execution. A corrollary objective of the bill is to produce educationally a general awareness of the multi-ethnic composition of American society and the respective contributions made to the rich diversity of this unprecedented socio-economic organism in the history of mankind. In short, it is purposed to advance and intensify the unity-in-diversity being of the American social organism and, to all intent, to develop the special pride each and every one of us should share in being an American regardless of ethnic background.

THE UNIQUENESS OF AMERICA

The hearings before the General Subcommittee on Education in the House make for highly productive reading and understanding of the subject. Much of the data brought out by them is instructive and substantially supportive. Throughout the testimonies constant references are knowledgeably made to the major ethnic groups in our country, such as the Italians, Irish, Jews, Poles, Germans, Ukrainians, Chinese, Japanese, Negro and others. Along with these references, there are numerous problems that are properly raised. For example, concerning the problem of resource allocation, one witness states, "there are a considerable number of Hungarians in New Jersey, Ohio, and in certain other places. The Ukrainians have a number of different locations and so on. It seems to be that a regional center in Cleveland ought to reflect the spectrum of ethnic groups within the Cleveland metropolitan area." [2] His pitch is for centers of a neutral character, but it can be logically held that if the preparation of materials for primary and secondary school consumption is the prime objective, this kind of locationalizing is really unnecessary. What is necessary is the concentration of expertise.

Another witness, concerned with the problem of inclusion, observes that in his area, New York City, "we have a substantially large Greek community and a substantial Ukrainian group, et cetera.

[2] *Ibid.* p. 91.

Even if we were to get an ethnic study center, we would have to make some decisions as to which one we would include or not, otherwise the money that is available and the resources that you can mobilize make your efforts so very thin that they are not meaningful." [3] In essence, this, too, refers to the fundamental problem of resource allocation. The legislation is specifically directed at "the major ethnic groups in the nation," but the question is where does one draw the line between the major and minor ones? A witness, representing several organizations in Illinois, in effect raises this point: "And I say the majority ethnic groups, like the Poles and Lithuanians, Ukrainians, they may get some answer to it. But what will happen to the others, Croatians and Bulgarians, Estonians and Latvians and Byelorussians, and all of those, and they are adamant about their demands?" [4]

What is the answer? Among the many elements and factors supporting the uniqueness of America is the public forum to air out and discuss thoroughly problems and issues of this and like nature. If, as President John F. Kennedy put it, America is "a nation of immigrants," then we are all ethnics, and logically the base of the studies centers should be all-embracing, all-encompassing. And if conceptually this is so, doesn't the whole venture become prohibitive in cost, time and resources? Moreover, what of the "melting pot," the assimilation idea in all this? This long-standing idea emerges in testimony after testimony in the House hearings, and from the negative point of view, it isn't always treated cogently and with perspective. Furthermore, would a concentration on differences and contrasts, as the proposed program necessarily entails, intensify them to the disservice of national union and integrality? These and cognate questions must first be adequately resolved before the relatively lesser problems of resource allocation, location and so forth need be considered. In point of fact, the solution of the latter is to the largest extent predicated on the resolution of the former.

One testimony in the House hearings provides several excellent quotations that seem to answer in eloquent form the critical questions raised above.[5] For example, in 1782, Michel de Crevecoeur dubbed the American the "new Adam," and in his *Letters From An American Farmer* wrote "Here, individuals of all nations are melted into a new race of men, whose labors and posterity will one day cause great

[3] *Ibid.* p. 109.
[4] *Ibid.* p. 293.
[5] *Ibid.* p. 154.

changes in the world." In 1908, a Jewish immigrant by the name of Israel Zangwill put it this way: "America is God's Crucible, the great Melting Pot where all races of Europe are merging and reforming... Germans and Frenchmen, Irishmen and Englishmen, Jews and Russians — into the Crucible with you all! God is making the American!" With a different emphasis, Archibald MacLeish said, "America is a symbol of union because it is also a symbol of differences, and it will endure not because its deserts and seacoasts and forests and bayous and dead volcanoes are one mind, but because they are of several minds and are nevertheless together. . ." One can find similar expressions in the writings and observations of Jacques Maritain, Justice Oliver Wendell Holmes, Calvin Coolidge and others.

If reasonable acceptance can be given to the substance of thought in these and similar quotations, then it can be held that the goals and objectives of this Ethnic Heritage Studies Centers bill are thoroughly consistent with the historical basis and the significant nature of our national entity. In maintaining this we have not, of course, resolved the specific problems posed earlier. However, their resolution becomes easier once we establish a satisfactory and realistic concept of America. Without such a concept, rational answers to the pending questions cannot be offered. It is maintained further that the provisions of the measure and their systematic implementation would result in a formidable instrument capable of intensifying the qualitative growth and cultural richness of our nation-state. As the measure's statement of policy emphasizes, a deeper understanding of one's heritage and those of others cannot but contribute to our national cohesion and more harmonious and prosperous, overall development.

What is oftentimes overlooked in such discussion is the fundamental uniqueness of our Nation in the history of the world and the basic need for preserving and cultivating this unprecedented character, which by intent, content and portent this legislation would reinforce. Neither romanticism nor any form of superpatriotism need be invoked to recognize philosophically that on the basis of both historical and political evidence no nation in the history of mankind possessed or possesses the nature and character of our Nation. Historically, from the very beginning and drawn into the very body and soul of America have been people from ever corner of the globe, from every race, and from all major religions. Characterized by one of America's outstanding columnists as an historic document, the Captive Nations Week Resolution (Public Law 86-90) begins

with this very essential truth: "Whereas the greatness of the United States is in large part attributable to its having been able, through the democratic process, to achieve a harmonious national unity of its people, even though they stem from the most diverse of racial, religious and ethnic background..." [6]

Politically, and also in sharp contrast to other nation-states of the world, human diversity in developmental unity has been and continues to be another unique characteristic of America. Multi-ethnicity at work in national union has been and is the ever-expanding reservoir of resourcefulness, innovation and challenge in this grand and tremendous historical experiment called the United States of America. This Nation suffered a costly Civil War over 100 years ago, but survived it to become in the next century the most powerful politico-economic entity in the history of mankind. Its salient character of unity-in-diversity is now being tested again by hostile external forces, and the paramount question of our times is whether we can survive this divide-and-conquer operation while America peaceably pursues its Manifest Destiny in technologic progress, economic investment, and constructive creativity both at home and abroad. Then, to parallel, as many do, the USSR and its numerous nations with the U.S. in this unity-in-diversity respect well indicates more than one mark of professed ignorance regarding the nature, composition and development of the empire-state.[7]

With a measure of sober reflection, the ramifications of thought flowing from these fundamental truths cannot but impress themselves on anyone who begins to think in terms of a cosmopolitan Americanism adaptable and fitted to the needs and demands of our global position. It would be foolish to overemphasize the domestic to the exclusion of the international, or the latter to the neglect of the former. The two are intrinsically interrelated, and this fact reinforces further our chief thesis on cosmopolitan Americanism which rests on the two basic truths adumbrated above.

In this framework of understanding, then, the essence of the EHSC bill really extends beyond the passive attainment of understanding ourselves and each other to tap and regenerate the very springs of our national origin, growth and destiny. Clearly, in the global context today, it is surely not a species of putative reasoning to maintain that by its unique nature and all that this implies in

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[6] Lev E. Dobriansky, *The Vulnerable Russians*, New York, 1967, p. 36.

[7] On this, see Lev E. Dobriansky, *U.S.A. and the Soviet Myth*, Devin-Adair, New York, 1971.

terms of human progress and civilization, the presence and consummate power of America are integral parts of God's design for the future of mankind. Zangwill's Crucible and "God is making the American" make far more realistic sense with the foremost empirics at hand — almost all races and peoples, diverse cultural heritages, most powerful nation, decisive bastion of world freedom, manifest technico-economic destiny, societal pluralism, domestic-international balance, and historic experiment — than any so-called naturalistic or humanistic explanation. Whether by faith, reason and will we shall accomplish the demands of this prominent design is actually the titanic test and challenge we today face. The directions paved by EHSC undoubtedly will enable us to meet this challenge more adequately and more successfully.

THE ANSWERS OF COSMOPOLITAN AMERICANISM

Before positive action can be taken on the EHSC bill, the outstanding questions regarding the feasibility of the undertaking must be adequately answered. After having examined carefully the volume of hearings testimony on the subject, one still is left somewhat uneasy about the justification offered in behalf of EHSC. For example, one can easily take to task the bland statement that "the 'melting pot' theory of Herbert St. Jean de Crevecoeur and Israel Zangwill has not worked and today we find that a variety of ethnic and racial groups have combined to form the mosaic of the American social fabric, living in relative peace on the same turf." [8] Isn't a mosaic possible within any organic whole, and what happened to the concept of nation? Crevecoeur's and Zangwill's conceptions do not constitute a theory; they are organic views of an evolving process where successive cultural mosaics are not only possible but also desirable for the unique development of this national, moral organism. Customs and even languages perpetuated in some ethnic communities in the United States have, from one viewpoint, become outdated by the changes sweeping so-called counterpart homelands, and yet they render cultural beauty and richness in an environment that is far advanced educationally, technologically, economically and politically than the given counterpart.

So, then, in what is a far more complex subject than what appears on the surface, answers of a cosmopolitan Americanism can be given to questions such as "Won't a program of this nature prevent ideal assimilation?"; "Wouldn't such a concentration on differ-

[8] *Ethnic Heritage Studies Centers*, Hearings, p. 252.

ences produce disunifying forces, in some instances even to the point of questioned loyalty?"; "If we are all ethnics, shouldn't all be included in the program?"; "How, indeed, is the allocation of resources to be executed?" From the evidence these appear to be the dominant questions raised by some who doubt the wisdom of the proposed EHSC program.

In the broadest perspective, the emergence of the United States these past few decades from a protected stance of splendid isolation to one of necessary worldwide involvement has laid the groundwork for a cosmopolitan Americanism. This new outlook and national bent engender a growing appreciation of cultural differentiation, the need for multi-national exchange and concourse, an awareness of an evolving world community and values of change, relative peace, constructive evolution, and universal bonds. Posited in this expansive reality, the so-called ideal of assimilation becomes an elusive and vague expression, the "melting pot" process shifts more and more on a global scale, and the impact of external forces and influences on American being and existence becomes greater than ever. The assimilative process is inescapable in any changing environment, but the fundamental question is what are we assimilating to? A cosmopolitan American cannot but continually assimilate himself to the progressive realization of the principles of freedom, opportunity and challenge that have made this unique Nation what it is and also to the creative building of a world order and a free community of nations. The unity-in-diversity sought in the latter actually necessitates a resourceful unity-in-diversity in the American environment. And this is the very key to the problem here.

Logically, then, the EHSC program would not impede assimilation, difficult as that is. On the contrary, it would accelerate it in the realistic sense described above, furnishing new energies within for bountiful expression without, especially in the advancement of the numerous freedoms that have always constituted the unfolding "American dream." Likewise, and quite rationally, too, a methodical and selective concentration on differences within would intensify, rather than weaken, unifying forces within, as well as without. In addition, true as it is that America is a nation of immigrants, that by whatever point of generative remotion we are all ethnics, the fact is that by one circumstance or another, some Americans have conserved their ethnical legacies, as manifested in customs, language, community efforts, religion and so forth, providing cultural strains in the ever-evolving cultural embodiment of America and emphasizing America's intrinsic affinity to different parts of the world. It is no

accident, for instance, that the prominent listing of these groups spontaneously appears in the volume of House hearings inasmuch as their response to the EHSC bill was well nigh instantaneous.

The problem of resource allocation shouldn't be an insurmountable one if certain dominant criteria are borne in mind. These are: (1) the size of the ethnic group (2) the books and materials already available on a particular group (3) existing facilities in a group for ready implementation of the program and (4) the contributory worth of knowledge to Americans in general as concerns our foreign relationships and global tasks. These criteria can scarcely be equally weighted, and no logical priority can be imputed to the given order of criteria. For example, if a particular ethnic group is quantitatively large, this would not necessarily warrant a proportionate allocation if (2) and (3) are substantial and (4) is relatively moderate. Certainly, to begin with, a collective, university project of textbook and materials preparation should be undertaken to cover all possible ethnic groups in America, their size, communities, activities, and contributions. In the 50's, an attempt along these lines was made at Georgetown University with the foundation of the Institute of Ethnic Studies, but it was a generation ahead of its time and little public interest produced scant funding.

MEDIA FOR BASIC PROPAGATION

Above this fundamental requirement for an overall textbook, fair application of the given criteria would have to be reasonably flexible so as to maximize the output of results and performance, not to say the maximum justification for the tax-supported program. A few aspects of this problem will be described suggestively here as we conclude on the media for basic propagation and the problem of location.

Regardless of the sources preparing ethnical materials, the media for basic propagation are the elementary and secondary schools. As the writer stressed in his own testimony on the bill, "It is unnecessary to dwell on any psychology or philosophy of education in order to emphasize the primacy and crucial importance of one's early education in the formative years." [9] Since the beginning of man's history this truth has been affirmed and reaffirmed. Hebrew scribes, Chinese sages, Greek philosophers, Jesuit fathers and Red totalitarians have underwritten the basicity of this truth. Most appropriately and wise-

[9] *Ibid.* p. 320.

ly, the measure on EHSC is designed to improve and assist elementary or primary and secondary school education in connection with the multiple heritages in our evolving society.

As any educator would attest, lack of such knowledge concerning fellow citizens, their respective backgrounds, their traits and aspirations inevitably leads to misunderstandings, prejudices and biases that take their costly toll on society. Also, mistaken and fallacious preconceptions woven into maturing minds during these early years invariably remain with the students on higher levels of education in later years. Not only do they serve to perpetuate myths and early contrived misconceptions but also the millions who form our citizenry and conclude their formal education with high school. Despite the irresistible, normalizing forces of science, technology, and economic development, there has never been, nor cannot there be, any homogeneity in America, not to speak of other states in the world. The vigorous pluralism of the American environment is a tremendous and necessary asset to be preserved and deepened, and the first appreciation of it should come formally on the primary and secondary levels of our educational system.

When, in this framework of analysis, criterion four is applied, relating all this to the essential security of our Nation, an appalling fact is discovered. As the writer further maintained in his testimony, "Ironically enough, perhaps no subject has been mangled and distorted more by perpetuated myths and misconceptions than that of the Soviet Union, its multinational composition and so forth."[10] Or, as pointed out in a quote from another testimony, "Finally, it must be pointed out that there exists a certain abnormality in our universities which are engaging in the research and teaching of East European history. One may wonder about the training of our future scholars who are denied the start of the history of non-Russian nations even in our largest universities and research centers."[11] Although pluralistic America consists of heritages that in living form signify the contrary, children mistaught that the USSR is "Russia," continue to harbor this myth and all that flows from it for the rest of their lives.

In light of all this, there is little cause for wonderment that even college students today evince an ignorance as to nations such as Estonia, Latvia and Lithuania, despite their independent existence between the two world wars. The dark blemish on America's record and honor in the recent case of the Lithuanian sailor is another start-

[10] *Ibid.* p. 320.
[11] *Ibid.* p. 232.

ling case in point. As Congressman Daniel J. Flood stated in the House, "when the news broke out concerning the repatriation of the Lithuanian sailor, Simas Kudirka, to Soviet Russian enslavement, in total astonishment and with a sense of outrage every friend of the captive nations and every American honoring our treasured principle of political asylum whom I know, took to the phone or the pen to inquire into this unbelievable incident and to bring it to public account."[12] He stated further, "at this stage I am not satisfied by the probes that have taken place nor by the confused testimonies that have been given. Neither is Congressman Wayne L. Hays who in a probe recommended that "Rear Admiral William B. Ellis take a trip to the USSR to complete his education on Soviet Russian totalitarianism."[13]

The fact is one doesn't have to go to the USSR to learn the difference between a Lithuanian and a Russian. This knowledge to guide our actions resides in America's very pluralism. More, with Moscow being for years, and for years to come, the chief threat to the security of our national being, a modicum of common sense would demand that our citizenry become quickly enlightened about the different nations and peoples in the empire-state known as the USSR. With ethnic heritage studies centers dealing with Ukraine, Byelorussia, Lithuania, Estonia, Latvia, Armenia and others, there can be no question that this grave deficiency would be rapidly eliminated, with all the positive benefits that this would entail.

Quite plainly, then, with an eye to the maximum utility of the taxpayer's dollar, it is not enough to seek domestic cohesion through pluralistic understanding and knowledge but also to protect domestic gains through international understanding and knowledge, especially in the direction of the chief source of threat to our cohesive, national being. In applying criterion four, a group, like the Latvians, Estonians, Byelorussians, Georgians or others, may be small in ethnical size, it may have some availability of books and materials, as well as institutional facilities for studies centers, but it would rank high in terms of maximum national purpose. Along these rational lines it is evident that a careful, economical weighing of factors would have to be observed. For example, history courses in our schools cover Western Europe and to a lesser extent Central Europe and

[12] "The Simas Kudirka Case and a Special Committee on the Captive Nations," *Congressional Record*, December 14, 1970, p. H11673.

[13] "Go to Russia, Congressman Tells Admiral," *UPI*, Washington, D.C., December 30, 1970.

"Russia," as well as the Mideast, Asia and Latin America, but who could point to courses on the numerous non-Russian nations in the USSR? Yet in pluralistic America ancestral roots in these nations abound with immense potential good for our Nation as well as the peoples involved.

THE PROBLEM OF CENTERS LOCATION

Extensive discussion in the House hearings is devoted to the problem of locating the centers. For instance, one witness states, "I would be very surprised if the universities in New York City did not have a center for the study of the Jewish culture. I would be very surprised... that the study of Chinese culture would not be located in areas where people are more concerned about the Chinese population in terms of cultural heritage and contribution and so on."[14] Actually, there is no necessity for the center to be located in the very ethnic community itself. Are the groups simply to learn about themselves or, more importantly, is the general community there and elsewhere to learn about them? The EHSC bill would be self-defeating, indeed, if only the former were contemplated. As to the basic minimum suggested earlier, the overall textbook project, this could be economically lodged in a revived and sufficiently funded Institute of Ethnic Studies at Georgetown University.

Going beyond the initial project, the guidelines of maximized output and efficient and constructive implementation should be scrupulously observed. Safeguards against uneconomical arrangements with overloaded overhead, waste of resources in being, and fly-by-night operations, such as have characterized other programs in the recent past, can and should be strenuously invoked. To a large extent the anatomy for efficient and sound programming already exists in the case of several major ethnic groups. Unquestionably, what is desperately required is a substantial improvement and beefing-up of the apparatus and structures already in existence, such as the bill implicitly contemplates. This course of action would insure an economical use of resources, certainly as to productive results, and the necessary avoidance of waste in disuse, duplication, and symmetrical arrangements. An asymmetry or arrangement is virtually mandatory to satisfy the guideline for implementation.

The Ukrainian group, for example, is generally recognized as a major ethnic segment. References to it are often made in the House

[14] *Ethnic Heritage Studies Centers,* Hearings, pp. 88-89.

hearings. A familiarity with the organizational network of this group will show that it lends itself to an economical and efficient use of resources. One of the few of its kind, the Ukrainian Congress Committee of America is a unified, national organization to which, with the exception of minor communist elements, organizations, clubs and religious, cultural and academic groups across the country belong in integrated membership. In short, the UCCA is an educational organization of organizations. It enjoys tax exemption and supports schools and studies of Ukrainian history, culture, language, the arts, and religious development.

A thorough study of this major ethnic body would have to extend back to the eighteenth century, before the founding of this Nation, and would trace the socio-economic and other contributions to the development of American society. Such a study and the preparation of materials based on it and projected also into the international dimension could be easily undertaken through the organizational structure of UCCA. Operated from the center in New York and with little or no overhead costs, regional and local Ukrainian heritage studies associates can be formed, serving and assisting our elementary and secondary schools in the immediate areas. Moreover, hundreds of Ukrainian heritage academicians at universities and colleges across the country could be productively enlisted to participate in the undertaking.

Undoubtedly, this example of least-cost implementation can be applied in only a few other instances. Among ethnic groupings in the country UCCA is generally viewed as a unique, organizational vehicle for all Americans of Ukrainian heritage. There isn't the division or fragmentation that has marked other ethnic segments.

In conclusion, therefore, the idea of ethnic heritage studies centers is a sound and beneficial one. The 92nd Congress should consider it favorably, and the Nixon Administration should offer it its fullest support. Contrary to the doubts of some, the establishment of such centers would enrich the pluralism of our society, contribute to more vigorous national cohesion, and in the advanced spirit of cosmopolitan Americanism further the interests of our country abroad. For rational and efficient operation, an overall project should be instituted, covering all the ethnic segments of our Nation, and an asymmetrical arrangement in use of resources should be introduced in view of existing facilities and the institutional make-up of each major group. The suggested criteria and guidelines, if properly applied, would guarantee the maximization of output that the idea, in its fulfillment, most assuredly deserves.

THE COMMITTEE FOR THE STUDY OF NATIONALITIES
OF THE USSR AND EASTERN EUROPE
216 D Coleman Hall
Eastern Illinois University
Charleston, Illinois 61920
Telephone (217)581-5716

TESTIMONY

IN BEHALF OF THE CREATION OF ETHNIC STUDY CENTERS

The Committee for the Study of the Nationalities of the USSR and Eastern Europe considers it to be a high privilege to address itself to the United States Senate in support of the creation of ethnic study centers.

Speaking on behalf of some 150 professors and scholars from various American universities and being primarly interested in the problem of the nationalities, the Committee deems it appropriate to present the following points for your kind attention and consideration:

1. It is our privilege not only to be preserver of various cultures, but it is also our distinguished honor to be able to contribute to the mosaic of our American heritage as manifested in the pluralistic nature of the American nation.

2. While specializing in the problems of the minorities of the USSR and Eastern Europe, the Committee considers itself to be the depository of cultural and intellectual treasures of some 20 million Americans of East European extraction.

3. This large group of Americans, having been largely ignored for decades, must be offered on an equal basis with other such groups a place in our universities and in the cultural life of America.

4. Our highschools ought to respond to the changing nature of learning. Textbooks, curricula and libraries should reflect an honest attempt to eliminate all unfavorable practices of the past. Contribution of all ethnic groups to American society can not be overlooked or minimized.

5. Millions of Americans of East European extraction have continously contributed to the greatneess of our country and a large number of them have fought and died for the ideals of the American system.

6. The Committee feels strongly that the time has now arrived for recognition of their efforts by providing this group with an effective framework and support in the desire to maintain spiritual ties to the cultures of their ancestors.

7. For these noble reasons, the Committee suggests the creation of ethnic study centers in all States of the Union which would offer symbolic shelters to old and young persons interested in their respective cultures and heritage. To make them properly function, the Committee recommends to set up headquarters in Washington D.C. in order to supply State offices with all needed material, advise and direction. The legal base, as well as the framework, should be provided by an act of Congress.

8. The Committee, having in its rank and file experts from all ethnic groups, expresses its willingness to place at the disposal of the authorities all our knowledge as well as individuals who may serve usefully in various capacities.

9. Finally, the Committee respectfully asks for immediate action in that direction. For too long this group remained loyally silent and we therefore urge the U.S. Congress to treat them as equally appreciated members of this great country of ours.

April 24, 1971

Stephen M. Horak

Stephen M. Horak
Chairman &
Assoc. Professor of History

JOHN OTTO REINEMANN
21 W. PHIL-ELLENA STREET PHILADELPHIA, PA. 19119

May 8, 1971

Honorable Clairborne Pell
U.S. Senator from Rhode Island
Senate Office Building
Washington, D. C.

Dear Senator Pell: -

I am very much interested in Senate bill S 23, the "Ethnic Heritage Studies Centers Act of 1971", and hope that it will soon be favorably acted upon by your SubCommitte on Education, and eventually the Senate and House.

At a time of great polarization in this country, partly brought about by ethnic and racial differences, the creation of Centers which would serve a better understanding of all ethnic contributions to America and to the fulfillment of her dreams, would be especially important.

I do hope that you as Chairman of the Subcommittee on Education will do everything you can to effectuate the adoption of this noble piece of legislation.

Very sincerely yours,

John Otto Reinemann

John Otto Reinemann, M.D.

"The Ethnic Heritage Studies Centers Act of 1971"

Testimony Concerning Bill S 23

By Lawrence J. Losoncy, Director

Division for Adult Education, U.S. Catholic Conference

Before offering testimony in support of the bill which has been introduced by Senator Schweiker and designed as S 23, I would like to recommend three changes in the wording of the bill:

A) The title (line 1) be changed to read "Comparative Ethnic Heritage Studies Centers".

B) That line ten, page 2, be changed to read, " . . . secondary schools of the nation, as well as adults, should have . . . "

C) That line 9, page 3, be changed to read "secondary schools, non-profit groups and agencies, community education centers, and institutions of higher education . . . "

The intent of the first suggested change is that not only pride in one's ethnic heritage be fostered, but that in addition, an understanding and appreciation of other heritages be encouraged.

The intent of the second suggested change is that the program of ethnic awareness be aimed at all age levels of the population, not merely at the young. Parents, especially, should be included in the perview of this bill, since the home environment is so influential in the development and reenforcement of personal and community identity.

The intent of the third suggested change is that the research, materials, and resources of the proposed centers not be restricted to the schools, but be made available to other community groups as well, especially to adult education groups.

I wish to put myself and the United States Catholic Conference, Division for Adult Education, on record as being in full support of this proposed legislation. Our clients include the nearly fifty million Catholic citizens of this great Republic, most of whom come from second or third generation American

families. This means that our people still retain the cultural heritage and the ethnic identity spoken of by Senator Schweiker in his speech introducing the bill. It has always been our position that being American does not change one's blood nor one's ancestors. Indeed, the very richness of America comes from the unique fact that we are able to refer to ourselves as Polish Americans, Italian Americans, Mexican Americans, and so forth. The brilliance of this democracy has been its ability to unite without forcing uniformity. It is this brilliance which is now dimmed by the loss of ethnic identity and by the White-Black polarities which threaten to replace ethnic pride, and by the White-Mexican hostility which grows daily.

As we notice new and growing Cuban and Puerto-Rican communities, large African communities, large Mexican communities, and a new influx of Asian peoples, we cannot help but stress the wisdom of this bill, a wisdom which sees that each community of ethnic peoples will experience a growing need not only to understand itself but also to understand its neighbors.

The fact of the matter is that we are all ethnics and we are all minorities, but some of us have forgotten our origins and are becoming insensitive to the beauty and richness of difference.

We do not exclude Indians from concern in this testimony. They, above all others, point to the terrible desolation and poverty which can befall all of us when our identity and our heritage are downgraded or forgotten.

The Catholic Church numbers twelve thousand primary and secondary schools, and another forty thousand community-based programs of religious instruction, adult education, and educational enrichment. The encouragement of comparative ethnic centers of study and research, with the accompanying dissemination of materials and program techniques, would serve to enrich all or many of our programs. Such an enrichment has already been called for by many of our leaders and educators, both in private education and public education. It is, therefore, our opinion and our hope that the proposed legislation will enrich the nation and will be gratefully received by all of the citizens.

Senator SCHWEIKER. Thank you very much.

(Whereupon, at 12:30 p.m. the Subcommittee on Education of the Committee on Labor and Public Welfare adjourned, to reconvene at 10 a.m., Wednesday, April 21, 1971.)

EDUCATION AMENDMENTS OF 1971

WEDNESDAY, APRIL 21, 1971

U.S. SENATE,
SUBCOMMITTEE ON EDUCATION OF THE
COMMITTEE ON LABOR AND PUBLIC WELFARE,
Washington, D.C.

The subcommittee met, pursuant to notice, at 10 a.m., in room 4232, New Senate Office Building, Senator Claiborne Pell presiding.

Present: Senator Pell.

Staff present: Stephen J. Wexler, subcommittee counsel and Richard D. Smith, associate counsel.

Senator PELL. The Subcommittee on Education will come to order, continuing our hearings on the Education Amendments of 1971.

We have several witnesses today. I must apologize if we have to move along quite fast, but I am also the floor manager of a bill presently pending on the Senate floor, and I may have to leave before long.

Our first witness today is the Reverend Robert J. Henle, chairman of the Association of Jesuit Colleges and Universities, who is here representing that association. He is also president of Georgetown University.

Father Henle.

STATEMENT OF REV. ROBERT J. HENLE, S.J., CHAIRMAN OF THE ASSOCIATION OF JESUIT COLLEGES AND UNIVERSITIES AND PRESIDENT OF GEORGETOWN UNIVERSITY, WASHINGTON, D.C.

Father HENLE. Thank you, Mr. Chairman. I have a written statement, a general written statement, which I would like to read and submit for the record, if it is agreeable.

I am Robert J. Henle of the Society of Jesus, the president of Georgetown University here in this city of Washington. This year I am serving as chairman of the Board of Directors of the Association of Jesuit Colleges and Universities of the United States. I appear here today as spokesman for the 28 institutions which make up this association.

We are deeply grateful for this privilege which you have accorded to us to present our views to this committee as you consider legislation to cope with some of the problems faced by higher education.

At the outset, let me say that we are not seeking special legislative privileges for Jesuit institutions. Our purpose is rather to urge legislative polices which will deal with problems of higher education in general and private higher education in particular. The Jesuit insti-

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tutions are a significant group of private colleges and universities, and it was our thought that we could assist the committee by giving you some insight into our problems and our thoughts as an important part of your exploration of the plight and needs of private education at this critical time.

Much of what I will say is true of all institutions of higher learning in the United States. Much of it is more relevant to private higher education in the United States. The Association of Jesuit Colleges and Universities of the United States includes 28 institutions. A list of these institutions is appended for the record. These institutions have a combined total operational budget for 1971 of $344 million. These institutions represent a significant minority within higher education.

The institutions constituting this association are privately controlled. They all are chartered or incorporated under the laws of the United States, State laws or Federal laws, as the case may be. None of them are ecclesiastically erected or incorporated. Most of them are controlled and operated by a board of directors, independent of any external authority other than the general laws under which they were incorporated.

The boards in some cases consist solely of Jesuits, but in most cases are combinations of Jesuits and laymen, of Catholics, Protestants, Jews, men and women, and more and more these boards tend to represent the general public and the general constituencies of the university or college.

The Jesuit colleges and universities receive no subsidies from the Catholic Church. They receive no subsidies from the Jesuit order as such. Those Jesuits who serve the universities in whatever capacity as faculty members, as administrators, secretaries, librarians, or whatever, do indeed return a surplus of their salary to the institution, as a freewill gift. This is the traditional contributed service of the Jesuit or the religious to the institution he serves.

The theory of a religious order is that it has a right to obtain a living from its ministry, but not to make a profit from its ministry.

However, two factors have greatly reduced this contributed service, whether it be in a cash return or an accounting entry. First of all, the order itself has felt the increasing pressure of inflation and escalation of costs, so that the surplus has been dwindling in an absolute sense.

On the other hand, even if the surplus remained the same amount, absolutely speaking, in proportion to the cost of operation of the institutions and the size of the faculty, the Jesuit contributed service has consistently dwindled relatively and has in many institutions become quite insignificant as a factor in its fiscal operations.

These institutions are obviously religiously oriented. They believe in the importance of moral development, of religious opportunities, et cetera, for the students, but they are universities and colleges in the strictest sense and provide an education in all appropriate fields that is in every way comparable and in some cases superior to programs provided in nonsectarian private institutions and in public institutions.

None of them have a discriminatory admissions policy. The student body, the faculty and the administration are made up of representatives of all the segments of our population in terms of nationality, race, religion, and sex.

My testimony rests upon the assumption, which I believe is generally accepted in the American academic community, that the strength of our university system lies in its pluralism, its diversity, its richness and its provision for a wide choice, whether this choice be religious, traditional, academic, geographic for the American college student.

I believe, consequently, that it is in the public interest to maintain this diversity and, therefore, it is in the public interest to maintain the existence of private higher education with all its diversity, sectarian and nonsectarian, religiously and nonreligiously oriented, southern and northern, western, et cetera.

Assuming, therefore, that it is in the public interest to maintain our Jesuit institutions of higher learning, the question becomes one of means.

We have taken the position, and I have expressed this position many, many times in the past 10 years, that private institutions in general and Jesuit institutions in particular will be able to survive as quality institutions with distinctive characteristics only if funding from every source is substantially increased.

I do not believe at all that the private institutions can survive solely on contributions from private sources. I have said over and over again and I repeat it now, that, unless there is an infusion of State and Federal moneys into the private universities of the United States, they will not survive as private quality institutions. They will close, deteriorate into mediocre institutions, lose their distinctive character, or go public.

Any one of these alternatives I think in most instances would be tragic. There may be some private institutions which are not viable for other reasons and perhaps should close or amalgamate with other institutions. But a wholesale closure or deterioration or going public on the part of private institutions would be a disaster.

I hope that this committee agrees that private higher education is a precious heritage which should be continued and strengthened. To do so will maintain our pluralism which is of significant importance to the quality of education and to our way of life. It will minimize disruption of our present system and give a base for improvement, change, and redirection. It offers an opportunity to maintain and expand higher education with fewer tax dollars than does the alternative of fully supported public education.

The elements which we believe should be considered in developing legislation for higher education are:

(1) The urgent necessity of continuing with appropriate expansion and perfection the sizable group of legislative authorities which are scheduled to expire on June 30, 1971.

(2) Expansion of student aid and not only for the low-income student but a recognition that the children from middle-income families are fast becoming a seriously disadvantaged group.

(3) The need for institutional support to assure financial stability and continued operation of private colleges and universities.

(4) The need to provide supplemental institutional support to accompany expanded enrollment resulting from increased student aid.

(5) The need for assistance in developing needed new and replacement facilities—academic and residential.

The President is to be commended for his program of expanded support for student aid to the economically deprived. We support the objective of this proposal.

In administering existing authority and basic to his new proposals, however, is the concept of redirecting present resources from the children from lower middle-income families to the very poor. It is our considered judgment that this is unwise public policy.

We are fast moving to a system that can accommodate only the rich and the poor. This is an unwise public policy in terms of the national youth from all segments of society and is inherently unfair and inequitable. This is an unwise public policy from an educational standpoint.

Essentially all educational authorities subscribe to the concept of the educational advantage occurring to all students from an environment which consists of a broad and diversified student body representing all of the diverse elements of our society, including students from all income levels.

The President's program fails to deal with the problem of institutional aid. This is the critical question which must be addressed if we are going to preserve private colleges and universities as a significant element of higher education.

The numerous studies and news stories on the financial plight of higher education need no elaboration from me.

It will suffice to say that I am personally in a position to support the conclusion of these studies, that problem exists now, that it is acute, that it is critical. It has sometimes been said that we must study the situation, determine the amount of aid needed; and to postpone any action into the future is like saying we will study means of putting out a fire before we begin to stop the existing fire.

The 28 Jesuit colleges and universities have long served the Nation, and I believe served them well. They are not rich institutions. They have been seriously affected by the ravages of inflation and the increasing cost of providing quality education. They are in need of assistance, and I urge your committee to enact legislation which deals with this key problem.

I am encouraged that this legislative problem is in the hands of the committee. Several of you have in past Congresses and in the present session evidenced your understanding of the problem and your support for its solution by introducing bills to deal with it and by supporting serious legislation proposals that will assure that private colleges and universities will return to their past vigor.

Much argument surrounds the formula for providing support. I am not going to burden you with still another approach or a new formula. I would urge that as you examine alternative formulae that you give serious consideration to:

(1) The need for basic support related to the size of existing institutions in order to meet the critical basic problem of financial stability which is needed in a substantial degree by all private colleges and universities.

(2) The need for supplementary institutional support for further expansion in enrollment, particularly the enrollment increases which are stimulated by increased Federal student assistance. It is a well known fact that tuition charges do not cover the cost of education.

To aid the student to meet tuition and not aid the institution to cover the cost of the education is to increase the burden to be borne by the colleges and universities.

Although lower on our list of priorities, we would urge that support be continued and expanded for needed facilities. The financial plight of many institutions has caused long delay in replacement of old facilities, development of long overdue new facilities to meet increased enrollments and changes in educational requirements; has resulted in too slow an evolution in applying advanced educational technology and has in many cases resulted in neglect of sound maintenance standards of existing facilities.

In essence, Mr. Chairman, my testimony is similar and supportive of the views expressed by the American Council on Education, the Association of American Colleges, the National Association of State Colleges and Land Grant Universities, and the American Association of State Colleges and Universities.

Senator PELL. If you will forgive me, I must interrupt you.

I have been informed that I have to leave this room at 10:30 and report to the Senate floor. I am wondering if the rest of your statement could be put in the record.

Father HENLE. Yes, I have only one more page. I have read the substance of my statement.

Senator PELL. I have three questions, and I am going to give them to you in writing.

I apologize. I have been told by the leadership that I have to be there at 10:30. I would ask that you consider answering the question in writing.

(The prepared statement of Rev. Henle follows:)

...

Testimony Presented by Rev. R.J. Henle, S.J., President of Georgetown University, to the Honorable Claiborne Pell, Chairman, and the Members of the Senate Subcommittee on Education Wednesday, April 21, 1971

Mr. Chairman and Members of the Committee:

I am Robert J. Henle of the Society of Jesus, the President of Georgetown University here in this city of Washington. This year I am serving as Chairman of the Board of Directors of the Association of Jesuit Colleges and Universities of the United States. I appear here today as spokesman for the 28 institutions which make up this association.

We are deeply grateful for this privilege which you have accorded to us to present our views to this committee as you consider legislation to cope with some of the problems faced by higher education.

At the outset, let me say that we are not seeking special legislative privileges for Jesuit institutions. Our purpose is rather to urge legislative policies which will deal with problems of higher education in general and private higher education in particular. The Jesuit institutions are a significant group of private colleges and universities, and it was our thought that we could assist the Committee by giving you some insight into our problems and our thoughts as an important part of your exploration of the plight and needs of private education at this critical time

Much of what I will say is true of all institutions of higher learning in the United States. Much of it is more relevant to private higher education in the United States. The Association of Jesuit Colleges and Universities of the United States includes 28 institutions. A list of these institutions is appended for the record. These institutions have a combined total enrollment of 160,000 students. They have a combined total operational budget for 1971 of $344 million. These institutions represent a significant minority within higher education.

The institutions constituting this association are privately controlled. They all are chartered or incorporated under the laws of the United States, state laws or federal laws, as the case may be. None of them are eccesiastically erected or incorporated. Most of them are controlled and operated by a Board of Directors, independent of any external authority other than the general laws under which they were incorporated. The Boards in some cases consist solely of Jesuits, but in most cases are combination of Jesuits and laymen, of Catholics, Protestants, Jews, men and women, and more and more these Boards tend to represent the general public and the general constituencies of the university or college.

The Jesuit colleges and universities receive no subsidies from the Catholic Church. They receive no subsidies from the Jesuit Order as such. Those Jesuits who serve the universities in whatever capacity as faculty members, as administrators, secretaries, librarians, or whatever, do indeed return a surplus of their salary to the institution, as a free will gift. This is the traditional

contributed service of the Jesuit or the religious to the institution he serves. The theory of a religious order is that it has a right to obtain a living from its ministry, but not to make a profit from its ministry. However, two factors have greatly reduced this contributed service, whether it be in a cash return or an accounting entry. First of all, the Order itself has felt the increasing pressure of inflation and escalation of costs, so that the surplus has been dwindling in an absolute sense. On the other hand, even if the surplus remained the same amount, absolutely speaking, in proportion to the cost of operation of the institutions and the size of the faculty, the Jesuit contributed service has consistently dwindled relatively and has in many institutions become quite insignificant as a factor in its fiscal operations.

These institutions are obviously religiously-oriented. They believe in the importance of moral development, of religious opportunities, etc., for the students, but they are universities and colleges in the strictest sense and provide an education in all appropriate fields that is in every way comparable and in some cases superior to programs provided in non-sectarian private institutions and in public institutions. None of them have a discriminatory admissions policy. The student body, the faculty and the administration are made up of representatives of all the segments of our population in terms of nationality, race, religion and sex.

My testimony rests upon the assumption, which I believe is generally accepted in the American academic community, that the strength of our university system lies in its pluralism, its diversity, its richness and its provision for a wide choice, whether this choice be religious, traditional, academic, geographic for the American college student. I believe, consequently, that it is in the public interest to maintain this diversity and, therefore, it is in the public interest to maintain the existence of private higher education with all its diversity, sectarian and non-sectarian, religiously and non-religiously oriented, southern and northern, western, etc.

Assuming, therefore, that it is in the public interest to maintain our Jesuit institutions of higher learning, the question becomes one of means.

We have taken the position, and I have expressed this position many, many times in the past ten years, that private institutions in general and Jesuit institutions in particular will be able to survive as quality institutions with distinctive characteristics only if funding from every source is substantially increased. I do not believe at all that the private institutions can survive solely on contributions from private sources. I have said over and over again and I repeat it now that unless there is an infusion of state and federal monies into the private universities of the United States, they will not survive as private quality institutions.

They will close, deteriorate into mediocre institutions, lose their distinctive character, or go public. Any one of these alternatives I think in most instances would be tragic. There may be some private institutions which are not viable for other reasons and perhaps should close or amalgamate with other institutions. But a wholesale closure or deterioration or going public on the part of private institutions would be a disaster.

I hope that this Committee agrees that private higher education is a precious heritage which should be continued and strengthened. To do so will maintain our pluralism which is of significant importance to the quality of education and to our way of life. It will minimize disruption of our present system and give a base for improvement, change and re-direction. It offers an opportunity to maintain and expand higher education with fewer tax dollars than does the alternative of fully supported public education.

The elements which we believe should be considered in developing legislation for higher education are:

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(3) The need for institutional support to assure financial stability and continued operation of private colleges and universities.

(4) The need to provide supplemental institutional support to accompany expanded enrollment resulting from increased student aid.

(5) The need for assistance in developing needed new and replacement facilities - academic and residential.

The President is to be commended for his program of expanded support for student aid to the economically deprived. We support the objective of this proposal.

In administering existing authority and basic to his new proposals, however, is the concept of redirecting present resources from the children from lower middle income families to the very poor. It is our considered judgement that this is unwise public policy.

We are fast moving to a system that can accomodate only the rich and the poor. This is an unwise public policy in terms of the national youth from all segments of society and is inherently unfair and inequitable. This is an unwise public policy from an educational standpoint. Essentially all educational authorities subscribe to the concept of the educational advantage accruing to all students from an environment which consists of a broad and diversified student body representing all of the diverse elements of our society including

students from all income levels.

The President's program fails to deal with the problem of institutional aid. This is the critical question which must be addressed if we are going to preserve private colleges and universities as a significant element of higher education. The numerous studies and news stories on the financial plight of higher education need no elaboration from me. It will suffice to say that I am personally in a position to support their conclusion that the problem is now and it is acute and it is critical. The 28 Jesuit colleges and universities have long served the nation and I believe served them well. They are not rich institutions. They have been seriously affected by the ravages of inflation and the increasing cost of providing quality education. They are in need of assistance and I urge your committee to enact legislation which deals with this key problem.

I am encouraged that this legislative problem is in the hands of the Committee. Several of you have in past congresses and in the present session evidenced your understanding of the problem and your support for its solution by introducing bills to deal with it and by supporting serious legislation proposals that will assure that private colleges and universities will return to their past vigor.

Much argument surrounds the formulae for providing support. I am not going to burden you with still another approach or a new formula. I would urge that as you examine alternative formulae that you give serious consideration to:

(1) The need for basic support related to the size of existing institutions in order to meet the critical basic problem of financial stability which is needed in a substantial degree by all private colleges and universities.

(2) The need for supplementary institutional support for further expansion in enrollment particularly the enrollment increases which are stimulated by increased federal student assistance. It is a well known fact that tuition charges do not cover the cost of education. To aid the student to meet tuition and not aid the institution to cover the cost of the education is to increase the burden to be borne by the colleges and universities.

Although lower on our list of priorities, we would urge that support be continued and expanded for needed facilities. The financial plight of many institutions has caused long delay in replacement of old facilities, development of long overdue new facilities to meet increased enrollments and changes in educational requirements, has resulted in too slow an evolution in applying advanced educational technology and has in many cases resulted in neglect of sound maintenance standards of existing facilities.

In essence, ~~Madam~~ Mr. Chairman, my testimony is similar and supportive of the views expressed by the American Council on Education, the Association of American Colleges, the National Association of State Colleges and Land Grant Universities, and the American Association of State Colleges and Universities.

My purpose in appearing is to present to you the views and problems of a distinctive group of institutions that are an integral part of private higher education. The Jesuit institutions are, I believe, distinctive and at the same time full-fledged partners with all other elements of our pluralistic system of higher education.

It is a system which is deserving of public support for its continuation and its improvement.

We need your help. We urge you to develop effective and comprehensive legislation at the earliest practicable date. We commend to your consideration the basic elements of assistance which I have outlined in amounts that are as generous as possible.

I am deeply appreciative of this opportunity to appear here today on behalf of the Association of Jesuit Colleges and Universities.

I will be pleased to answer any question you may have or to supply any additional supportive data which would prove helpful to the Committee.

ASSOCIATION OF JESUIT COLLEGES & UNIVERSITIES
COMPOSITE STATISTICS 1969-1970, 1970-1971

TABLE ONE	Grand Total		Increase Decrease	Freshman Enrollment Full Time		Increase Decrease	Undergraduate Enrollment Full Time		%
	1970-71	1969-70		1970-71	1969-70		Men	Women	
Boston College	10,956	10,214	+ 742	2,193	1,661	+ 532	4,900	1,650	27.4
Canisius College	3,912	3,861	+ 51	787	667	+ 120	2,082	623	23.0
Creighton University	4,129	4,234	− 105	704	694	+ 10	1,462	1,080	42.5
Fairfield University	3,615	3,148	+ 467	698	615	+ 83	1,879	234	11.1
Fordham University	12,591	11,226	+ 1,365	1,368	1,332	+ 36	4,246	1,835	30.2
Georgetown University	8,074	7,942	+ 132	1,083	1,088	− 5	2,987	1,056	26.1
Gonzaga University	2,777	2,701	+ 76	665	674	− 9	1,217	843	40.9
Holy Cross College	2,493	2,557	− 64	609	774	− 165	2,408	0	0
John Carroll University	5,056	4,767	+ 289	716	718	− 2	2,003	588	22.7
Le Moyne College	1,829	1,942	− 113	422	433	− 11	1,022	674	39.7
Loyola College (Baltimore)	2,932	3,018	− 86	232	233	− 1	962	20	02.0
Loyola University (Chicago)	16,575	16,266	+ 309	1,927	2,109	− 182	3,854	2,600	40.3
Loyola University (L.A.)	3,921	3,621	+ 300	472	414	+ 58	1,724	37	02.1
Loyola University (N.O.)	4,985	4,923	+ 62	674	677	− 3	1,533	797	34.2
Marquette University	11,748	11,721	+ 27	1,871	1,625	+ 246	4,160	2,539	37.9
Regis College	1,424	1,232	+ 192	439	357	+ 82	762	374	32.9
Rockhurst College	2,469	2,327	+ 142	344	315	+ 29	898	200	18.2
St. Joseph's College	6,837	6,888	− 51	683	515	+ 168	2,368	341	12.6
St. Louis University	10,843	11,232	− 389	1,109	1,506	− 397	3,294	1,712	34.2
St. Peter's College	5,092	5,136	− 44	671	628	+ 43	2,146	869	28.8
Seattle University	3,373	3,468	− 95	708	755	− 47	1,436	1,126	44.0
Spring Hill College	970	970	−	243	205	+ 38	471	324	40.8
University of Detroit	9,638	9,319	+ 319	1,247	1,148	+ 99	3,025	1,299	30.0
University of San Francisco	6,866	6,860	+ 6	1,040	966	+ 74	2,196	1,629	42.6
University of Santa Clara	5,983	5,906	+ 77	858	942	− 84	2,085	1,184	36.2
University of Scranton	3,025	2,971	+ 54	380	438	− 58	1,554	7	00.5
Wheeling College	806	965	− 159	212	220	− 8	459	259	36.1
Xavier University	6,139	6,054	+ 85	691	544	+ 147	1,996	246	11.0
Totals	159,058	155,469	+ 3,589	23,046	22,253	+ 793	59,129	24,346	29.2

(The questions submitted by Senator Pell, and the answers supplied by Mr. Henle follow:)

GEORGETOWN UNIVERSITY
WASHINGTON, D.C. 20007

OFFICE OF THE PRESIDENT

May 21, 1971

Honorable Claiborne Pell
Chairman, Senate Subcommittee on Education
New Senate Building Room 4232
Washington, D.C. 20510

Dear Senator Pell,

Unfortunately, the three questions which you wish to pose for me did not reach my office until after I had left the country for some meetings in Rome. I have been further delayed by pressing events after my arrival back. However, I am pleased to submit to you herewith the answers to your request.

I want to thank you for a most gracious welcome to your Committee and for the opportunity of presenting not only my original statement but these further clarifications. I hope they will be of help to you and your Committee.

Very sincerely yours,

R.J. Henle, S.J.
President

RJH/vk
Enclosure

Answers Prepared by Rev. R.J. Henle, S.J.
President, Georgetown University
To Questions Posed by Senator Claiborne Pell
Chairman, Senate Subcommittee on Education
May 21, 1971

Question: "If public funds are used to finance a private institution, can you maintain that that institution is a completely private institution? Does not that institution become, to some degree, a public institution and subject to public control?"

Response: In the first place I think it is important to state that words like "private" and "public" must be specified to a variety of meanings. There is a sense in which every private college and university is a public institution. It is established as a service institution; its activity is in the public interest and must take into account public interest. The private institution is already under a certain surveillance by the civil authorities, inasmuch as it has a charter under the laws of the State or of the federal government and is subject to investigation and control, precisely with regard to carrying out its public service functions. There is no private institution that is so absolutely autonomous that it does not come in any sense under "public" control.

It is, of course, the type of internal control that really determines the nature of the institution. If its Board and its officials are appointed independently of any public authority and determine the policy of the university without there being an approval or veto power beyond the board then it is, in the sense of control, a private institution. If the board, for example, is appointed by a governor of a state, or the state legislature, and if the officials of the university are responsible to state officials for their own functions, then it is under public control. That there are grey cases is, of course, one of the facts of life.

What we are contending is that it is in the public interest that certain institutions be maintained under private auspices and private "control" as described above. If it is in the public interest so to maintain them, it is also in the public interest to furnish reasonable financial support as necessary to achieve this purpose, without at the same time destroying the private "control." There is, of course, always a danger that the allocation of federal funds to a state institution or to a private institution would give

some added measure of control on the part of the federal government over these institutions. This is perhaps inevitable, but again we believe that it is in the public interest that the control attached to institutional grants should be as minimal as possible and should only be established in order to maintain the accountability of a public authority.

It is precisely for the complex reasons involved in this difficult question that I have urged on the one hand institutional grants from the federal government to all colleges and universities and on the other hand that these institutional grants be not so large that they totally remove the burden from the private sector or the states for supporting these institutions. I think this would be a tragic mistake both from the standpoint of the public economy, and from the standpoint of the welfare of the institutions and the public policy of preserving them as private institutions. I have constantly said that more federal funds are necessary for the whole higher education establishment in the United States, but that, by the same token, as federal funds increase, they must be balanced by an increase in funds from all other sources, foundations, alumni, friends, benefactors, etc. It is only by obtaining funds from a wide variety of sources that a private university can truly maintain its rightful degree of autonomy and independence.

Question: "What is the average cost of instruction to the institution in your colleges?"

Response: The question of per student cost of instruction by school is a valid question. Before presenting our data I would like to point out that there has not been developed a method which is considered acceptable to all university administrators. A study to develop an acceptable method is now under way by the Western Interstate Conference on Higher Education supported by the Department of Health, Education and Welfare. Georgetown, however, has made a preliminary study which produces relatively reliable results. The study is now being further refined and we are watching the broader study of WICHE in order that we might apply the results of their efforts and produce data which will be comparable to all other similar institutions.

The cost per student developed by our preliminary study covering budget cost for the school year 1971-72 are as follows:

	Total Cost Per Full Time Student
Undergraduate:	
College of Liberal Arts	2,700
School of Foreign Service	2,250
School of Business	2,640
School of Languages & Linguistics	2,970
School of Nursing	6,780
Graduate School	3,147
Professional Schools	
School of Medicine	23,617
School of Dentistry	9,303
Law School	3,100

Question: "Should the Federal Government aid private institutions without providing comparable aid to public institutions?"

Response: I believe that if the Federal Government undertakes to give direct institutional grants it should do so to all institutions regardless of whether they are private, semi-private, or state institutions. As one of the members of the House Committee pointed out, the money thus distributed to state institutions could be viewed as a kind of educational revenue sharing. The state institutions are for the most part in financial difficulties, very comparable to the difficulties of our large cities. State funds are not adequate, just as private funds are not adequate to maintain the services and the quality of private institutions. I hope I did not give the impression in my main testimony that I was asking for a bill which would be exclusively for the benefit of private institutions. I was representing a segment of private higher education and, therefore, I was speaking of private education, which is the area in which I have had my personal experience and about which I know the most. But I would be opposed to a bill which would provide federal funds exclusively for private institutions or exclusively for public institutions.

LOYOLA UNIVERSITY OF CHICAGO

OFFICE OF THE PRESIDENT

April 7, 1971

Dear Senator Pell:

It is more and more apparent that private colleges and universities are experiencing a financial crisis. If these institutions are to continue to offer educational services to the young citizens of the nation, they must receive adequate financial assistance. Despite this serious need, higher education seems no longer to be a high priority in the policies of the federal government. I solicit your help in restoring higher education to a level of high national priority.

Specifically, I urgently recommend that the 92nd Congress pass legislation providing direct operating grants to U.S. colleges and universities. Such aid would be a great help in balancing budgets.

Since many of our young people continue to be without the resources necessary for financing a college education, there is need for a continuation of student financial aid programs, particularly the NDEA loan program.

The objective of Mr. Nixon in seeking to make higher education a possibility for more students from low-income families is laudable and deserving of whole-hearted support. However, it would be regrettable and unjust if federal financial assistance programs were to neglect the needs of students from middle-income families.

There is a serious need for continuing the programs of the Higher Education Facilities Act of 1963. Although caution and constraint are necessary in evaluating plans involving new construction, there are certain pressing needs that can be filled only by providing new facilities.

You play an important role in shaping the policies and programs of the federal government. Your assistance in helping to provide support and adequate funds for higher education will be greatly appreciated by the trustees, faculty, administrators and students of Loyola University of Chicago.

Cordially yours,

Raymond C. Baumhart, S.J.

Raymond C. Baumhart, S.J.

Honorable Claiborne Pell
Chairman, Subcommittee on Education
United States Senate
Washington, D.C. 20510

Lewis Towers • 820 North Michigan Avenue, Chicago, Illinois 60611 • (312) 944-0800

CREIGHTON UNIVERSITY
OMAHA, NEBRASKA 68131

VICE PRESIDENT
FOR ACADEMIC AFFAIRS

April 19, 1971

The Honorable Claiborne Pell
Senate Committee on Labor and Public Welfare
United States Senate
Washington, D.C. 20510

Dear Senator Pell:

I am writing to you concerning institutional support for higher education. I know that appropriations are very difficult to make this year but I am concerned about the direction which these appropriations take.

I think it is very important that the NSF Institutional Grants Program for science education continue. As the Newman Report says, "all institutions need some flexible funding, some means of responding to new ideas or differing circumstances." Institutional grants are very important for this purpose.

I have found our NSF Institutional Grant very helpful, even though it is small. Therefore, I request your support for:

1. maintaining higher education as a high national priority;

2. the immediate passage of an urgently needed institutional aid program;

3. the continuation of current student financial aid programs, particularly the NDEA loan program;

4. sustaining federal student financial assistance programs for students from middle-income families, as well as those from low-income families;

5. continuing the programs of the Higher Education Facilities Act of 1963;

6. maintaining or increasing the support for the College Science Improvement Program and the yearly NSF Institutional Grants.

Thank you very much for your consideration.

Sincerely yours,

Clement J. Schneider, S.J., PhD
Vice President for Academic Affairs

CJS:dr

ST. BERNARD COLLEGE

ST. BERNARD, ALABAMA 35138 TELEPHONE (205) 734-4110

April 19, 1971

The Honorable Senator Claiborne Pell
U.S. Senate Office Building
Washington, D.C. 20510

Dear Senator Pell:

Just a few words from some Alabama friends interested in your support of higher education bills in Congress.

We commend you for your interest in federal aid for education and hope and pray that your efforts will become fruitful.

Please help private colleges. We need it.

Sincerely yours,

Father Aloysius O.S.B.

(Rev.) Aloysius Plaisance, O.S.B.
Development Director

FAP:rk

Thanks for all your work for education — especially private higher — we need it in the South —

St. Bernard Moves FORWARD

Senator PELL. I renew my welcome to you. That is why you are first on schedule, as my neighbor and friend.

The next witness, and I must ask you to put your statement in the record, is Dr. James Guthrie, School of Education, University of California, representing the American Educational Research Association, and he is accompanied by Dr. Richard Dershimer, executive officer, American Educational Research Association, Washington, D.C.

STATEMENT OF DR. JAMES W. GUTHRIE, SCHOOL OF EDUCATION, UNIVERSITY OF CALIFORNIA, BERKELEY, CALIF.; ACCOMPANIED BY DR. RICHARD A. DERSHIMER, EXECUTIVE OFFICER, AMERICAN EDUCATIONAL RESEARCH ASSOCIATION, WASHINGTON, D.C.

Dr. GUTHRIE. I will submit my written statement for the record.

Senator PELL. Your statement will be inserted in its entirety at the end of your testimony.

Dr. GUTHRIE. My name is James Guthrie. I am assistant professor at the University of California, Berkeley. I speak today as an individual who has been involved in a great deal of educational research, and I am interested in the subject generally.

I do wish to speak in support of the National Institute for Education. My statement expresses my intention about the importance of the National Institute for Education.

In addition to making a statement regarding the importance of educational research generally, I wish to point out to you and to your colleagues that at the moment there is no way for increasing the effectiveness or the efficiency of education in the United States given our present mileage base of education.

We have essentially used the same model of a teacher and a classroom four walls and blackboard since the inception of public schools in this Nation some 200 years ago. Now we are faced with schooling many, many more students for many, many more years, and giving them much more information. We are simply operating from that same model.

At the same time, because we have so little knowledge of educational effectiveness, the only way we get more effectiveness is to put more people into the process, and any time you have to put more people into the process, it will cost you more money.

The figures, which I document in my written statement, show that the cost of education is beginning to exceed the growth of the gross national product for the first time. Ten years ago educational expenditures amounted to approximately 3 percent of the gross national product, and are now slightly in excess of 4 percent.

We find that the cost of education in the last 10 years has grown 153 percent and the gross national product has increased about 92.8 percent. Most of that growth is in teacher salary, and again I have the dollar figures which I could make available to you.

I have no desire to debate the question as to whether or not teachers get paid too much. I think that that is an issue for some other time. My point is that until we learn how to deploy those teachers more collectively, or how to substitute technology for some, we will continue to increase our costs at perhaps a rate we can no longer afford. This

is, in general, an argument for increasing educational research. It is not a specific argument for the National Institute for Education.

Clearly that kind of research could be conducted under other auspices. I would like to impress upon you the fact that unlike agriculture, unlike medicine, this Nation does not have a network for research for education. Educational researchers exist in a number of fragmented institutions. They do not communicate with one another clearly. It is only in a very few places that they exist in a critical mass, enabling them to do any kind of sufficient research.

My feeling is that to bring some order out of this fragmented chaos you really must elevate educational research to a very high level. You need some symbolic action which says, in effect, that this is an important activity for this Nation. If you want the public to support research, research has got to come up with results, but it cannot come up with results—educational research cannot give you any results—until it is supported at the higher level.

I would ask you and the Senate generally to intervene in this cycle. It is necessary at some point simply to take the risk of supporting educational research at a high level so that it can produce. I do not think you are going to get the high level you want until you establish a new organization to do it.

Second, without some central agency coordinating the efforts of educational research, you run the large risk of having it be a very inefficient operation with much duplication, with no ability to establish long-range studies, and with no ability to disseminate results effectively, which leads me to ask a question. Why is a new organization, and not the U.S. Office of Education, necessary and what is their response to that question?

I would have to say that the U.S. Office of Education simply has a very bad track record on this matter. It has not been able to recruit the kinds of people necessary to administer or conceive research.

The Office of Education furthermore has suffered greatly from rapidly changing priorities for research, such that a project which would normally take 3 to 5 years to reach any kind of fruition is frequently cut short in its time frame before it has any chance to produce whatsoever.

I think some of the problems of administering research within the Office of Education frankly are simply endemic to that organization. I have very little faith that they can be overcome.

Consequently, I do advocate some new agency.

Lastly, let me end quickly by saying that there is increasing cynicism, I imagine, among the general public, but certainly among educators, with regard to the effectiveness of Federal education programs. That cynicism stems in part from actions such as the ambiguous or ambivalent enforcement of civil rights activities with regard to education or the misuse of some Federal funds in ESEA, title I projects, and the like.

In essence, a number of Federal programs have not produced results for a variety of complicated reasons. One reason is the programs have not been given the necessary time to produce or the necessary funds, and I think a number of my colleagues would support me in a statement to the effect that if the National Institute for Education is to be

founded, but then subsequently looked at with great impatience to produce, or subsequently funded at a very low level, I think we would rather forgo the Institute, rather than have some token effort.

On the other hand, if the National Institute is to be funded satisfactorily, and if there is to be some patience involved in allowing it to produce, then I think it could be an agency with a great deal of significance for the future.

Thank you very much.

(The prepared statement of Mr. Guthrie follows:)

A Statement in Behalf of the Proposed National Institute for Education

Submitted to

SUBCOMMITTEE ON EDUCATION

COMMITTEE ON LABOR AND PUBLIC WELFARE

UNITED STATES SENATE

April 21, 1971

Presented by

James W. Guthrie

Assistant Professor
Division of Policy Planning and Administration
University of California
Berkeley, California

WHY A NATIONAL INSTITUTE FOR EDUCATION?*

Mr. Chairman, distinguished members of the Committee -----

I appear before you today as an individual who has been engaged in specific educational research projects and who has an interest in the field generally. I would like to describe several reasons for my support of the NIE proposal, and then I would be most willing to respond to any questions you may have.

The Growing Need for More Effective Schools

Education, or at least formal education, at the time of our nation's founding was viewed as having only limited practical value. Extended schooling was a luxury reserved to an elite few. However, in the intervening years, economic and social conditions have changed remarkably and, today, schooling has become a crucial component for both individual success and societal well being. Education has become an enterprise which is presently estimated to involve approximately one out of every three Americans. From a time when almost no one went to school, we have evolved to a point where now almost everyone goes to school.

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*I wish to acknowledge the assistance given me in the preparation of this testimony by James D. Logsdon, Research Associate, Division of Policy Planning and Administration, School of Education, University of California, Berkeley.

Despite the vast expansion in the functions schools are expected to perform and the awesome changes in the numbers and characteristics of the students they are expected to serve, the basic model for education is that which characterized schools in the 17th and 18th centuries. The traditional practice of grouping students within four walls to listen to a teacher has persisted. We have been slow to develope and utilize more effective means of preparing people to think critically or to provide them with information. Meanwhile, the amount that one needs to know to obtain and perform a job and to participate effectively as a citizen has increased severalfold.

In an earlier day, when far less depended upon having an educated citizenry, we could more easily tolerate these low levels of effectiveness. Today, however, the significance of education and the numbers of students to be schooled have grown so greatly that we badly need to develope new techniques and tools. Whereas our society has undergone fundamental revolutions in fields such as manufacturing, agriculture, transportation, and communication, schooling processes have remained stable, and their comparative ineffectiveness is beginning to be increasingly visible and burdensome.

The Need for Greater Educational Efficiency

In addition to an overwhelming need to make our educational system more effective, the pressures are building rapidly to render it a great

deal more efficient. The costs of schooling, of course, have risen greatly as a consequence of the increased numbers of students to be served. However, expenditure increases have recently begun to outrun enrollment growth. Somewhat more serious yet, educational costs have begun to outpace expansion of our Gross National Product. Elementary and secondary educational costs have increased from approximately 3 percent of our total Gross National Product to 4 percent in the last decade.

Total expenditures for elementary and secondary education have increased over the last ten years from approximately $16 billion in 1960 to slightly less than $40 billion in 1970. This represents a growth in ten years of 153 percent. By contrast, our Gross National Product increased during that period only 92.8 percent.*

These remarkable increases in educational costs are a consequence of several factors, not the least of which is the swelling of enrollments to which I have already alluded. Inflation has also added its share. However, there are two other causes of rising costs which are worthy of mention here. In part the costs have risen because we have not been able to break through the labor intensive nature of schooling. Whereas other activities are able to increase their efficiency or lower costs by employing more and more

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*These and other figures regarding the costs of education were obtained through the efforts of Professor Michael Kirst of Stanford University.

effective technologies, education continues to rely primarily upon humans teaching other humans. And, because conventional wisdom, if not research, claims that a teacher can do a better job with fewer students, we have made steady progress in lowering our teacher-student ratios. In 1960 U.S. schools averaged 24.7 students per every instructional staff member. By 1970 that figure had been reduced to 20.5 students. This reduction in pupil-teacher ratios probably accounts for $5 to $7 billion of the increased expenses for education during the decade under consideration.

Another factor driving up the costs of education has been the rising salary levels for teachers. In the period between 1952 and 1968 average instructional staff salaries in the United States rose 128.6 percent. By contrast, personal income per capita increased only 94.7 percent, average earnings per employee rose only 94.1 percent, and the consumer price index increased only 29.4 percent. Relative to the growth of the economy, costs for education have been growing disproportionately, and a heavy share of this expansion is a consequence of greatly increased personnel costs.

My point in emphasizing the added educational expenditures stemming from teacher salaries is not to argue that teachers are over paid. Some of them are and many others of them are not; that is another debate entirely. Rather, the point I wish to make is that our present knowledge regarding the instructional process is so unsophisticated that we are left with no alternative but to increase our input of labor when

we wish to gain more effectiveness. The inability to substitute technology for labor or to deploy our teaching force with greater productivity is now driving, and will continue to drive up the costs of education. If we want greater efficiency, then we must begin to increase our knowledge about the schooling process to the point where we can specify more productive roles for our teachers and more use of technology.

It seems to me that this is where we stand today. Never before has schooling been so important to the success of the individual and the welfare of our society. On one hand, more students are going to school for more years, and probably learning more, than has ever before been the case. Yet, on the other hand, more and more individuals appear to be dissatisfied with the performance of our schools; dissatisfied both in terms of their ability to be effective with all students and with their inefficient use of resources. It is at once the best of time and the worst of time. What indeed is the problem?

The Need for More Educational Research

I do not presume to have a complete answer to this question. However, I would like to suggest as a partial response that the problem is a consequence of the fact that our knowledge regarding the educational process is simply being outstripped by our expectations of and willingness to allocate resources for schools. The traditional model of four walls, a teacher, and blackboard to which I referred earlier served us satis-

factorily in the past. However, we need new models which will enable us to educate all children, regardless of race or social class, and do so without threatening to consume a disproportionate share of our Gross National Product in the process. In short, almost everyone now desire schools to be more effective, and many desire that they become so while simultaneously striving to be more efficient. Progress toward these objectives cannot be achieved, at least in any reasonable number of years, given our limited knowledge of the mechanisms which facilitate learning. Too little is presently known about educational processes, and we will not know more until we are able to mount large scale, skillfully staffed, tightly planned, and long-term research efforts. In time, we should begin to mount an educational research effort which approximates our attempts to conquer outer space.

The Need for a National Institute of Education

To make a plea for additional educational research, however, is not necessarily to support the idea of a National Institute of Education. Clearly, research could be, and indeed is, conducted in other ways and under other auspices. More research may be crucial, but why is NIE crucial?

My response to this is twofold. In the first place, though increasingly vital to our national welfare, educational research is presently held in

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such a low state of regard that it can become effective quickly only if provided with the widespread attention prestige and symbolic support which comes from a national agency.

The second argument in behalf of the NIE proposal is one of efficiency. Existing arrangements for the establishment of national priorities in educational research and the distribution of resources to meet those priorities are haphazard, uncoordinated, and unproductive. A well staffed and well funded national agency is the only real hope of bringing order and efficient use of resources out of the present chaos. Let me develope each of these points more fully.

The Symbolic Importance of a National Institute of Education

In the thirties this nation committed itself to the eradication of a major crippling disease, primarily affecting children -- poliomyelitis. Through the efforts of an enlightened citizenry and a National Institute of Health, research was begun which eventually culminated in the discovery of the Salk vacine. Dr. Jonas Salk was nor the first medical man to devote himself to the study of this dreaded disease of the young, nor did the medical breakthrough come about in the span of a few short years. Over 17 years of continuous research and untold millions of dollars went into the eventual elimination of polio.

Similarly, extensive systems of research and development under federal auspices have served the agricultural interests of this nation.

Well over $7 billion have been invested in agricultural research, development, and innovation in the past twenty years. At the present time slightly more than 1% of agriculture's annual contribution to the Gross National Product, over $1 billion, is allocated for the improvement of farming. The payoff has been an agricultural system with the potential for providing everyone in this nation with a diet unsurpassed in diversity and substance.

Thus, in agriculture, health and several other fields, the efforts of the federal government to lead and coordinate the research of universities, non-profit organizations, industrial firms, and state and local agencies have paid off in terms of remarkable progress and efficient use of funds. A unified research structure has been built which can be focused upon important health and agricultural problems whenever a national need arises. Unfortunately, no such leadership has been available in education and no such stable research structures have come about.

The research community in education is relatively small in size, fragmented, and woefully under financed. There are only a handfull of universities or research centers in which there is anything close to a critical mass of capable researchers. At present, there is no way of conducting a coordinated national effort to find the answer to a perplexing educational problem. Compare if you will the relatively well supported

and highly coordinated efforts to find cures to cancer and heart disease with our present national attempts to understand reading disorders. Another indicator of the relatively depressed state of educational research, in terms of attracting public attention and respect, is to compare the number of national awards available to medical researchers as opposed to educational researchers.

Public support must be generated for and attention paid to educational research. This, of course, is a reciprocal process. How can the public be supportive of research, if very little of it is done. Conversely, how can research be done if the public does not support it. My plea to you is to intervene in this cycle. The establishment of a National Institute for Education would symbolize the significance of the task. It would make it possible to begin to recruit more of the nation's talented researchers into the field and it would facilitate the adoption of useful research findings. Following some substantial period of time, the success of educational research efforts would be sufficient themselves to justify continued public support.

A National Institute and Efficiency in Educational Research

A second reason for needing a National Institute of Education is to bring about added efficiency in the educational research enterprise. In the absence of a strong federal agency to stimulate and coordinate educational inquiry there is a large risk that too little research will be

done overall and substantial duplication and waste will characterize that which does take place. First, let me explain the danger that too little research will take place.

The "Spillovers" in Educational Research. Unlike typical business transactions between two parties, for example, purchasing a car from a dealer or paying to see a ballet, educational research has a strong potential to benefit more than those who are paying for it or engaged immediately in doing it. Finding new ways to teach children to read or cheaper means by which to construct school buildings may have advantages for children and school districts all over the nation, not simply in the particular school or locality where the breakthrough occurs. This tendency to have widespread advantages is described as "third party benefits," "spillovers," or "externalities" by economists.

The tendency of research results to spillover borders and accrue to the advantage of third parties can act as a deterrent to systematic inquiry. Local school districts, a university, a county agency, or maybe even an individual state may be reluctant to fund research activities knowing that the results may help those with whom they are in competition or who did not contribute financially to the support of the project. Consequently, it is economically more rational to fund research at a highly centralized level wherein fewer problems are raised regarding the distribution of benefits. In the absence of such centralized support, there is a danger that agencies will be reluctant to mount such activities, and the

entire research endeavor may be seriously undersupported as a consequence.

Waste Through Duplication and Lack of Coordination. In the absence of a strong central research agency there is also a risk that locally based researchers, operating outside of any overall national policy, may duplicate each others efforts. The reading researcher in Iowa may be repeating the work of men in Oregon and Georgia simply out of ignorance and because no central clearinghouse exists. Some duplication is probably desirable in order to validate results. However, it is possible to pursue the same idea or project with too many resources and that risk is substantially higher when there exists no coordinating body.

Another point of wastage resulting from the absence of central direction is that research will be conducted which is of low priority. It is probably impossible to agree upon research priorities with absolute certainty. Moreover, it probably would not be a good idea to reach such agreement even if we could. We cannot anticipate all future conditions and consequently, some researchers should have the discretion, indeed, should be encouraged, to pursue research topics which are purely of their own choosing and interest. They may appear irrelevant today, but a twist of fate may find their results satisfying a future high priority.

Nevertheless, to argue for some degree of freedom in funding research, is not to suggest that no effort be made to mount research projects which are consistent with national education priorities. However, to decide upon such priorities and encourage the arrangements for conducting research about them calls for a central coordinating agency such as contemplated in the NIE.

Wastage and Dissemination. Lastly in the realm of efficiency, research results do little good unless they are made available to those who can use them. Presently the educational research system, or non-system, we have in this nation is extraordinarily inefficient in disseminating findings from its efforts. This is in large measure a consequence of the fact that research is now largely in the hands of individuals who frequently must make a choice between doing the research itself and disseminating their results. The nature of the true researcher is generally such that he would rather engage in the former than the latter. To be sure, there are a few entrepreneurs who find rewards in publicizing and spreading research findings, but there are few of these and their quality is frequently suspect. Thus, in order to avoid the inefficiencies which can occur simply as a consequence of failure to distribute research results, a National Institute is needed to establish an effective dissemination network.

Why a New Organization?

One might reasonably inquire as to why a new organization is needed to perform the directing and coordinating functions I have described.

The principal, if somewhat unpopular, response to this question must be that the present organizational arrangements for supporting educational research have proven unsatisfactory and there are few reasons to believe that the difficulties can be overcome.

Since enactment of the Cooperative Research Act in 1954, the U.S. Office of Education has had a major responsibility for administering federal research dollars in education. However, it has consistently had difficulty in recruiting sufficient numbers of highly qualified individuals to fulfill this function. The trained personnel and administrators necessary to provide guidance to research have not been attracted to the organization. This may be in large measure because of the relative scarcity of super grade positions available in the research realm. However, it also is a consequence of USOE having a tarnished image among a substantial number of educational researchers.

Another difficulty with present federal research arrangements is that they appear to be remarkably subject to priority shifts. As different administrations have attempted to leave their marks upon the U.S. educational slate, they have reexamined and frequently altered the research priorities of their predecessors. Moreover, even within the same administration, the high turnover in personnel has resulted in a frequent changing in signals as to what research would be funded. The overall consequences has been an inability among the research

community to mount a sustained effort in fields which demand time and funds in order to produce results. Projects which may need five or ten years to reach fruition may be hampered by funding cuts or, worse yet, terminated before completion because a new list of research priorities has been conceived.

It is possible to describe other difficulties with present arrangement, but suffice it to say that to date educational research at the federal level has been poorly administered and, unless a National Institute is established, the prospects are poor that it will improve.

A Parting Caveat

As is evident from my preceding remarks, I feel strongly regarding the need for additional educational research and about the need to have a new federal organization to oversee much of that research. However, let me close with a word of caution.

The American public and many educators have become somewhat cynical regarding federal programs in education, too frequently they do not accomplish the objectives held out for them. For example, efforts to achieve added racial integration in schools have been curtailed by inconsistent enforcement policies within HEW and the Justice Department. Efforts to relieve the educational disadvantages of poor and minority group children have frequently been fruitless because of faulty program designs and downright deception in the spending of the monies.

I would not like to see this despair and cynicism spread further to educational research. It must be clearly understood that research is a risky endeavor, the payoffs can never be assured. Furthermore, there are few educational problems of significance to which research can find the answers in a short period of time. In order for us to discover how to teach children to read more effectively, how to break the linkage between disadvantaged home and neighborhood environments and low school achievement, or how to structure new incentive systems and accountability procedures for schools and educational personnel will take time. Moreover, it will take large amounts of money. To expect the NIE to produce satisfactory results in the short run or to be effective on a small budget is highly unrealistic.

If there is to be no patience or little money for NIE, then I feel confident that most of my research colleagues would agree with me that they would rather not see such an Institute established. To found the NIE and not provide it with the resources necessary would only lead to frustration and little by way of useful research. Conversely, and on a substantially happier note, if provided with the necessary resources and allowed sufficient time to produce, the organization could contribute to the needed breakthroughs in educational effectiveness and efficiency which I described initially.

Senator PELL. Thank you very much indeed.

I appreciate the fact that you have come all the way from California. I regret that I am the floor manager of the Emergency School Aid Bill. I would appreciate it if you could stay a few moments to meet with the subcommittee staff.

NATIONAL INSTITUTE

I want to assure you that in the education bills we are considering the Institute has a prominent place. It is just a question of where. In my bill it is under an expanded Division of Education, simply because I look forward to the day when we can spin that office off and create a separate Department of Education.

The administration's approach does not agree with that. Therefore, they have it separate from the Office. But there is no question in my mind that whatever legislation we report out will have the Institute in it.

Thank you very much. If you would wait about 8 minutes, Mr. Smith will be available.

Dr. DERSHIMER. I want to submit my testimony for the record.

Senator PELL. It will be printed in full in the record.

(The prepared statement of Dr. Dershimer follows:)

STATEMENT OF DR. RICHARD A. DERSHIMER
EXECUTIVE OFFICER, AMERICAN EDUCATIONAL RESEARCH ASSOCIATION
BEFORE THE
SUBCOMMITTEE ON EDUCATION
COMMITTEE ON LABOR AND PUBLIC WELFARE
UNITED STATES SENATE
Wednesday, April 21, 1971

I am Richard A. Dershimer, Executive Officer of the American Educational Research Association, and I am pleased to have been invited to express my views in support of the National Institute of Education, one of the provisions of Senate Bill 659. I must stress that I am expressing my personal views only; AERA does not have provision for formulating public statements in the name of the Association. I wish to emphasize, however, that my views are the result of many, many days of discussions with associational officers and leaders of the educational research field.

I am strongly in favor of the National Institute of Education - for a great many more reasons than I shall give in this testimony. Today I wish to concentrate on two reasons which are overpoweringly convincing to me. They are: first, the need to bring more highly capable research producers into the federal government structure in roles of policy formation and management for educational research; and second, the need to provide for

broader long-range planning, stronger continuity of effort, and a better balance between long-range and short-range priorities in support of educational research. Let me look at each of these two issues. Although the Office of Education's educational research efforts took a healthy step forward in the mid'60's, the provision for salaries and staffing, unfortunately, did not follow suit. Since that time, too few people at too low a level in government have been supplied to plan effectively and monitor the educational research program. To cite a striking instance: Last year, NCERD had one person with a GS-17 rating: its director, who administered its appropriation of $90 million dollars. In contrast, to administer not quite five times as much appropriation, NSF had fifty persons at that or a higher level. While the OE staff worked well and hard through the 1960s, its heavy concentration on managerial matters tended to prevent staff members from being accepted as colleagues by the majority of researchers in the field, particularly in the social and behavioral sciences. This is a serious handicap and it is in contrast to most other federally

sponsored research programs, especially those housed in the National Science Foundation and the National Institutes of Health. Bureaucrats with scientific credentials in Washington have their own collegial networks. A considerable amount of information flows informally through exchanges of articles, speeches, copies of memos and even over lunches. I am aware of heavy traffic among persons in the National Science Foundation, the Office of Science and Technology, and the Office of Child Development, the Office of Economic Opportunity. (I am also aware that the Office of Education has all too often been left on the sidelines.) This informal network is a good way, I am convinced, to coordinate federal programs. It allows bureaucrats to share success and mistakes more honestly and openly. Because such agencies benefit from the informal communications network, they are better able to identify capable scientific talent, make technically competent decisions, and launch effective scientific efforts.

How would the NIE enable the government to gain and retain more competent people in educational research? Dr. Roger Levien provides very sound reasons in his report; let me but briefly detail them again. In

NIE: A Preliminary Report, Dr. Levien suggests upgrading position levels and salaries to attract more researchers to supplement the administrative staff. In support of this suggestion, I urge that the committee amend section 404, paragraph (E) (2), so as to permit many of the principal technical researchers to be appointed without regard to the provisions of Title V, USC, governing appointments in the competitive service and without regard to Chapter 51, and subchapter III of Chapter 53, of such title. While I realize that the Congress always is reluctant to grant authority to make appointments to an administration of the opposite party, the appointment of the top technical and professional personnel of NIE must be freed from any partisan consideration. The scientific and educational communities can assist the Congress to watchdog the present and all future administrations on this matter.

The second argument for the National Institute is the need for greater continuity of effort in educational research, better long range planning and more effective ways to establish priorities and assign resources.

A tracing of the priorities given to educational research over the past 15 years shows an unsteady, meandering trail. It is strewn with projects and programs that were announced with fanfare only to quietly dissolve as one or another key person left government service. Yet, look at the complex task which confronts the Office of Education in its efforts to improve the educational system of this country. Should it place its emphasis on preschool or on education beyond the high school? Should it focus on the minorities or concentrate on producing the world's greatest talent? Should it intervene through curricular reform, through encouragement of new technologies, or through new instructional techniques for individualizing instruction? Should it concentrate on producing functioning citizens, socially, politically and economically or should it concentrate on producing trained workers capable of stepping into specific jobs? All of these questions reflect policy decision made by the federal government in recent years.

The resources are limited now and will continue to be limited in the

future; the responsibility for studying and reforming American education deserves a steadier course to maximize results.

But why do we need a new agency to make these improvements? Why isn't the best course of action to improve the present Nation Center for Educational Research and Development (NCERD)?

A former professor of mine, Dr. Paul R. Mort, once jokingly said that it is difficult to enlist men's aid to build an outhouse - it is much easier to get them to build a cathedral. In spite of all the arguments for upgrading positions and salaries and assigning priorities it still will be difficult to recruit top notch talent in education and the related social and behavioral sciences unless there can be created a sense of mission. By this I mean that a group of men will be brought together with the firm expectation of opportunity for access to and influences upon top decision makers in government, with the hope that their efforts will improve American education. We had this sense of mission for a brief time following the passage of the Elementary and Secondary Education Act; we don't have

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it today in educational research. I think the Congress must do what it can to recreate this sense of mission, by creating an agency dedicated to educational reform and study.

Essential to the development of this dedication, in my opinion, will be to appoint as director a person possessing not only credentials and competence, but vision, a person who understands the major problems facing education and how these might be alleviated. The National Institutes of Health were not created because of previous demonstrable medical research; they were created with the belief that the new agencies would advance medical knowledge. The choice of NIE's director will be as critical to its success as Dr. William Shannon was for the success of the NIH. For this reason I urge you to amend those sections dealing with the powers and the Director of the Advisory Council so that he may be given general authority for the conduct of the Institute. The Council should be advisory to him and the Commissioner. NIE will require a strong hand, particularly in the early years; give a strong man the authority he needs

and hold him accountable.

I have two additional comments. The Levien report is viewed by the author as only the preliminary stage of what should be a multi-stage planning effort. Thus, with those who are thinking about research in OE, the emphasis is and should be on program delineation rather than organizational structure. I think that it would be unwise to specify any kind of divisional or organizational structure in this initial legislation. So I urge you to delete paragraphs (d) (1) of section 404.

Finally, I urge that the financial ceiling be removed and that the NIE be granted unlimited financial authorization similar to that created for the cooperative research program in 1954. It simply is not possible at this time to establish sensible five year forecasts of the cost of operating the Institute. Probably the actual expenditures will be within the present authorization of $500 million; this is well within what Levien proposed in his report. But it is possible that the field can be mobilized more quickly than that for a much greater effort. There are thousands of

Ph.Ds willing and able to convert from their present careers to a field such as educational research, which has been underfinanced all of its life. With careful planning and proper review by professionals in the field, and from the Congress, it is conceivable that the field can make excellent use of $600,000,000 to $800,000,000 within five years. Certainly, as the Levien report so well documents, the field can use that kind of effort.

Let me again, in conclusion, reiterate my support for the NIE concept. I compliment you, Mr. Pell, together with other co-sponsors of this bill, for including provision for the establishment of an NIE. By its upgrading of the formal organization of educational research, I think it holds great promise for education. I hope that the subcommittee views it favorably, that it is reported out of committee to the Senate, and that ultimately it becomes law.

Senator PELL. We now have Dr. Frank Abbott, executive director, Colorado Commission on Higher Education, representing State higher education executive officers.

Please come forward.

STATEMENT OF DR. FRANK ABBOTT, EXECUTIVE DIRECTOR, COLORADO COMMISSION ON HIGHER EDUCATION; ACCOMPANIED BY CAMERON P. WEST, DIRECTOR OF THE NORTH CAROLINA BOARD OF HIGHER EDUCATION AND CHAIRMAN OF FEDERAL-STATE RELATIONS COMMITTEE OF THE STATE HIGHER EDUCATION EXECUTIVE OFFICERS' ASSOCIATION; DR. RICHARD M. MILLARD, DIRECTOR, HIGHER EDUCATION SERVICES, EDUCATION COMMISSION OF THE STATES; AND RALPH A. DUNGAN, CHANCELLOR OF HIGHER EDUCATION, STATE OF NEW JERSEY

Dr. ABBOTT. I am Frank Abbott. Dr. Cameron West of North Carolina is going to present the statement.

Senator PELL. Again I apologize for the long distance you have come. I can assure you that your statements will be made a matter of record in full.

It might be easier if you would enter a particular thought you wanted to express directly.

Dr. WEST. Senator Pell, we appreciate this opportunity. I have with me Dr. Frank Abbott, whom you have met; Dr. Richard Millard of Education Commission of the States; and our other colleague, Mr. Ralph A. Dungan, chancellor of higher education, State of New Jersey.

Senator PELL. He is an old friend.

Dr. WEST. One of the major developments, particularly in the last two decades, was the creation in the States of statewide agencies—some 47 of them now—statewide agencies responsible in all cases for a large segment of education.

Of these, 19 are governing boards, and the other 28 are coordinating boards. In all cases they are at least responsible for considerable segments of public higher education, and in most cases they have relationship to private higher education.

We have today come to you to express our interest in the nature and direction of Federal higher education, because it is of major importance, concern, and interest to us, and every State agency that we represent, all 47.

Our concern is obvious. The nature and the form of such legislation has direct bearing on the form and direction planning and coordination must take in each of the States.

The members of the association in conjunction with the Education Commission of the States would, however, like to bring to the attention of this committee the importance at this point in time and in history of more explicit Federal recognition of the role of statewide higher education planning agencies, and the need for a closer State-Federal partnership between these agencies and the programs of higher education.

All of this we have mentioned in our statement, spelled it out in some detail.

Since the Federal legislation inevitably has a major impact on such planning, we suggest that there is a Federal responsibility to reinforce statewide planning as basic to the national interest and welfare, even survival, of the kind of pluralistic and diversified, yet complementary post-secondary-educational complex of institutions that promises to meet the needs of the States, the Nation, and the citizens in the period ahead.

So we have indicated in our statement several ways in which that cooperation might take effect, and we would particularly like to compliment you, sir, on the inclusion in Senate 659 of section 1202 which recognizes, as far as we can determine, the first time the existence of these State statutory or constitutional agencies, which in all States has a major impact on higher education.

There is a great deal of frustration among us (statewide agency coordinators) sometimes, as we struggle to get State higher education legislation, and the tremendous sums that are spent in these States for higher education, that they are not always complementary and are sometimes at cross purposes.

We have suggested in our testimony appropriate ways by which we could relate future legislation, as well as present, more appropriately. We do have comments with relation to the bill that you introduced along with others, and if I may, in the brief time we have, I would like to call these perhaps to your attention.

PREFERENCE OF BILL

Senator PELL. Before you do that, do you have any views relative to the merits to the two bills, one that the committee introduced, and the so-called administration bill?

Would you be willing to make a choice between them?

Dr. WEST. I think as far as certain specifics it might not be generally true, but basically we have come today complementary of the aspects of Senate 659 and our comments are in support of certain aspects of that.

We would be prepared to react to any question that you or your associates might refer to us.

Senator PELL. But you have not had a chance to study the administration bill?

Dr. WEST. We have studied the administration bill.

Senator PELL. Would you be willing to make a choice between the two?

Dr. WEST. Well, I could speak for North Carolina, and I think in many of the aspects we would choose the relative merits of specific sections and titles within Senate 659.

Senator PELL. Thank you very much. Carry on.

Dr. WEST. In the area of student assistance, for example, we would like to commend you for your position in relation to more adequate funding and institutional supplements to help in support of additional educational costs. We are interested, however, in a matter of general policy about the possibility of a more effective Federal-State institutional partnership, in which the State efforts in student assistance are recognized and strengthened. This would include the utilization of State agencies to help in the equalization of opportunity not only for

students within an institution, but among institutions within a State and for those students who for financial reasons do not apply to any institutions.

Several of the States, North Carolina among them, have bold new programs now before the legislature that would enhance both the Federal and State posture.

In the area of continuing education and community services, we strongly support the recommended continuation of the program at a more adequate authorization level, and the provision for the consideration of special programs and projects related not only to regional and national problems, but also the metropolitan area.

We are prepared to speak specifically on that.

In connection with the developing institutions, we commend the extension of the program for 5 years at a higher authorization, but we would suggest that to insure that the funds are not dissipated that they should be awarded through the appropriate State higher education planning agency in accordance with State plans, so that their most effective use is meeting clearly identified post-secondary-educational needs which are appropriate to the institutions in question.

We strongly support your extension of the academic facilities construction grants and the continuation of State planning funds under title VII. Here we particularly appreciate the acknowledgement of the State planning agency as the comprehensive agency.

We would, therefore, like to urge that assurances be written into any legislation that planning funds shall go to the State legislatively designated agency for statewide planning where such agencies exist.

It is hardly consistent to provide in some States for two agencies, one authorized by State legislation of construction and one called for by Federal legislation, each charged with statewide planning responsibilities.

I think your section 1202 gives that assurance.

Finally, we endorse the National Foundation for Higher Education, as proposed in your bill and in the administration's bill. But we suggest that its incorporation within the provision of education as proposed in S. 659 is preferable for the coordination of educational efforts to its semiautonomous status in the administration's bill.

We would suggest that the bill be amended to insure inclusion on the Board of the Foundation of representation from statewide higher education agencies.

We appreciate this opportunity to appear, and we would be glad to respond to any questions that you may have.

Senator PELL. Thank you very much indeed.

As we move into the question of institutional support, do you agree with the approach that the support should follow the youngster?

In other words, we have a $1,000 cost-of-instruction allowance following the student. I was wondering if you felt that made sense or would you rather have institutions apply and get grants?

Dr. MILLARD. It seems to me it makes a great deal of sense to have student assistance program carry with it funds, particularly for additional costs related to needs of the students. This seems to me to make a great deal of sense. It is highly a positive factor in the bill.

I might just add, while I have the floor, Senator, that the recommendations as contained in the testimony do also have the endorse-

ment of the steering committee of the Education Commission of the States meeting in San Diego in November and in Chicago in April.

Senator PELL. I did not fully hear you.

Dr. MILLARD. I do want to point out to you that the recommendations as contained in the testimony do also have the endorsement of the steering committee of the education commission of the States in its meeting in San Diego in November, and Chicago in April.

The commission has worked very closely with the State Higher Executive Officers' Association, in fact in part serving as secretariat for it.

Dr. DUNGAN. On this point I do not want to seem to break what might appear to be a monolithic line on the particular question or any of the questions in here, except to make a general statement that unlike some of our colleagues in the education business, the State higher education officers do not take, or at least at this point, do not take firm and hard lines on a variety of issues.

On the particular one which you asked about, I myself would like to say—and I do not know whether I represent any other viewpoint except my own—that the Federal Government ought to move very, very cautiously, in my opinion, into the question of either student support followed with institution support, following that student aid money, for a variety of reasons.

No. 1, I do not think that we have thought through, nor do we have enough data to tell us, whether in a broad social sense this is the most appropriate application of resources, Federal or otherwise.

Indeed, I would make the generalization that we do not know, and I do not think the Federal Government knows enough about how much is being spent, and what we are getting for that money. One could make that comment about a multitude of programs here.

Therefore, I would just caution with respect to the institutional support program, with or without a student aid program, and you have it in your bill, that whatever the Federal Government does that it be done on a certain time basis, for a great period of time, say 3 years, at which time a very hard look would be taken as to what we got for the dollars we put out.

Senator PELL. This of course would be endemic in the bill, because there is a time limit.

Dr. DUNGAN. Except, if I may say so, that could be said for a lot of the Federal programs. I think everybody ought to be put on notice.

Dr. MILLARD. I think the question of institutional support in relation to student need has to be rather carefully distinguished from the general institution support bill. I would not want what I said earlier to be taken as disapproval of institutional support, but the importance of at least institutional supplementation to deal with the problems of particularly needy students, it seems to me, is highly desirable as it is in your bill at the present time.

Dr. WEST. I do not know how our time is, but we have come here as much as anything to comment on current legislation, and any questions that you have, but also to say to you, sir, that there are 47 State agencies that are now created, for the most part a product of the fifties and sixties, and just the last 2 weeks in Indiana, agencies that must preserve a very careful and delicate sense of relationship be-

tween the executive branch and legislature on the one hand, in which they see us as the broadly comprehensive higher education agency, and on the other hand, the institutions; we become therefore the middleman, the broker of concepts and ideas. We are called many times, with the reluctance of institutions, to break established traditions, and from the insistence on the other hand, from the executive and legislative branches, to be more realistic in facing the future.

As we have said, this is an emerging concept in the State government, and one that we feel sure has been tested even in the short time and is guaranteed an emerging role in the future so that the statewide look into higher education because of the scarcity of resources, because of the encroachment of other needs within the State and Federal, has caused this growing professionalization of these agencies to grow.

We do appreciate the opportunity to present this new idea to you and to your committee.

(The prepared statement of Dr. West follows:)

Statement
by
Cameron P. West

Chairman
of
Federal-State Relations Committee

of the

State Higher Education Executive Officers' Association

and

Director
of the
North Carolina Board of Higher Education

Before the
Special Subcommittee on Education
of the
Senate Committee on Labor and Welfare
U. S. Senate
Washington, D. C.

Wednesday, April 21, 1971

Mr. Chairman, distinguished members of the committee:

We greatly appreciate the opportunity of testifying before the Senate Subcommittee on Education on behalf of the State Higher Education Executive Officers' Association. Representing the Association are Dr. Cameron West, Director of the North Carolina Board of Higher Education; Mr. Ralph Dungan, Chancellor for Higher Education in New Jersey; Dr. Frank Abbott, Executive Director of the Colorado Commission on Higher Education; and Dr. Richard Millard, Director of Higher Education Services of the Education Commission of the States, which serves in a secretariat relation to the Association.

One of the major developments, particularly in the last two decades, was the creation in the states of statewide agencies legislatively charged with varying degrees of responsibility for statewide governing, planning and coordination of higher education. Currently, 47 of the states have such boards or agencies. While they vary both in structure and scope of operation, all are at least responsible for considerable segments of public higher education; and in some states with planning in relation to private institutions, as well as public institutions. A majority of them also have the responsibility of administering one or more Federal programs.

Of the state agencies for higher education, some nineteen are governing as well as coordinating and planning boards at least

for all the senior public institutions of higher education in their states; and twenty-eight are coordinating boards. The most recent addition is Indiana, in which legislation authorizing a coordinating board has been passed within the last few weeks. The justification of statewide planning and coordination as an essential condition for the development, diversity and effectiveness of post-secondary education, if it is to meet the needs of the citizens, the states, and the nation now and in the period ahead, is now firmly established in most states.

The State Higher Education Executive Officers' Association consists of the Chancellors, Presidents and Executive Directors of these agencies in the various states. Dr. Ted Gilbert of Kentucky is the Chairman of the Association, and Dr. Cameron West of North Carolina is the Vice Chairman and Chairman of the Committee on Federal-State Relations. The nature and direction of Federal higher education legislation is a matter of major concern and interest not only to the members of the Association, but to every state and agency involved. The nature and the form of such legislation has direct bearing on the form and direction planning and coordination can and even must take in the various states to meet student, institution and public needs and concerns. We wish to express our appreciation to the various members of the Senate Subcommittee on Education for their continuing concern and leadership in support of post-secondary education as demonstrated in the major bills they have submitted during the current session.

The members of the Association, in conjunction with the Education Committee of the States would, however, like to bring to the attention of the Committee, the importance at this point in history of more explicit Federal recognition of the role of statewide higher education planning agencies; and the need for a closer state-federal partnership in realizing institutional, state and federal post-secondary educational objectives. The primary responsibility for education planning for post-secondary education, public and private, rests with the states. The need for such planning is constant, but is particularly acute during the present period due to a number of factors, including:

1. The scarcity of resources for support and expansion of post-secondary education at state and national levels;

2. The increasing emphasis on public accountability for all forms of education and post-secondary education in particular;

3. The apparent imbalance of educational products and manpower needs;

4. The aggravated financial plight of many private higher educational institutions;

5. The general acceptance at national and state levels of the goal of equality of post-secondary educational

opportunity, commensurate with individual ability, need and interest for all citizens, regardless of economic status;

6. The emergence of new and more sophisticated informational and management tools for post-secondary educational institutions and systems;

7. The increasing recognition of the desirability of institutional and programatic couplementation, rather than duplication and competition;

8. The current number and variety of public institutions in each state; and

9. The basic need for a rational sense of direction.

Accordingly, since Federal legislation inevitably has an impact on such planning, we suggest that there is a Federal responsibility to re-enforce statewide planning as basic to the national interest and to the health, even survival, of the kind of pluralistic and diversified, yet complementary post-secondary educational complex of institutions that promises to meet the needs of the states, the nation, and the citizens in the period ahead.

Thus, we suggest first, that consideration be given to amending pending higher educational legislation to make a substantial and continuing matching, but not necessarily equal, fund commitment to each state, which has a legally-authorized comprehensive

statewide planning process for post-secondary education, including both public and non-public institutions. Such funding would make it possible to control costs induced by Federal, as well as state support for post-secondary education before they are incurred. It would effectively establish sound comprehensive planning on which further plans for post-secondary educational support may be based. It would assist tremendously in the task of coordinating Federal plans with state objectives for post-secondary education. It would encourage the states to further carry-out their own responsibilities in statewide planning.

Second, we suggest that Federal funds for such planning be allocated to the state agency legally responsible for general comprehensive planning for post-secondary education in each state.

Third, we suggest that Federal funds allocated for state planning and administration of various post-secondary categorical grant programs be administered by the designated planning agency. This would help to avoid the type of isolated planning in connection with categorized grant programs, which can and sometimes would lead to conflicting plan objectives and ensure greater equality for the smaller institutions not as likely to have strong influence with granting operations.

Fourth, we would also suggest that provisions be made so that a portion of the Federal funds allocated to the comprehensive planning agencies may be alloted to any appropriate agency or institution for the purpose of aiding in the formulation and implementation of a statewide plan.

In addition to direct Federal recognition of the importance of statewide planning, we would like to call attention to the need for sustained commitment and advanced funding in all Federal post-secondary educational programs. It is highly desirable that the Federal government establish definite objectives in its higher educational policies and programs, and achieve some stability in their financial support. Currently, among the major inhibitors of effective utilization of Federal higher educational funds in the service of national, state, and institutional purposes are underfunding, late funding, and fluctuating funding which create uncertainties or negate reasonable planning efforts.

In the area of student assistance, we would like to commend Senators Pell and Mondale for their positions in relation to more adequate funding and institutional supplements to help in support of additional educational costs for particularly needy students. We are concerned, however, as a matter of general policy about the possibility of more effective development of a real Federal-state-institutional partnership in which state efforts in student assistance are recognized and strengthened. This should include the utilization of state agencies to help in the equalization of opportunity not only for students within an institution, but among institutions within a state; and for those potential students who for financial reasons, do not apply to any institutions.

In the area of continuing education and community services, we strongly support Senator Pell's recommended continuation of the program at an adequate authorization level, and his provision for consideration of special programs and projects relating to regional and national problems on the one hand; and metropolitan-area programs or the other. However, we would also suggest that this would be an appropriate time to consider the consolidation of Title I with other Federal programs in these areas into a single comprehensive and well-defined community service and continuing education title. Not only should the legislation consolidate existing programs; it should more clearly designate continuing education as integrally related to community service in order to avoid some of the ambiguities of the past. This is one of the areas in which statewide planning is particularly needed and close cooperation with authorized planning agencies is essential, if we are to effectively utilize the higher educational resources of a state.

In connection with developing institutions, we commend Senator Pell's highly desirable extension of the program for five years at a higher authorization. We suggest, however, that to ensure that the funds are not dissipated; they should be awarded through the appropriate state higher education planning agencies in accordance with state plans to ensure their most effective use in meeting clearly-identified post-secondary educational needs which are also appropriate to the institutions in question.

We strongly support Senator Pell's five-year extension of academic facilities construction grants and the continuation of state planning funds under Title VII. We would, however, like to urge that assurances be written with the act that planning funds shall go to the state legislatively-designated agencies for statewide planning where such agencies exist. It is hardly consistent to provide in some states for two agencies; one authorized by state legislation or constitution, and one called for by Federal legislation, each charged with statewide planning responsibilities.

Finally, we endorse the recommended National Foundation for Higher Education as proposed both in Senator Pell's bill and in the administration's bill. We would suggest that its incorporation within the Division of Education as proposed in S659 or under the Office of Education is preferable for the coordination of educational efforts to its semi-autonomous status in the administration's bill. However, we would strongly suggest that the bill be ammended to insure inclusion on the Board of the Foundation representation from statewide higher education agencies. Again, the proposed programs of the Foundation have state, as well as institutional, higher educational implications, and it is critically important that the statewide point-of-view be represented.

Again, we wish to express appreciation to you for the opportunity to meet with the Committee today, and we would be happy to offer to you or your staff, any appropriate aid we can make available, through the members of the State Higher Education Executive Officers' Association either individually or collectively.

Senator PELL. I thank you very much. I want to assure you that there is no subject that interests me more than higher education. I looked forward to the chairmanship of this subcommittee and working on this bill very much indeed.

I regret exceedingly that we cannot spend the whole morning with you and the preceding witnesses conversing and exchanging ideas. I hope that if you have any further thoughts you will send them to me in writing, with the notation in the letter whether you want it made part of the record or not.

(Information subsequently supplied follows:)

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April 27, 1971

Mr. Steve Wexler
Subcommittee on Education, Senate Committee
on Labor and Public Welfare
Room 4428, New Senate Office Building
Washington, D. C. 20510

Dear Mr. Wexler:

In a brief conversation with Dick Smith following the presentation by Cameron West and the State Higher Education Executive Officers group, April 21, Dick invited comment on the possibility that some of the provisions or ideas in the Williams bill (S.545) might be encompassed in Senator Pell's bill.

Speaking for myself and in reference to our Colorado situation, I would make the following points.

1. Federal assistance in the community college area, if rendered through the statewide higher education agency, would be significant assistance to all of higher education in our state, because we are committed to the development of an ambitious, vocationally-oriented, urban community college system which is growing rapidly and requiring large infusions of state funds. Such funds, upon being assigned here are not available for support of other needs within the total system. Federal help will both speed the development of the community colleges and help strengthen the whole system.

2. The emphasis upon preparation of a state plan, including assistance in accomplishing this, is significant and worthwhile. I would emphatically agree that responsibility for formulation and submittal of such a plan should be that of the state agency designated by the Governor, and where there is a state agency having responsibilities relating to all segments of post-secondary education should certainly be that agency rather than one identified with the existing community junior colleges.

3. Seems to me it would be wasteful to allocate funds to all states on some basis related to population, and thus preferable that funds be awarded on the basis of approved state plans. Safeguards against favoritism could readily be provided

through appropriate procedures for the evaluation and review of state plans and for appeals to some such body as the proposed "National Advisory Council."

4. Similarly, I believe wide discretion should be given the Commissioner as to appropriate activities to be supported, because the status of community college planning and development, and the resulting needs for planning, construction, or operating support, vary so greatly among the states.

While I would not like to see Senator Pell's bill jeopardized by an effort to add major new programs, I do feel that the concepts behind the Williams bill would represent very significant encouragement and assistance in our state in moving forward more rapidly and forcefully along lines already laid down here.

Sincerely yours,

Frank C. Abbott
Executive Director

FCA/mr
cc: Dr. Richard Millard
Dr. Cameron West

Senator PELL. I thank you. I again apologize for having to recess this hearing until 10 o'clock tomorrow morning.

(Whereupon, at 10:35 a.m., the hearing in the above-entitled matter was recessed, to reconvene at 10 a.m., Thursday, April 22, 1971.)

EDUCATION AMENDMENTS OF 1971

ED057753

HEARINGS

BEFORE THE

SUBCOMMITTEE ON EDUCATION

OF THE

COMMITTEE ON

LABOR AND PUBLIC WELFARE

UNITED STATES SENATE

NINETY-SECOND CONGRESS

FIRST SESSION

ON

S. 659

TO AMEND THE HIGHER EDUCATION ACT OF 1965, THE VOCATIONAL REHABILITATION ACT OF 1965, AND RELATED ACTS, AND FOR OTHER PURPOSES

AND RELATED BILLS

APRIL 27, 28, AND 29, 1971

PART 1

Printed for the use of the
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EDUCATION AMENDMENTS OF 1971

HEARINGS

BEFORE THE

SUBCOMMITTEE ON EDUCATION

OF THE

COMMITTEE ON

LABOR AND PUBLIC WELFARE

UNITED STATES SENATE

NINETY-SECOND CONGRESS

FIRST SESSION

ON

S. 659

TO AMEND THE HIGHER EDUCATION ACT OF 1965, THE VOCATIONAL EDUCATIONAL ACT OF 1968, AND RELATED ACTS, AND FOR OTHER PURPOSES

AND RELATED BILLS

APRIL 22, 23, AND 27, 1971

PART 3

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EDUCATION AMENDMENTS OF 1971

THURSDAY, APRIL 22, 1971

U.S. SENATE,
SUBCOMMITTEE ON EDUCATION OF THE
COMMITTEE ON LABOR AND PUBLIC WELFARE,
Washington, D.C.

The subcommittee met, pursuant to recess, at 10 a.m., in room 4230, New Senate Office Building, Senator Claiborne Pell presiding.

Present: Senators Pell, and Javits.

Staff present: Stephen J. Wexler, subcommittee counsel; Richard D. Smith, associate counsel; Roy H. Millenson, minority staff director.

Senator PELL. The Subcommittee on Education hearings on the Education Amendments of 1971 will come to order.

The first witnesses will discuss title VI NDEA—area language centers. I welcome Dr. Lea Williams of Brown University, an old friend of mine from Rhode Island, Dr. Stanley Spector of Washington University, St. Louis, Mo., and Mr. Morehouse of the New York State Department of Education.

If you will come forward, please. I will advise you that I am the floor manager of a bill presently pending on the Senate floor. We are going to limit this morning's hearing to 1 hour, with 20 minutes to each panel.

Dr. Williams, do you want to take the chair?

STATEMENTS OF DR. LEA WILLIAMS, BROWN UNIVERSITY, PROVIDENCE, R.I.; DR. STANLEY SPECTOR, WASHINGTON UNIVERSITY, ST. LOUIS, MO.; AND WARD MOREHOUSE, NEW YORK STATE DEPARTMENT OF EDUCATION

Dr. WILLIAMS. Thank you very much, Senator Pell. In view of the time limit I will be very brief indeed. My two colleagues have already been introduced.

Each of us has sought in his written statement to present certain points critical to a consideration of legislation in this area. In my own case, I paid particular attention to the value, indeed the essential value, of a Federal backing for international education, as for example through the language and area centers which now operate. Such support is of particular value as a catalyst in order to permit those of us involved in negotiating budgets with university administrators to establish the fact that, as evidenced by aid from outside the university, in this instance by the Federal Government, that we have a certain amount of recognition and backing; and, therefore, the total funding of our programs does not need to rely on our universities. In the past

we have across the country been obtaining something like 10 percent of our support from Federal sources. So, Federal funding is a very modest but a tremendously significant and essential ingredient.

The other point I sought to make was one to deal with the question of the oversupply at the moment of advanced scholars, Ph. D's, the argument being that there are too many of these people and, therefore, why train more. There are not too many of these people by any means. What is now happening is that all Ph. D's are able to obtain suitable jobs, although they may not get the jobs they would have chosen a few years ago in terms of the prestige of institutions or whatever. They are going out across the country into junior colleges and community colleges. This in fact is what we should have been doing all along in bringing international education where it is most urgently needed; that is, to the smaller, less well-known institutions. So there is no oversupply of Ph. D's.

Having said that, I should like to turn to either of my colleagues.

Senator PELL. Dr. Spector.

Dr. SPECTOR. Senator Pell, thank you very much for this opportunity to appear before this distinguished subcommittee which is dealing I think with a subject very, very important to the national interest.

Senator PELL. I would completely agree with you that what we are doing is tremendously important, and yet the public is really not greatly interested in the problem with which you and I are seized. I see one representative of the press here, and very rarely does the general public take an interest in these hearings. But I will agree with you that they are important.

Dr. SPECTOR. I think that is precisely the problem: that the general public does not take an interest in it because in the course of its normal education the general public has not had the kind of necessary exposure to help it understand its very important role.

Mr. Chairman, my testimony has been submitted in writing. I would like to just concentrate on two important points which are in my written testimony, and one derives from a very recent experience I had.

I was invited by the Academy of Sciences of the U.S.S.R. to visit their programs relating to foreign areas study, and I was a guest of the Institute of the United States of America which is responsible for research on the the United States of America, an institute which was set up only 3 years ago in Moscow because they were concerned about the commanding lead we had established in studying their society while they had no counterpart in Russia. My host there was Anatoly Gromyko, the son of the Foreign Minister. I was also invited as a specialist to visit their Institute of Far Eastern Studies and to spend time with my Soviet counterparts in comparing the way we study China. Obviously both nations have a very deep interest in China.

I was able to inquire about their system to make some assessment of the scholarship there, and I should report to this committee that I was deeply impressed by the great strides which the Russians have made in the past few years in creating a body of scholars who for instance could carry on all their conversations with me, all these intricate discussions, in perfect English in the one case and in perfect Chinese in the other. This made a very deep impression.

I am convinced that the Russians have created an excellent pool of specialists through maintaining central government institutes for research and training, but where they are failing and precisely the difference between the Soviet system and our own is they get no diffusion. They mark their specialists out early in their careers, train say two or three hundred in Chinese and that is all they have. That is not enough for them either but certainly it is a good supply, whereas what we are doing is trying at the same time to disseminate information to our entire population. That explains the need for many area and language centers throughout the country as opposed to one central institution.

Senator PELL. Thank you very much.

Your statements will be put in the record fully at the end of your testimony.

Mr. Morehouse.

Mr. MOREHOUSE. Thank you very much, Senator Pell.

I, too, have a written statement which I would appreciate having inserted in the record.

I would like to deal with just one or two points very briefly in amplification and extension of the observations made by my colleagues.

One is to underscore the vital importance of undergraduate programs in the total Federal Government effort in the field of world language and area studies. As Professor Spector indicated in his remarks, we are very much concerned not only with training a small cadre of highly developed specialists on various critical areas of the world, but we need to diffuse this knowledge throughout our population; and in order to do this, we must have a strong underpinning in programs at the undergraduate level as well as at more advanced levels.

The second point I would like to emphasize is my belief that we need to move beyond, but without diminishing our present effort in the field of language and area studies, to programs that are focused on topical programs or issues which cut across major geographical regions of the world. For example, the problem of expanding human population which is something that concerns all mankind. It concerns us on the North American Continent as well as elsewhere in the world.

The third point I would like to make is that I think there is an important role to be played in strengthening international aspects of American higher education through interinstitutional cooperation. We still have, as Professor Williams has indicated, too few specialists in, for example, Chinese, his field of special interest and competence, to cover the country; and, therefore, we are going to have to share these scarce resources. In this connection I work very closely, Senator, with an organization which is committed to the proposition that we can enrich this aspect of American higher education significantly through cooperation among institutions, the National Council of Associations for International Studies.

Senator PELL. Thank you, Mr. Morehouse.

(The prepared statement of Mr. Morehouse follows:)

STRENGTHENING THE INTERNATIONAL DIMENSIONS OF AMERICAN HIGHER EDUCATION

Testimony of Ward Morehouse, Director, Center for International Programs and and Comparative Studies, State Education Department, University of the State of New York, and President, National Council of Associations for International Studies, before the Special Subcommittee on Education of the Senate Committee on Labor and Public Welfare, Thursday, April 22, 1971.

My name is Ward Morehouse. I am the Director of the Center for International Programs and Comparative Studies of the New York State Education Department. I also appear before you on behalf of the National Council of Associations for International Studies, an organization composed of a dozen regional associations of colleges representing over 400 institutions from Vermont to Hawaii. The views I am expressing to you today reflect as well the concerns, needs, and objectives of the State University of New York.

Mr. Chairman, I appreciate very much this opportunity to come before you to offer testimony in support of legislation which will strengthen the international dimensions of American higher education. I should like first to comment on important aspects of international education which I believe should be reflected in the higher education legislation now under consideration by this Committee. These comments will be followed by some observations on changing environment for public policy toward international education in the United States. My comments rest on the assumption , for which I believe, there is persuasive evidence, that American society in the decades ahead will become more, not less, interdependent with the rest of the world.

The principal legislative authority now being used by the federal government to support the strengthening of international dimensions of American higher education is Title VI of the National Defense Education Act, which provides support to colleges and universities in programs of training in critical languages and related area studies deemed to be important to our national security. This legislative authority has

been in existence in substantially the same form for over a decade and has made vital contributions to enlarging our national capability for dealing more effectively with the rest of the world.

The need for such a national capability continues, and in my judgment will increase in the coming decades, but the character of the capability required is changing. Programs designed to enhance this capability must also change. This has been wisely recognized by the present Administration in the plans which it is developing for the coming fiscal year. I quote from the justification statement submitted by the Office of Education in support of fiscal year 1972 appropriations for NDEA Title VI:

> Despite the limitations of funding constraints, some important program innovations are included within the level proposed. Six new graduate programs are planned at an average cost of $40,000 for a total of $240,000. These graduate programs of excellence will focus on such new and critical areas as contemporary Europe, Eastwest relations, international trade and business, and comparative urban and environmental problems. Ten new undergraduate programs are envisaged at an average cost of $30,000 for a total of $300,000. These innovative undergraduate programs will demonstrate new approaches to undergraduate education in world affairs and international studies, with particular attention to teacher education.

Congress also recognizes the need for change. The higher education bill introduced by Senator Pell and others (S.6591) proposes, after a year extension of existing NDEA Title VI, a new title designed to aid graduate programs in different fields, including international studies. Senator Javits' bill to consolidate and extend a number of existing but thus far unfunded higher education programs (S.1073) also would make possible important changes and improvements in federal government support of international studies in American higher education if the International Education Act, which is included in his bill, were to be funded. I will not address myself to the specifics of either these bills or the Administration bill (S.1123), which provides for a two-year extension of NDEA Title VI and which would also make possible, in light of the passage quoted from the Office of Education justification statement for the fiscal 1972 NDEA Title VI appropriation, some changes in program emphasis. More significant in my view than the specific details of these alternative pieces of legislation, all of which have merits, are the emphases which should be given in the future to federal programs related to this important but still very much neglected aspect of American higher education. I should like to mention three emphases which I believe should be reflected in legislation emerging from this Committee.

The first is the need for recognition of the importance of undergraduate programs in international studies. Undergraduate programs are vital in providing an essential foundation for more advanced studies which will help to enhance our national capability for dealing with the rest of the world. Past experience suggests, furthermore, that undergraduate institutions often show greater ability to bring about important changes in academic programs which reflect the changing environment in which international studies are being undertaken. Beyond that, undergraduate programs provide an absolutely vital dimension to our total national effort in this field by enlarging the base of enlightened citizen understanding of the relationship

of our society to the rest of the world. There are many more citizens who have only an undergraduate degree than are trained to the Ph.D level. Without such understanding and consequent support of constructive public policies reflecting this interdependence, I believe that many of the qualities of American life which we most cherish will be increasingly difficult to maintain in the coming decades with a rapidly growing human population, increasing disparities in wealth throughout the world, and growing impact of human civilization on our natural environment.

The second concerns the need for strengthening programs at both the undergraduate and graduate level which deal with critical problems confronting human society in the second half of the twentieth century. Population, food, peace and the quality of the environment are all global concerns which vitally affect the future of American society. We need to strengthen our capacity as a nation for dealing with these and other critical problems in the decades ahead.

It is important to emphasize in this connection, Mr. Chairman, that the basic purpose toward which NDEA Title VI has been directed continues to represent an important and vital national need served by our institutions of higher education, and the emphases which I have suggested do not imply any diminished significance to our continuing requirements for highly trained professional manpower with knowledge of critical languages and areas of the world. The far greater expense of training such manpower, furthermore, continues to justify, in my judgment, a federal contribution to programs in our colleges and universities which train this manpower.

The third point which I wish to emphasize and which I believe should increasingly be reflected in federal programs to strengthen international studies in American higher education is inter-institutional cooperation. At a time when all of our colleges and universities are experiencing grave financial difficulties, efforts to share scarce resources, thereby enabling groups of institutions to provide opportunities for their faculty and students which they would not be able to do singly, merit fullest possible support. The National Council of Associations for International Studies, of which I am currently serving as President, reflects at the national level the principle of cooperation and sharing scarce resources which has gathered increasing momentum as a means of strengthening the international dimensions of higher education at the regional level. This important approach to strengthening international dimensions of our institutions of higher education should be given increasing emphasis in the years immediately ahead.

This leads me to a consideration of the changing environment for public policy toward international education in the 1970's. The political, economic, and social enviroment for international education has been changing in recent years and appears likely to continue to change along certain basic lines. Here are some factors in this changing enviroment:

1. The United States relationship with the rest of the world in the 1970's and beyond appears likely to be characterized by continuing political and military disengagement, growing recognition of a relative decline in our national power, at least militarily, and growing economic

interdependence. To manage our relationships in this enviroment will require more advanced skills and more general understanding of the position of American society in its global contextthroughout our society.

2. The gap between the advantaged and disadvantaged which has generated such social tension in American society in recent years, will grow at an accelerating rate over the next thirty years on a world scale. By the year 2000, the gap in per capita income between the United States and India will have almost doubled, even though India will experience a more rapid growth rate than the United States. By the end of the century, America, along with Europe and Japan, will consititute golden ghettoes in a worldwide slum of grinding proverty. As we have been pondering the educational implications of social tensions generated by a similar gap in our own society in the past few years, we surely need to consider what the educational consequences will be for a similar gap, much wider and on a much broader scale, in the future.

3. In the next thirty years (which is the operative time frame for educating today's students), the population of the world will double. Never before in human history has the world experienced population growth of such absolute magnitude. Most of this increase will occur in the poor countries of the Third World so that by the end of this century, four out of five human beings will live in Asia, Africa, and Latin America, areas of the world about which we now study least in our schools and colleges.

4. The most urgent problems facing U.S. society in 1971--urban growth and decay, enviromental pollution, the place of cultural and racial minoirties in our social system-- all have a worldwide context and are being experienced by other societies as well as our own. Some will certainly depend for their solution on action which transcends national boundaries; enviromental pollution is an obvious illustration. We have much to learn from others who have been struggling with the same kinds of problems. And we have much to gain from exploring together with others ways and means of dealing with these problems.

There remains, Mr. Chairman, the critically important question which is implicit in the issues which I have been discussing--namely, the relationship of "categorical" and "non-categorical" aid to our colleges and universities by the federal government. In my opinion, the two are not mutually exclusive but go hand in hand. I believe, furthermore, that this position has been reflected in a variety of ways by the Congress and recent administrations, including the present one.

Formal education at whatever level is supported by society because it serves goals and purposes which society recognizes as important. A recent case in point is the Environmental Education Act, which reflects the concern of both the present Administration and the Congress, as well as the American people, with the deteriorating quality of our enviroment and the need to educate future generations of Americans about the importance of protecting that environment. Categorical programs of support to education like the Environmental Education Act and the legislation to strengthen international aspects of American education will always be needed in order that society may give support to aspects of formal education which serve critically important goals of society. At the same time it is also clear that our institutions

of higher education, whether publicly or privately controlled, require increasing public support, whether at the state or national level, of a non-categorical character. The two forms of aid should be regarded as complementary and mutually reinforcing.

We need to recognize, furthermore, that the categorical characteristics of federal programs in many different fields exist at different levels. To the proponents of general revenue-sharing with the states, even programs which seek to aid education "non-categorically" are "categorical" in character. The same observation can be made with respect to federal programs of "non-categorical" assistance to higher education or to elementary and secondary education, which again reflect a "categorical" determination by the federal government of priorities to be attached to different levels of formal education in our society.

I submit, Mr. Chairman, that the critical issue is not whether a particular program is "categorical" or "non-categorical", for this is a relative proposition. Rather it is whether or not the program serves a vital need of society. The matter was succinctly expressed by Daniel P. Moynihan, former Counsellor to the President, in his letter of April 27, 1970, to President Nathan Pusey of Harvard, in which, writing on behalf of the President and indicating that the present Administration was reversing itself and would continue to support NDEA Title VI, he stated:

> It would be difficult to find an area in which pursuit of disinterested scholarship was more ~~correctly~~ directly a matter of national interest than here.

There is substantial evidence that the international dimensions of American higher education are indeed related to and serve vital needs of our society. The education policy-making body in New York State--the Board of Regents of the State of New York--has stated, in a 1970 policy paper on international education, that:

> It is necessary that the citizen of tomorrow be informed about the parts of the world beyond the borders of his own country because what happens in those countries is bound to affect him and his country. Further, societies and traditions other than our own are worthy of our attention in their own right because of the quality and richness of human experience which they

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> represent. But, by all odds, the single most important educational reason for studying other societies is that it helps us to understand better our own. .
>
> The Regents believe that increased emphasis should be placed on the international dimensions of education....The educational objectives involved are critical ones: to prepare men to take their place in a world where isolation no longer exists.

The Center for International Programs and Comparative Studies for which I am responsible was created by the Board of Regents in recognition of this need. The Center seeks to strengthen opportunities and resources for teachers and students in our schools, colleges, and universities to understand the modern world in all of its diversity and complexity. In this effort, we cooperate actively with state and national education agencies and institutions in other parts of the country and abroad.

The federal government has also recognized the importance of these concerns to American education. The Congress of the United States has declared it to be the policy of the United States Government that:

> ...a knowledge of other countries is of the utmost importance in promoting mutual understanding and cooperation between nations; that strong American educational resources are a necessary base for strengthening our relations with other countries; that this and future generations of Americans should be assured ample opportunity to develop to the fullest extent possible their intellectual capacities in all areas of knowledge pertaining to other countries, peoples, and cultures...

The need for greater knowledge and understanding of the world beyond our national boundaries was one of the sobering experiences of the Second World War, and all Presidents since then, regardless of party, have emphasized on more than one occasion the vital importance of enlarging our capacity to know and to understand other peoples and nations with which we live on this often troubled planet. In 1966, for example, President Johnson stated that:

> We would be shortsighted to confine our vision to this nation's shorelines. The same rewards we count at home will flow from sharing in a worldwide effort to rid mankind of the slavery of ignorance and the scourge of disease. We bear a special role in this liberating mission. Our resources will be wasted in defending freedom's frontiers if we neglect the spirit that makes men want

> to be free... The search continues-more urgent today than ever before in man's history.

Earlier this year, President Nixon, in his "State of the World" message, observed that:

> Around the globe, East and West, the rigid bipolar world of the 1940's and 1950's has given way to the fluidity of a new era of multilateral diplomacy. Fifty-one nations joined the United Nations at its founding in 1945; today 127 are members. It is an increasingly heterogeneous and complex world, and the dangers of local conflict are magnified. But so, too, are the opportunities for creative diplomacy.
>
> Increasingly we see new issues that transcend geographic and ideological borders and confront the world community of nations. Many flow from the nature of modern technology. They reflect a shrinking globe and expanding interdependence. They include the challenges of exploring new frontiers of space and sea and the dangers of polluting the planet. These global issues call for a new dimension of international cooperation.

Mr. Chairman, I hope that this Committee will shape, from the bills now before it, legislation which will reflect the need to strengthen aspects of international studies of American higher education which have been discussed in this statement.

Thank you.

Senator PELL. Incidentally, Dr. Spector, Senator Eagleton was particularly sorry he could not be with us this morning. Unfortunately, he is chairing another subcommittee hearing and his time is spread rather thin. But he asked me to welcome you here.

Dr. SPECTOR. I regret it because I understand he has just recently become an Asian expert himself, having just returned from Asia.

LANGUAGE FACILITY—U.S.

Senator PELL. Would it be a correct statement to say that, of all the technologically advanced societies, we are the one with the least knowledge of foreign languages?

Dr. SPECTOR. No; I would not think so.

Senator PELL. Who else would compete with us for this role of ignorance?

Dr. SPECTOR. I think the role of ignorance could be shared with us by the Soviet Union and England and perhaps Japan, although they try harder in Japan.

Senator PELL. I went to school in England and have traveled in the Soviet Union. I would have thought that there was greater knowledge of foreign languages in the streets in both those countries than there would be in the streets of our own country.

Dr. SPECTOR. In speaking, that would be true, Senator. They do get much more practice because they are on a single continent and see many more tourists. But in terms of doing research and so forth, we are not behind. But the point is, we have a long way to go.

Senator PELL. I am not talking about research. I am talking about the majority of the people in our country who have little knowledge of other languages. I think we assume that when an Italian comes over here and speaks only his native tongue, rather than the English, he is stupid, and when we go to Italy we think they are stupid because they speak only Italian and no English. I would like to know whether that view is off base.

Dr. SPECTOR. My impression was, from what the Russians told me, that they do have English speakers. That is because they have special schools in each city where they teach their children English from the very beginning. But when you get into the masses of the population, they are probably in bad shape, too. And they are doing a lot about it now. They have established special schools all over Russia. They are ahead of us.

Mr. MOREHOUSE. May I comment briefly on this, Senator, from the point of view of a technologically less-developed country, namely, India, which is my special area of interest. Deal with this in terms of individuals from our country and from India at comparable levels of education; if we take the average college or university graduate in India, he will invariably command a working knowledge of at least two languages, one of which would ordinarily be English because that is the language of higher education. The other would be his own mother tongue. I do not think we have yet, and I believe this was the burden of your question, reached the point where it is widely recognized that one of the hallmarks of a well-educated individual in our society is a capacity to conduct himself in at least one other language beside his own.

Senator PELL. Are we not going in reverse in this regard as to Ph. D. requirements? Many colleges used to call for spoken and writ-

ten knowledge of two languages; this requirement has been dropped to one. Frankly, I think you sound much too optimistic about how well we are doing.

Another point which bothers me is the drift throughout the world toward the Tower of Babel. Many new languages have become national tongues; for example, 30 years ago when we did not have all these national languages. Do you see any way to reverse it? I always thought that World War II would have generated English as a type of Esperanto.

Dr. WILLIAMS. Senator, of course, actually there are these languages you mentioned. My impression in traveling in places like Indonesia, the Philippines, and Malaysia is that English is gaining ground rapidly despite official efforts in various countries to supplant it with something else. This has been the source of tremendous unhappiness, particularly in the Philippines and Malaysia where they have tried to do away with English with a complete lack of success.

Mr. MOREHOUSE. No; I don't think so, Senator Pell. I would agree with Professor Williams. It is indeed true that there are important political forces promoting the use of Indian languages. But I still believe it to be true, although we lack accurate statistics, that there are more English-speaking individuals in India today than at the time of independence. And my basis for that statement is a very simple one. I have never met English-knowing parents in India whose children were not also receiving an English-medium education.

Senator PELL. Is it not a fact though that the public in India will soon not be able to read basic English? Are they not turning off English as a language?

Mr. MOREHOUSE. That is not true. In fact, English is still a widely used language in science, government, business, and other areas of national life.

Senator PELL. According to the law it is being phased out.

Mr. MOREHOUSE. But as a practical matter I don't think that time will ever come.

Senator PELL. But is it not written into the law?

Mr. MOREHOUSE. Not in fact. The constitution has been reinterpreted to permit continued use of English.

Senator PELL. The constitution has been amended in the last year or two in this regard?

Mr. MOREHOUSE. English continues as a so-called "associated official language," although Hindi is now the official language of the country.

Senator PELL. Yes; but I do not think the debates conducted in the Parliament are in English.

Mr. MOREHOUSE. Oh, yes, they can be and indeed are.

Senator PELL. Well, I stand corrected then and I am delighted to hear that. When I was there the intention was that they were going to phase out English by a set time.

Mr. MOREHOUSE. Well, indeed this was the law; you are quite correct. And there was considerable civil disturbance in some parts of the country over the provisions of this law when the date in question approached, and as a consequence of this considerable political agitation the position regarding English was changed.

The question, however, is a complicated one, and I should like to submit additional material on this point for the record.

(The information subsequently supplied follows:)

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April 28, 1971

Dear Senator Pell:

With reference to our discussion of the position of English vis-a-vis Indian languages in India today, at the April 22 hearings on higher education legislation of the Special Subcommittee on Education, I think the record should be clear that your basic point is entirely correct--namely, increasing emphasis on the use of Indian languages in government at the state and national levels, particularly Hindi but also other major Indian languages as well. Furthermore, as you rightly suggested, Hindi has become the "official language" of the Indian federal union, in terms of provisions of the Indian constitution with effect from 1965.

As far as the Indian parliament is concerned, Hindi, other Indian languages, and English are all permitted, and a fair amount of the debates does take place in English, which also continues to be used as a language of publication for a good many central government documents and reports, where communication on an all-India basis is considered important. But Indian languages at the state level are increasingly used for both written and verbal communication in all activities of government, and Hindi is certainly more widely used inthe central government (and in those states where it is the offical language) than has been the case in the past.

The official Government of India explanation of the current language policy position is given in the following extract from the Indian Ministry of Information and Broadcasting, India: A Reference Manual, Delhi: 1967, p.24:

> Official Language
>
> As provided in Article 343 of the Constitution, Hindi became the official language of the Union with effect from January 26, 1965. The form of numerals to be used for the offical purposes of the Union is the international form of Indian numerals. However, under section 3 of the Official Languages Act, 1963 provision has been made for the continued use of the English language in addition to Hindi, even after January 26, 1965 for (a) all the offical purposes of the Union for which it was being used immediately before that day, and (b) for the transaction of business in Parliament. Under Article 346 of the Constitution, the language (or languages) for the time being authorised to be used for the official purposes of the Union shall also be the language (or languages) to be used for communication between a State and the Union and between one State and another.

If it is not inappropriate, may I suggest that this letter be included in the hearing record in further clarification of the point which you raised about use of English and Indian languages in India.

Yours sincerely,

Ward Morehouse
Director

The Honorable Claiborne Pell
Special Subcommittee on Education
Committee on Labor and Welfare
United States Senate
Room 325, Old Senate Office Building
Washington, D.C.

WM/gc

Dr. SPECTOR. The Parliament of Malaysia has put such a law into effect and now in fact within the last few years only Malay can be used in the Parliament of Malaysia. English is now out.

Dr. WILLIAMS. I must correct my colleague. English is now out, but as the speaker always permits its use, so the debates continue completely uninhibited in English in violation of the spirit of the law.

Dr. SPECTOR. But it is still not the legal language and all government functions must be conducted in Malay.

Senator PELL. Gentlemen, with specific regard to the legislation before us; the administration bill which extends the program for 2 years and the committee bill, S. 659, which extends it for a longer period consolidating it with international education and strengthening graduate schools—that is very subjective questioning—do you have any preference as to which bill you prefer?

Dr. SPECTOR. May I address myself to that point. I was formerly special consultant with the U.S. Office of Education for the International Education Act. I drew up much of the wording for the undergraduate portion of that. I might say that at that time interestingly enough the thinking was that the International Act might absorb title IV of NDEA which was considered desirable if title VI could be guaranteed further existence. It is important that title VI continue through the indefinite future. It has a specific function. Now if the International Education Act provisions which the Senator's bill incorporates should go forward I think this would be very desirable because one rests upon the other. We must have this area and language as the base. From there we can then make comparative studies, ultimate studies of NDEA or those provisions, and we can also go on with undergraduate training which is necessary for diffusion. So I think the two mesh very well, and I think the committee should be complimented on coming forward with this idea provided, of course, that title VI moneys are not lost in the shuffle.

Senator PELL. To make a preference between the two helps us in getting our work enacted into law. If you were to choose between the two bills, would you as a panel express a preference for one or the other?

Dr. SPECTOR. The only difficulty, sir, is that I am not skilled in the political meaning of much of this. I know international education and title VI.

Senator PELL. Have you studied the legislation that we asked you to comment upon?

Dr. SPECTOR. Yes, sir.

Senator PELL. Which bill do you prefer?

Dr. SPECTOR. I would prefer your bill, sir, provided we could be sure that the title VI provisions were there. The longer, extended time is absolutely necessary. That is what the Soviet experience convinced me. They are long-term projections of what we need—not just 2 years but say a 5-year authorization for funding. We know where we stand and I think the general bill is in the exact direction we should be moving.

Senator PELL. Would this be the general view of the panel?

Mr. MOREHOUSE. Yes, sir; I would like to add just one comment, in addition to the importance of continuing the provisions of NDEA title VI for advanced training in language and area studies for which this

very title provides. I believe that the committee's bill would be greatly strengthened if there could be provision also for support of undergraduate programs. As the language now reads it is confined to graduate programs, but I believe the undergraduate dimension is a vital part of the total Federal program in this field.

Senator PELL. Thank you very much.

I have some more technical questions which I wonder if you could reply to briefly. Would you send them back to us some time within the next 10 days or 2 weeks if that is convenient. Thank you.

I am sorry for the pressure operating here. Dr. Williams is an old friend and has been very hospitable to me and I appreciate it tremendously.

(The information subsequently supplied follows:)

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April 28, 1971

Dear Senator Pell:

I should like to express my very real appreciation to you for giving Professor Lea Williams of Brown University, Professor Stanley Spector of Washington University (St. Louis), and myself an opportunity to present our views on legislation related to international studies in American higher education before the Special Subcommittee on Education on April 22. Here are my comments on the five questions which you asked us to answer at the conclusion of the Hearings:

1. Order and magnitude of tasks: what are the priorities? How long do you envision Federal support as needing to be continued?

There are three critical needs, only the first of which is being met in significant degree at the present time, if international studies are to be strengthened as a vital dimension of American higher education in the 1970's:

1. Programs to train specialists in critical but neglected languages and major world areas.

2. Programs of advanced training and research devoted to important world problems which transcend geographical boundaries--population growth, urban and environmental problems, conflict resolution and international peace, etc.

3. Undergraduate programs in language and area studies and world problems, necessary to build a sound foundation of preparation for graduate specialization and to develop a broad base of citizen awareness and understanding of these key areas and problems which will be confronting the nation with increasing urgency during the coming decades.

These are the critical priorities. More support will be required in the future if all three are to be met in any significant degree. Present support, primarily for the first need listed above (and to a very limited degree, the third need) is $15.3 million. Support should be increased to at least the present authorized level of NDEA Title VI, namely, $38 million.

The length of time for federal support is dealt with in the next question.

2. Re: Categorical aid
In light of the trend away from categorical aid, and special program funding, how do you justify NDEA Title VI?

The relevant criterion is not whether a particular federal program is "categorical" or "non-categorical" but rather, whether it serves an important national need. Thus, even the Congress and this Administration, which have professed to be opposed to continuation of categorical programs in education, have pushed for an Environment Education Act because the deteriorating condition of our environment is demonstratably important to the nation. The same is true of the international dimensions of American higher education which are very directly related to our nation's capacity to deal effectively with the rest of the world. The question of how long federal support should be continued should, therefore, be answered in relation to the length of time that an important national need served by a particular federal program continues to remain significant and important. Viewed in this manner, federal support for specialists in neglected languages and related area studies and in major world problems will be required for the foreseeable future. The federal government has supported agricultural research and extension activities at the state and county levels for a good many years and is likely to continue to do so for some time in the future, for essentially the same reason.

3. Would this production of specialists be better accomplished through one national institute, instead of so many centers scattered throughout the country?

In our pluralistic society with its equally pluralistic education system, the diversity of emphases in international programs in our universities is a real source of strength in enhancing our national capability to deal more effectively with the rest of the world. It is part of our American tradition that competition within reasonable limits encourages change, stimulates progress, and is generally a good thing for society. The same may be said of international programs in American universities. This diversity and sense of competition in trying to be the best would be lost if all of this activity were concentrated in one national institute.

4. What would be the benefit of consolidating the IEA and NDEA Title VI?

The most important issue here is preserving the "funding continuity" of NDEA Title VI. The difficulties which the International Education Act has experienced as a "new" program in not being able to secure funding over the past five years is a sobering lesson. At the same time, the additional programs contemplated under the IEA (essentially the second and third needs outlined above) are vitally important. There is much to be said, therefore, for amending NDEA Title VI to include provision for the additional kinds of programs authorized but thus far not funded under IEA.

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5. What role could the National Foundation for Higher Education have vis-a-vis international education?

While it is important that the legislation creating the National Foundation for Higher Education permits the Foundation to follow a broad focus on needed changes in our colleges and universities, encouragement should also be given, perhaps through inclusion of language to this effect in the Committee's report on the higher education foundation bill, for appropriate attention and support to be given to innovative ideas which will strengthen the international dimensions of American colleges and universities.

Once again, I want to express to you my appreciation for the opportunity which you gave us to present our views on international studies in American higher education.

Yours sincerely,

Ward Morehouse

Ward Morehouse
Director

The Honorable Claiborne Pell
Special Subcommittee on Education
Committee on Labor and Welfare
Room 325, Old Senate Office Building
United States Senate
Washington, D.C.

WM/gc

(The statements of Dr. Williams and Dr. Morehouse and other material supplied for the record follow:)

Statement to be submitted to

the Special Sub-Committee on Education of the
Committee on Labor and Public Welfare
of the United States Senate

By: Lea E. Williams, Director
East Asia Language and Area Center
Brown University

April 22, 1971

It is by no means without significance that to speak of the crisis in education is to use a cliche. The fact that all who administer, finance, offer and profit from advanced education are uniform in their recognition of the challenges and dangers confronting the universities of this country is proof that apprehension is general and genuine. It is my purpose today to focus on only one of many problems, the financial squeeze. More specifically, I propose to offer some observations on the crucial role of Federal support to institutions providing instruction in languages and substantive fields related to East Asia.

Costs in education have not merely risen in the post-war years; they have doubled and redoubled. The building and maintenance of classrooms and dormitories combine to devour a major share of university budgets. The acquisition of books for libraries, the most vital function of any respectable institution, is twice as expensive as it was a decade ago. Faculty salaries have been improved in an effort to permit teachers the attainment of middle class living standards. (It is presumably needless for me to add that I have little quarrel with that particular development).

In the recent past, private benefactors, state legislatures and the foundations have either cut back their funding or redirected support to endeavors other

than education. University administrators are thus caught in a cruel budgetary vise. Perhaps no college or university president would admit it, but all are being driven toward a point where the arguments of cost-price analysis will win precedence over considerations of educational merit in the making of decisions on the distribution of university resources. It will grow difficult indeed for the more highly specialized departments to claim a just share of the budgetary pie. The professor who teaches ten students will be regarded as only half as valuable as the one who teaches twenty. Departments able to reach huge student audiences will be seen as economically viable; the less popular in enrollment will be viewed as marginal. When the ax crashes down on the departments with high unit costs per student, university administrators will speak of curricular development, reformulated goals or rational priorities. They will in fact be acknowledging the triumph of campus economic determinism.

As I am truly proud to report, the President of my own institution recently observed that it is often precisely in the continuation of scholarly programs that may serve relatively few students that the designation university is earned. Political science, anthropology or sociology would have been killed in infancy if administrators of a generation or two ago had evaluated those disciplines in raw budgetary terms. That is the nature of the threat that hangs over the economically marginal endeavors today. Included among that insecure group are programs focused on the non-Western world. Far fewer students are in Chinese than in French. Any decent undergraduate knows about the industrialization of the North Atlantic countries; only rare individuals can discuss the transformation of Japan from agrarian feudalism to super economic power in just one century. The number of doctorates in European history is many times greater than that of all scholars trained to teach and do research on Asia, Africa and Latin America combined.

The place of the federal government in these circumstances is clear. There is no alternative source of support to which those of us in non-Western fields can turn. I should be much happier if this were not the case; but, it seems that, as in so many other areas, the federal hand is needed where private or state resources and initiative are inadequate for the accomplishment of tasks in the national interest.

At this time in history, the feeling that we ought to know more about China is stronger than ever. If we are actually moving toward increased exchange with the Chinese fifth of humanity, then government, industry and commerce will all demand the services of people trained to seek ways of interpreting China. Journalists and teachers at all levels will want information on that country. Even brief encounters with the Chinese will be more productive and realistic if Americans are better informed. For example, one of the trail-blazing table tennis players was reported in the press as having been awed by the power of Mao Tse-tung's moral leadership when he saw three-year old Chinese infants treating two-year olds with protective affection. Any one with a background on the Chinese family, a student from my own courses, for example, would have known that older children have been the custodians of younger ones for centuries.

Two arguments against federal support for non-Western studies seem to make considerable sense. At the risk of abrasiveness, I should like to destroy both of them. First, it is frequently pointed out that government funds, as in the case of the language and area centers, have contributed only a minor share of total funding. The figures for the country as a whole demonstrate that about ninety percent of the costs of such centers comes from university budgets with only a tenth of total costs being met through federal contributions. The arithmetic leads to the questioning of why federal money is so important, Surely, it is claimed, the universities can simply get along on their own means, possibly with a ten percent retrenchment in center activities.

The reasoning of the argument would be decisive except for the oddities of the budget-making process at a university. The faculty member who can approach his university administration armed with even modest external funding is far better able to negotiate for a just share of university support than the man who has been given no tangible sign of outside backing. Federal grants are catalytic agents essential to the funding of non-Western studies. The term seed money has no more appropriate application than in this situation.

The second argument against continued federal help to programs of the sort with which I am involved has the advantage of timeliness, or so it seems. Reports are wide-

spread to the effect that newly earned advanced degrees are no longer guarantees of employment. There is alleged to be a vast intellectual proletariat of the unemployed or under-employed. Doctorates are said to be a drug on the market. If this dreadful state of affairs exists, so it is argued, there is no reason to provide training to more misfits.

Two points can be made here. Even if there were a superabundance of scholars in the fields under discussion, to stop the flow for short term reasons would leave the country without a reservoir of expertise when circumstances change, as they most surely will. Progress through the pipeline bringing non-Western specialists to the job market requires many years. If the line is closed now, it cannot be brought back into service for a very long time, if ever.

In fact there is no surplus of non-Western scholars. People are finding employment, though the positions the newer specialists are beginning to fill may not carry the prestige or provide the benefits of jobs viewed as attractive a few years ago. It is all for the good. For the first time, junior and community colleges can recruit men who formerly would have set their sights only on esteemed universities with elaborate research facilities, preferably on one of our two coasts. There may be some hardship or disappointment among younger scholars at the moment, but economic necessity has brought non-Western studies to formerly neglected campuses. In the final analysis, that ought to have been our purpose all along.

By way of conclusion, it may be useful to indicate some of the things done by the East Asia Language and Area Center at Brown University. The Center, of course, coordinates degree programs at both the undergraduate and graduate levels. Twelve staff members are represented in five academic disciplines. Our Chinese library is one of the country's finest. Graduates are now in government service, in journalism and in academic pursuits. Our campus role is but one of several. Cooperation with the Naval War College at Newport has helped in the advanced training of officers at that institution. The place of the Center in the local community is of particular, yet often overlooked, significance. Center faculty frequently are invited to lecture at neighboring educational institutions, both public and private. State and church-

supported campuses in the area have all been served. Faculty members and qualified students from a variety of local institutions are provided with consultation and the use of the library at the Center. Curricular planning is an area in which the Center has been notably helpful to outside colleagues. For example, the secondary educational system in Warwick, Rhode Island will soon inaugurate a program in non-Western studies based in substantial measure upon recommendations from the Center at Brown. Many of the teachers in the high schools in the state have done course work under Center faculty. It is hoped that we can be of service to the Oceanographic Institute at the University of Rhode Island where there will be established an international center, largely for students and specialists from abroad, to aid developing countries to utilize food and other resources from the sea. Supporting letters endorsing these points are now being submitted to the Sub-committee by educators and others in Rhode Island.

The example of Brown is a small one indeed. It is not difficult to realize the impact of language and area programs across the country. Limited backing by the federal government has permitted the achievement of something far too rare in American education --- excellence. Yet, success has not been won in isolation from practicality and national needs. As the peoples of the non-Western world grow in numbers and in power, as they certainly will, the United States will increasingly rely on the services of the pool of manpower and knowledge that has been created. We must hope that our resources will be adequate for the great tasks we are sure to have to undertake.

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BROWN UNIVERSITY Providence, Rhode Island • 02912

EAST ASIA LANGUAGE
AND
AREA CENTER

April 26, 1971

The Honorable Clairborne Pell
Room 325
Old Senate Office Building
Washington, D. C.

Dear Senator:

Permit me to thank you again for receiving me in your office and accepting my testimony to your subcommittee last week. I am particularly grateful in view of the heavy pressures on your time at this point.

You transmitted to those of us who testified last week five questions which had not been adequately covered in our presentation. Professors Spector and Morehouse are better qualified than I to handle some of the questions, so I shall deal here only with two broad topics.

The matter of categorical aid is one on which I have rather strong feelings. The high cost of programs such as those maintained by language and area centers, when calculated in terms of budgetary investment per student, make international education quite unattractive to university administrators faced with the problems of the revenue-expenditure squeeze and the claims of a multiplicity of contending programs within a university. If categorical aid to the language and area centers were abandoned, it is most unlikely that programs in international education could count on adequate support for their continuance from general university resources.

I recognize that categorical aid is cumbersome to administer from Washington, but I see no attractive alternative. Possibly a plan for the awarding of support equal to the full costs involved per individual student

in language and area centers merits study. There would, however, under such a program be the danger that programs at various universities would be driven to engage in an unseemly contest for popularity.

The second question to consider here relates to the feasibility of achieving our goals in international education through the development of a single, giant institute comparable to that in the Soviet Union in place of many language and area centers. It is certainly hard to dispute the idea that economies would be realized through centralization. It would be equally difficult to convince me that the purposes for which the present one hundred or so centers in the country exist could be effectively served if we were all to be combined in a megacenter, The traditions and the needs of American education oblige us to be diversified in academic approach and wide-spread geographically. This is simply a function of our fundamental commitment to democracy in education.

Furthermore, we do not in the United States have the means whereby students can be authoritatively directed to enter a central institution. Such national control, except for the patterns long established by the service academies, would be alien in our environment. Perhaps decentralization is another of the expensive systems to be maintained for the sake of democratic growth and survival.

Please call upon me should you wish any elaboration of the points made here or further discussion of other questions relating to international education. With renewed thanks for your kindness of last week and with best wishes to Mrs. Pell and you, I am,

Sincerely,

Lea E. Williams

Lea E. Williams
Director

LEW:sr

CITY OF WARWICK
PUBLIC SCHOOLS

325 MIANTONOMO DRIVE
WARWICK, RHODE ISLAND 02888

ROBERT J. SHAPIRO
SUPERVISOR OF SOCIAL STUDIES

April 20,1971

Senator Claiborne Pell
United States Senate
Senate Office Building
Washington,D.C.

Dear Senator Pell:

This letter is in support of the program and consulting services offered to the Warwick public schools by the East Asian Language and Area Center at Brown University.

Under the very capable leadership of Professor Lea E. Williams the center has provided the schools eith lectures and seminars led by outstanding scholars during the past two years. This year our Asian lecturers included Mr. Loren Fessler (China) and Dr. F. Roy Lockheimer (Japan). Hish school students have appreciatied the opportunity to listen to and speak with these scholars.

In addition, the center provides free of charge curriculum consulting services for a new series of independent study programs that will be offered in Warwick during the September,1971, semester. Professor Williams has also extended invitations to the Warwick teachers for monthly colloquiums in Asian studies in order to enhance their backgrounds.

The Warwick public school system is indebted to the East Asian Language and Area Center at Brown University for the services offered to secondary students and teachers.

I would appreciate your incorporating this statement into the Congressional Record.

Thank-you.

Yours truly,

Robert J. Shapiro

PROVIDENCE COLLEGE
PROVIDENCE, RHODE ISLAND 02918

Department of Political Science

April 16, 1971

The Honorable Claiborne Pell
Chairman
Special Education Sub-Committee
of the Senate Committee on
Labor and Public Welfare
United States Senate
Washington, D. C.

Dear Senator Pell:

Last year I have written to you a letter in support on the future of the language and area centers.

Being aware of the fact that your Committee is again about to conduct hearings on the future of the language and area centers, I would like to submit some remarks on the subject in general, and on the importance of one of such centers at Brown University, in particular. I would like also to request you that the remarks made by me herein be read into the minutes of your Committee and in any Congressional sources which you deem proper for the inclusion of these remarks.

For a Senator whose record and service clearly indicate his concern for and a knowledgeability of the requirements for foreign policy planning, and the concomitant educational background necessary to train personnel for policy decision-making process, an attempt to explain excessively the value, the importance, and, indeed, the necessity for the training of an expert personnel for policy decision-making process mechanism, is surely not necessary.

It should suffice to state briefly, however, that the Brown University East Asia Language and Area Center, under the directorship of Professor Lea E. Williams, indicates an institutional studies dimension of liberal education.

Most meaningful training and research in non-Western area studies in the United States are conducted at foreign area

study centers. While the undergraduate "area programs" have tended to be limited to the large universities which have the necessary resources, there is a growing interest at Providence College in following the strength.

The Department of Political Science at Providence College was able to add a few survey courses in area studies, however, any development of the in-depth, specialized courses, offered by the Center at Brown University is simply financially prohibitive for us.

Now, the East Asia Language and Area Center at Brown University has supplied in the past and continues to supply invaluable services to Providence College, in general, and to the Department of Political Science, in particular.

These services range from the easy accessibility of the Center's library sources to our staff and our students, to the direct participation by Providence College students in course offering at the Center. The staff of the Center, moreover, is always available for guidance and advise on study and research projects, undertaken by the Providence College staff and by the Providence College students. Colloquia conducted by outstanding scholars in the Asian area, offered by the Center, are always open to both the staff and the students of Providence College, and few members on the staff of the Center deliver lectures at Providence College. What is most important to point out, however, is the fact that all the above services have been offered by the Center at Brown University without any cost to Providence College.

I have no knowledge of the extent similar Centers across the country share their facilities with small sister institutions. As far, however, as the Department of Political Science in Providence College is concerned, I would like to impress upon you and your Committee the fact that the existence of the Center at Brown University is indispensable to furthering education of young men interested in Asian area at Providence College.

In brief, the manifold services of the East Asian Language and Area Center at Brown University opened to the staff and the students in the Political Science Department

at Providence College, provide facilities which otherwise would not be available to Providence College. Measured in terms of sustaining the educational and intellectual interests among both the students and faculty at Providence College, the continuing existence and support of the Center at Brown is truly indispensable to us.

Sincerely yours,

Zygmunt J. Friedemann
Professor & Chairman
Dept. of Political Science

ZJF/gp

STRENGTHENING THE INTERNATIONAL DIMENSIONS OF AMERICAN HIGHER EDUCATION

Testimony of Ward Morehouse, Director, Center for International Programs and and Comparative Studies, State Education Department, University of the State of New York, and President, National Council of Associations for International Studies, before the Special Subcommittee on Education of the Senate Committee on Labor and Public Welfare, Thursday, April 22, 1971.

My name is Ward Morehouse. I am the Director of the Center for International Programs and Comparative Studies of the New York State Education Department. I also appear before you on behalf of the National Council of Associations for International Studies, an organization composed of a dozen regional associations of colleges representing over 400 institutions from Vermont to Hawaii. The views I am expressing to you today reflect as well the concerns, needs, and objectives of the State University of New York.

Mr. Chairman, I appreciate very much this opportunity to come before you to offer testimony in support of legislation which will strengthen the international dimensions of American higher education. I should like first to comment on important aspects of international education which I believe should be reflected in the higher education legislation now under consideration by this Committee. These comments will be followed by some observations on changing environment for public policy toward international education in the United States. My comments rest on the assumption , for which I believe, there is persuasive evidence, that American society in the decades ahead will become more, not less, interdependent with the rest of the world.

The principal legislative authority now being used by the federal government to support the strengthening of international dimensions of American higher education is Title VI of the National Defense Education Act, which provides support to colleges and universities in programs of training in critical languages and related area studies deemed to be important to our national security. This legislative authority has

been in existence in substantially the same form for over a decade and has made vital contributions to enlarging our national capability for dealing more effectively with the rest of the world.

The need for such a national capability continues, and in my judgment will increase in the coming decades, but the character of the capability required is changing. Programs designed to enhance this capability must also change. This has been wisely recognized by the present Administration in the plans which it is developing for the coming fiscal year. I quote from the justification statement submitted by the Office of Education in support of fiscal year 1972 appropriations for NDEA Title VI:

> Despite the limitations of funding constraints, some important program innovations are included within the level proposed. Six new graduate programs are planned at an average cost of $40,000 for a total of $240,000. These graduate programs of excellence will focus on such new and critical areas as contemporary Europe, Eastwest relations, international trade and business, and comparative urban and environmental problems. Ten new undergraduate programs are envisaged at an average cost of $30,000 for a total of $300,000. These innovative undergraduate programs will demonstrate new approaches to undergraduate education in world affairs and international studies, with particular attention to teacher education.

-2-

Congress also recognizes the need for change. The higher education bill introduced by Senator Pell and others (S.6591) proposes, after a year's extension of existing NDEA Title VI, a new title designed to aid graduate programs in different fields, including international studies. Senator Javits' bill to consolidate and extend a number of existing but thus far unfunded higher education programs (S.1073) also would make possible important changes and improvements in federal government support of international studies in American higher education if the International Education Act, which is included in his bill, were to be funded. I will not address myself to the specifics of either these bills or the Administration bill (S.1123), which provides for a two-year extension of NDEA Title VI and which would also make possible, in light of the passage quoted from the Office of Education justification statement for the fiscal 1972 NDEA Title VI appropriation, some changes in program emphasis. More significant in my view than the specific details of these alternative pieces of legislation, all of which have merits, are the emphases which should be given in the future to federal programs related to this important but still very much neglected aspect of American higher education. I should like to mention three emphases which I believe should be reflected in legislation emerging from this Committee.

The first is the need for recognition of the importance of <u>undergraduate</u> programs in international studies. Undergraduate programs are vital in providing an essential foundation for more advanced studies which will help to enhance our national capability for dealing with the rest of the world. Past experience suggests, furthermore, that undergraduate institutions often show greater ability to bring about important changes in academic programs which reflect the changing environment in which international studies are being undertaken. Beyond that, undergraduate programs provide an absolutely vital dimension to our total national effort in this field by enlarging the base of enlightened citizen understanding of the relationship

of our society to the rest of the world. There are many more citizens who have only an undergraduate degree than are trained to the Ph.D level. Without such understanding and consequent support of constructive public policies reflecting this interdependence, I believe that many of the qualities of American life which we most cherish will be increasingly difficult to maintain in the coming decades with a rapidly growing human population, increasing disparities in wealth throughout the world, and growing impact of human civilization on our natural environment.

The second concerns the need for strengthening programs at both the undergraduate and graduate level which deal with critical problems confronting human society in the second half of the twentieth century. Population, food, peace and the quality of the environment are all global concerns which vitally affect the future of American society. We need to strengthen our capacity as a nation for dealing with these and other critical problems in the decades ahead.

It is important to emphasize in this connection, Mr. Chairman, that the basic purpose toward which NDEA Title VI has been directed continues to represent an important and vital national need served by our institutions of higher education, and the emphases which I have suggested do not imply any diminished significance to our continuing requirements for highly trained professional manpower with knowledge of critical languages and areas of the world. The far greater expense of training such manpower, furthermore, continues to justify, in my judgment, a federal contribution to programs in our colleges and universities which train this manpower.

The third point which I wish to emphasize and which I believe should increasingly be reflected in federal programs to strengthen international studies in American higher education is inter-institutional cooperation. At a time when all of our colleges and universities are experiencing grave financial difficulties, efforts to share scarce resources, thereby enabling groups of institutions to provide opportunities for their faculty and students which they would not be able to do singly, merit fullest possible support. The National Council of Associations for International Studies, of which I am currently serving as President, reflects at the national level the principle of cooperation and sharing scarce resources which has gathered increasing momentum as a means of strengthening the international dimensions of higher education at the regional level. This important approach to strengthening international dimensions of our institutions of higher education should be given increasing emphasis in the years immediately ahead.

This leads me to a consideration of the changing environment for public policy toward international education in the 1970's. The political, economic, and social enviroment for international education has been changing in recent years and appears likely to continue to change along certain basic lines. Here are some factors in this changing enviroment:

1. The United States relationship with the rest of the world in the 1970's and beyond appears likely to be characterized by continuing political and military disengagement, growing recognition of a relative decline in our national power, at least militarily, and growing economic

interdependence. To manage our relationships in this enviroment will require more advanced skills and more general understanding of the position of American society in its global contextthroughout our society.

2. The gap between the advantaged and disadvantaged which has generated such social tension in American society in recent years, will grow at an accelerating rate over the next thirty years on a world scale. By the year 2000, the gap in per capita income between the United States and India will have almost doubled, even though India will experience a more rapid growth rate than the United States. By the end of the century, America, along with Europe and Japan, will consititute golden ghettoes in a worldwide slum of grinding proverty. As we have been pondering the educational implications of social tensions generated by a similar gap in our own society in the past few years, we surely need to consider what the educational consequences will be for a similar gap, much wider and on a much broader scale, in the future.

3. In the next thirty years (which is the operative time frame for educating today's students), the population of the world will double. Never before in human history has the world experienced population growth of such absolute magnitude. Most of this increase will occur in the poor countries of the Third World so that by the end of this century, four out of five human beings will live in Asia, Africa, and Latin America, areas of the world about which we now study least in, our schools and colleges.

4. The most urgent problems facing U.S. society in 1971--urban growth and decay, enviromental pollution, the place of cultural and racial minoirties in our social system-- all have a worldwide context and are being experienced by other societies as well as our own. Some will certainly depend for their solution on action which transcends national boundaries; enviromental pollution is/an obvious illustration. We have much to learn from others who have been struggling with the same kinds of problems. And we have much to gain from exploring together with others ways and means of dealing with these problems.

There remains, Mr. Chairman, the critically important question which/is implicit in the issues which I have been discussing--namely, the relationship of "categorical" and "non-categorical" aid to our colleges and universities by the federal government. In my opinion, the two are not mutually exclusive but go hand in hand. I believe, furthermore, that this position has been reflected in a variety of ways by the Congress and recent administrations, including the present one.

Formal education at whatever level is supported by society because it serves goals and purposes which society recognizes as important. A recent case in point is the Environmental Education Act, which reflects the concern of both the present Administration and the Congress, as well as the American people, with the deteriorating quality of our enviroment and the need to educate future generations of Americans about the importance of protecting that environment. Categorical programs of support to education like the Environmental Education Act and the legislation to strengthen international aspects of American education will always be needed in order that society may give support to aspects of formal education which serve critically important goals of society. At the same time it is also clear that our institutions

of higher education, whether publicly or privately controlled, require increasing public support, whether at the state or national level, of a non-categorical character. The two forms of aid should be regarded as complementary and mutually reinforcing.

We need to recognize, furthermore, that the categorical characteristics of federal programs in many different fields exist at different levels. To the proponents of general revenue-sharing with the states, even programs which seek to aid education "non-categorically" are "categorical" in character. The same observation can be made with respect to federal programs of "non-categorical" assistance to higher education or to elementary and secondary education, which again reflect a "categorical" determination by the federal government of priorities to be attached to different levels of formal education in our society.

I submit, Mr. Chairman, that the critical issue is not whether a particular program is "categorical" or "non-categorical", for this is a relative proposition. Rather it is whether or not the program serves a vital need of society. The matter was succinctly expressed by Daniel P. Moynihan, former Counsellor to the President, in his letter of April 27, 1970, to President Nathan Pusey of Harvard, in which, writing on behalf of the President and indicating that the present Administration was reversing itself and would continue to support NDEA Title VI, he stated:

> It would be difficult to find an area in which pursuit of disinterested scholarship was more directly a matter of national interest than here.

There is substantial evidence that the international dimensions of American higher education are indeed related to and serve vital needs of our society. The education policy-making body in New York State--the Board of Regents of the State of New York--has stated, in a 1970 policy paper on international education, that:

> It is necessary that the citizen of tomorrow be informed about the parts of the world beyond the borders of his own country because what happens in those countries is bound to affect him and his country. Further, societies and traditions other than our own are worthy of our attention in their own right because of the quality and richness of human experience which they

> represent. But, by all odds, the single most important educational reason for studying other societies is that it helps us to understand better our own.
>
> The Regents believe that increased emphasis should be placed on the international dimensions of education....The educational objectives involved are critical ones: to prepare men to take their place in a world where isolation no longer exists.

The Center for International Programs and Comparative Studies for which I am responsible was created by the Board of Regents in recognition of this need. The Center seeks to strengthen opportunities and resources for teachers and students in our schools, colleges, and universities to understand the modern world in all of its diversity and complexity. In this effort, we cooperate actively with state and national education agencies and institutions in other parts of the country and abroad.

The federal government has also recognized the importance of these concerns to American education. The Congress of the United States has declared it to be the policy of the United States Government that:

> ...a knowledge of other countries is of the utmost importance in promoting mutual understanding and cooperation between nations; that strong American educational resources are a necessary base for strengthening our relations with other countries; that this and future generations of Americans should be assured ample opportunity to develop to the fullest extent possible their intellectual capacities in all areas of knowledge pertaining to other countries, peoples, and cultures...

The need for greater knowledge and understanding of the world beyond our national boundaries was one of the sobering experiences of the Second World War, and all Presidents since then, regardless of party, have emphasized on more than one occasion the vital importance of enlarging our capacity to know and to understand other peoples and nations with which we live on this often troubled planet. In 1966, for example, President Johnson stated that:

> We would be shortsighted to confine our vision to this nation's shorelines. The same rewards we count at home will flow from sharing in a worldwide effort to rid mankind of the slavery of ignorance and the scourge of disease. We bear a special role in this liberating mission. Our resources will be wasted in defending freedom's frontiers if we neglect the spirit that makes men want

> to be free... The search continues-more urgent today than ever before in man's history.

Earlier this year, President Nixon, in his "State of the World" message, observed that:

> Around the globe, East and West, the rigid bipolar world of the 1940's and 1950's has given way to the fluidity of a new era of multilateral diplomacy. Fifty-one nations joined the United Nations at its founding in 1945; today 127 are members. It is an increasingly heterogeneous and complex world, and the dangers of local conflict are magnified. But so, too, are the opportunities for creative diplomacy.
>
> Increasingly we see new issues that transcend geographic and ideological borders and confront the world community of nations. Many flow from the nature of modern technology. They reflect a shrinking globe and expanding interdependence. They include the challenges of exploring new frontiers of space and sea and the dangers of polluting the planet. These global issues call for a new dimension of international cooperation.

Mr. Chairman, I hope that this Committee will shape, from the bills now before it, legislation which will reflect the need to strengthen aspects of international studies of American higher education which have been discussed in this statement.

Thank you.

-10-

60-433 O - 71 - pt. 3 - 4

western union **Telegram**

MB013
WA M NA070 XNT2110 NL DT PDF NEW YORK NY 26
SENATOR CLAIBORNE PELL, SENATE SUB COMMITTEE ON EDUCATION
NEW SENATE OFFICE BLDG RM 228 WASHDC
AS PRESIDENT ASSOCIATION ASIAN STUDKES WITH 5000 MEMBERS ACROSS
THE COUNTRY URGE YOU SUPPORT EXTENSION NDEA TITLE SIX ABSOLUTELY
NECESARY TO MAINTAIN INDISPENSIBLE LANGUAGE AND AREA PROGRAMS.
ADDITIONAL WAYS MUST BE FOUND TO BROADEN SUPPORT FOR AREA STUDKES
THROUGH PREPARATION OF TEXTBOOKS, TEACHER TRAINING ETCETERA
BY USE OF COUNTERPART CURRENCIES
MARTIN WILBUR PRESIDENT AAS.

THE UNIVERSITY OF ARIZONA
TUCSON, ARIZONA 85721

GRADUATE COLLEGE
OFFICE OF THE DEAN

29 April 1971

Senator Claiborne Pell
United States Senate
Old Senate Office Building
Washington, D.C. 20510

Dear Senator Pell:

It is my understanding that the portion of the Appropriation Bill which would support the foreign language fellowships of Title VI of the National Defense Education Act is now being considered by your Committee. I should like to urge strongly that you seriously consider an increased appropriation for these fellowships over the amount available last year. These fellowships form the very backbone of the nation's program for developing some knowledge of those little studied foreign languages such as Chinese, Japanese, Arabic, and others which are so vital to our national defense and welfare. With the support of other NDEA funds and these scholarships, a number of major centers for the study of these slightly known languages have been developed, including a fine one at The University of Arizona. Because of the unusual time required to master some of these exotic languages and the culture associated with them, students seldom undertake their study unless they can look forward to the type of financial assistance which these fellowships have provided. The decrease in funding which has taken place over the last year or so has seriously handicapped this program. If strong support is not continued, we shall very likely find ourselves soon in the position we occupied during and immediately following World War II when it was impossible to find within the United States a suitable number of people conversant with the languages of the Orient and the Middle East and the cultures associated with them. It takes a great deal of time to build up an effective educational system which can provide adequate training in this field. If this system is allowed to wither and decline because of lack of support of competent students, this important national resource will disappear once more. When we need it in an emergency, it will not only be gone but it will take years to build up again.

For the reasons outlined above, I urge strong financial support of the foreign language fellowship program identified with Title VI of the National Defense Education Act.

Sincerely yours,

Herbert D. Rhodes
Dean

HDR:lg

THE UNIVERSITY OF ARIZONA
TUCSON, ARIZONA 85721

COLLEGE OF LIBERAL ARTS
OFFICE OF THE DEAN

April 30, 1971

Senator Claiborne Pell
Room 325
Old Senate Office Building
Washington, D. C. 20510

Dear Senator Pell:

It is my understanding that the appropriation to support the Fellowships under NDEA Title VI is now being considered by your Committee, and I would like to support very strongly an increased appropriation for these Fellowships over the amount made available last year. These Fellowships are in effect the backbone of the Nation's program for developing the knowledge of those little studied foreign languages such as Chinese, Japanese, Arabic, etc., which are vital to our national defense and welfare. With the support of other NDEA funds and these scholarships, a number of major centers for the study of these little known languages of vital importance have been developed, but because of the time required to master one of these languages, and the culture associated with it, students will seldom undertake their study unless they can look forward to the type of support which these Fellowships have provided. The decrease of funds made available for these Fellowships during the past year has seriously handicapped the program, and, if strong support is not continued, the turning out of American students effectively trained in the language and civilization of these countries, about which it is so important for us to know, will rapidly wither and decline to a trickle wholly inadequate to our national needs.

It is for this reason that I write you and urge the strong financial support of the NDEA Title VI program.

Yours sincerely,

John P. Schaefer
Dean, College of Liberal Arts
President-designate, University of Arizona

JPS:hs

BUCKNELL UNIVERSITY
Lewisburg, Pennsylvania 17837

OFFICE OF THE PRESIDENT

April 29, 1971

Dear Senator Pell:

I wish to register with you my conviction that the NDEA Language and Area Centers are serving an estimable purpose, have great potential for further contribution to the nation's welfare, and deserve both continuation and augmentation of federal support. Other presidents of higher education institutions where such centers have been established are, I am sure, equally convinced of the worth of the NDEA Title VI programs.

Bucknell's Center for Japanese Studies, which was established in 1965, has contributed immeasurably to the whole educational atmosphere at our University, stimulating interest in world affairs throughout the campus and among all students, in addition to the extraordinarily fine experience provided for those students directly enrolled in the courses and programs.

As one of the undergraduate centers, the Bucknell center has sought and continues to seek to provide the inseparable links which bridge our total educational structure between the secondary school world cultures and the graduate NDEA centers. The undergraduate centers in their brief existence have done the following, among other things: (1) They reach the college undergraduates at the relatively early stage, and train future lawyers, architects, engineers, doctors, ecologists, or businessmen, who may not otherwise be exposed to a culture distinct from their own. The new perspectives they gain from exposure to other cultures can enrich their lives when they commence work in their chosen professions. (2) By the adoption of their "area" approach, the undergraduate centers have enriched the curricula of other academic departments in their own institutions. In our continuous quest to attain a synthesis of man's relation to his total environment, these centers, often in cooperation with each other,

and along with the graduate centers, have made a good beginning in relating to such fields as ecology, ethno-musicology, archaeology, art history, and architecture. (3) The undergraduate centers have contributed a significant number of Peace Corps volunteers, foreign service officers, and employees of other governmental agencies. (4) These centers also provide the training ground for future area specialists who will enter graduate schools, identifying them early in their careers, and equipping them with the necessary tools, namely the languages. (5) And last but not least, the undergraduate centers are the most significant sources of teachers of world cultures in the secondary schools. They also often cooperate closely with State Departments of Education and with school boards in the training of in-service teachers, and in establishing challenging world cultures and language programs for secondary schools.

On the last point, I wish to provide an example. In the spring of 1970, our Center introduced a Japanese language program in the local Senior and Junior High Schools. It has enrolled their best students, and has proved to be so successful that it will become part of the Senior High School's regular curriculum next year.

However, recently, to our dismay, we discovered that the Title VI fund could not be used to support the high school language program which we initiated.

We believe that Title VI of the National Defense Education Act was an extraordinarily creative and farsighted piece of legislation and that it is producing what the Congress intended. However, the country's needs have grown even faster than the productivity of the program. May we therefore recommend not only the continuation of Title VI, but also its extension to create more undergraduate programs, programs concerned with teacher training, and in general, the diffusion of international non-Western studies at all levels of education.

Yours very truly,

Charles H. Watts

The Honorable Claiborne Pell
Room 325
Old Senate Office Building
Washington, D.C. 20510

CALIFORNIA INDIAN LEGAL SERVICES
1603 FIFTH STREET
EUREKA, CALIFORNIA 95501
TELEPHONE (707) 443-8397

WILLIAM H. COZAD
LAWRENCE D. EITZEN
ASSOCIATE ATTORNEYS

CENTRAL OFFICE
2527 DWIGHT WAY
BERKELEY, CALIFORNIA 94704
(415) 845-6171
GEORGE F. DUKE
DIRECTOR

May 21, 1971

Honorable Clairborne Pell, Chairman
Senate Education Subcommittee
The United States Senate
Washington, D. C. 20515

Dear Senator Pell:

We have recently learned that Congress has cut back funds available for National Defense Student Loans, College Work-Study Programs and E.O.G. grants. The cut back has hit Humboldt State College particularly hard.

This action is most distressing. Federal funding in recent years, has opened avenues for education and subsequent employment to large segments of society that had never before enjoyed a realistic opportunity for higher education. And it is clear that the Federal Government is the only possible source of fund's sufficient to create more than token educational opportunities. Federal funds have been particularly important in making educational goals of members of ethnic minorities achieveable. Historically, there have been very few Indians in higher education. Only in the last few years, as a result of federal resources, have a number of Indian students been admitted to institutions of higher learning.

Increased educational opportunities have played an essential part in the new Indian movement towards self-reliance and independence from governmental paternalism. A reduction in federal funding of educational programs will have substantial adverse effects upon the Indian people as a whole.

This effect will be felt more strongly at Humboldt State College than anywhere else in California. Humboldt State College currently enrolls seventy-five (75) Indian students and is developing a program that will increase the number of Indian enrollees. A reduction in federal funds

places the education of Indian students presently attending college in jeopardy and reduces the possibility of developing new programs that could provide increased opportunities for future students.

We urge reconsideration of your funding cutbacks. Work-study and E.O.G. grants are of particular importance to students from an impoverished background.

Sincerely,

Lawrence O. Eitzen

LOE:sl
cc: Hon. Alan Cranston
Hon. John Tunney
Hon. Don H. Clausen

UNIVERSITY OF CALIFORNIA, LOS ANGELES

BERKELEY • DAVIS • IRVINE • LOS ANGELES • RIVERSIDE • SAN DIEGO • SAN FRANCISCO SANTA BARBARA • SANTA CRUZ

LATIN AMERICAN CENTER
LOS ANGELES, CALIFORNIA 90024

April 27, 1971

Senator Claiborne Pell
Room 325
Old Senate Office Building
Washington, D.C. 20510

Dear Senator Pell:

We would like to thank you for your concern for the future of international education in this country, and to add our voice in support of your Senate bill which would extend the International Education Act and NDEA Title VI through the next academic year and create a new five-year Graduate Program.

Your efforts and those of your colleagues in the Senate and House give us confidence that there is indeed an understanding and appreciation in official Washington for the absolutely vital role these programs have played--and need to play in the future--in development of a pool of skilled manpower capable of facing and dealing with problems that require a global perspective rather than only a narrow national one.

Sincerely,

Peter T. Furst
Associate Director

PTF/az
c.c. Sen. Alan Cranston
Rep. Phillip Burton

UNIVERSITY OF CALIFORNIA, BERKELEY

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DEPARTMENT OF SLAVIC LANGUAGES AND LITERATURES
BERKELEY, CALIFORNIA 94720

April 29, 1971

The Honorable Claiborne Pell
325 Old Senate Office Building
Washington, D.C. 20510

Dear Senator Pell:

As Director of the East European Language and Area Center at the University of California (Berkeley), I am writing to urge your support for the President's recommendation that the NDEA Title VI programs be renewed for 1972-73.

Rather than deal in generalities, I will try to point out to you what I consider the specific values of the program of our Center and its importance to this country.

1. In our center, Federal funds under Title VI of the NDEA are now being used exclusively for the partial support of area and language programs concerned with East European countries outside the USSR, specifically, Poland, Czechoslovakia, Yugoslavia, and Hungary. We are training young Americans to read, write, speak, and comprehend orally the languages of these countries and to know something about their history, culture, and political and economic life. Our graduates go on to utilize these skills and knowledge in a variety of ways from which our country derives benefit--in government service, both military and civilian, in private business, and in education. They form a growing reservoir of knowledge and talent, continually adding to our understanding of that part of the world, and available to the government on a more intensive basis if the need should arise. Furthermore, many of them spend time in those countries and help to spread a positive image there of American concern and interest in them.

I hardly need argue the crucial importance of Eastern Europe in the world today--political, economic, strategic. The United States cannot afford ignorance of this area. It was long neglected by American educational institutions; but in the last decade or so, with NDEA support, great strides have been made in overcoming this neglect. Russian studies in particular are now well established as

part of the regular curriculum at most major universities and colleges. Studies in the rest of Eastern Europe, however, are much less firmly based, and for them continued Federal support is crucial.

2. As you know, drastic cuts in the NDEA program were made by the last Congress. Our Center budget for 1971-72 as submitted to the Office of Education had to be reduced to 70% of the budget for 1970-71; student fellowships were drastically curtailed.

These cuts hit us at a time of fiscal crisis in the state and of severe budgetary crisis in the University. There is no hope that the Federal cuts can be made good by the state. They mean, simply, curtailment or abandonment of our programs. Specifically, we have had to reduce our instructional staff (and thus the quality of our program) in Hungarian, Czech, and Polish. We can no longer train our students as well as we did; our graduates will be less qualified than they were. This, I submit, is a loss to the country--a loss we can ill afford.

We are pleased that the President evidently agrees with this position and recommends renewal of the Title VI language and area programs and the restoration to their previous level. I hope very much that you and the distinguished members of your committee will accept this recommendation,

Respectfully yours,

Hugh McLean

Hugh McLean
Director, East European
Language and Area Center

HM/nk

cc: Senator Cranston
Representative Phillip Burton
Dean Knight
Chancellor Heyns
Mr. Peter Goldschmidt

UNIVERSITY OF CALIFORNIA, BERKELEY

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OFFICE OF THE DEAN
COLLEGE OF LETTERS AND SCIENCE

BERKELEY, CALIFORNIA 94720

May 19, 1971

The Honorable Claiborne Pell
Room 325
Old Senate Office Building
Washington, D. C. 20510

Dear Senator Pell:

It has come to my attention that the bill to renew Title VI of the National Defense Education Act is in jeopardy, because congressional leaders are disappointed by what they think is a lack of interest, on the part of the academic community, in the bill and the programs that fall under it.

This is to indicate to you, in the strongest possible terms, that the Berkeley campus, like, I assume, all other campuses concerned with the study of Near Eastern, South Asian, and East European languages, is vitally interested in the renewal of Title VI of the National Defense Education Act. Especially during the present period of budgetary retrenching in the universities, the cutting off of the funds supporting these critical languages would be disastrous educationally, politically, and culturally. It so happens that at Berkeley the departments and research units looking after the languages and areas in question are among the most distinguished. Without sacrificing academic quality, they have managed to train students who will make an increasingly important contribution in the real world of political co-existence and cooperation. I respectfully urge that your Committee recommend adequate support, so that they be allowed to continue to do so.

Sincerely,

W. D. Knight
Dean

WDK:jdv
cc: Representative Phillip Burton
Senator Alan Cranston
Dean Sanford Elberg
Mr. Peter Goldschmidt
Chancellor Roger Heyns
Professor Hugh McLean

April 30, 1971

Senator Claiborne Pell
Room 325
Old Senate Office Building
Washington, D.C. 20510

Dear Senator Pell:

I am a professor of political science and a specialist on Middle Eastern and North African politics at the University of California, Los Angeles. I have reached this position only because of the National Defense Foreign Language Title VI Fellowships (in Arabic) I have held in the past. Therefore I write from the vantage point of personal experience when I urge full funding for this program.

This program has had an immense impact upon higher education and scholarship in the United States and has resulted in this nation's absolute preeminence in specialized area studies. This is important and relevant for your consideration but there is an even more important relevancy, namely the impact of this program upon public policy. Already I know Foreign Service Officers who are now only just beginning to get into influential positions in North African and Middle Eastern embassies. These far exceed their predecessors in linguistic skills and comprehension of area issues. If this program had started half a decade earlier, the ignorant talking to the ignorant aspects of debate over Vietnam policy and probably the policy itself would be different. This kind of program is in the nature of a long term investment in American foreign policy expertise, cutting it short at this point can only have great negative consequences for future U.S. policy in all areas of the world.

Sincerely,

Louis J. Cantori
Assistant Professor
of Political Science

LJC/nlg

western union **Telegram**

MB021
WA M NA068 XNT2112 NL DT PDF NEW YORK NY 26
SENATOR CLAIBORNE PELL, SENATE SUB COMMITTEE ON EDUCATION
NEW SENATE OFFICE BLDG RM 228 WASHDC
ON BEHALF MIDDLE EAST STUDIES ASSOCIATION OF WHICH AM PRESIDENT
WITH 1500 MEMBERS UNIVERSITY AND SCHOOL TEACHERS AND AREA SPECIALISTS
URGENTLY NECESSARY SUSTAIN EXTENSION OF NDEA TITLE SIX AND
FIND ADDITIONAL WAYS BROADEN INTEREST IN MIDDLE EAST STUDIES
AMBASSADOR JOHN BADEAU MIDDLE EAST INSTITUTE COLUMBIS UNIVERSITY.

Columbia University in the City of New York | *New York, N.Y. 10027*

EAST ASIAN INSTITUTE

April 29, 1971

Senator Claiborne Pell
Room 325
Old Senate Office Building
Washington, D.C. 20510

Dear Senator Pell:

I understand that the extension of NDEA Title VI is now under consideration by your committee. The support received under this Act has been vital to the effectiveness of this Institute, which is a major national center for the graduate training of American specialists on East Asia, providing over the past years highly needed government officials, journalists, businessmen and university teachers for service throughout the United States and abroad.

I hope you will give the extension your fullest support.

Thank you very much.

Sincerely yours,

James W. Morley

James William Morley
Director

JWM:wio

cc: Senator Jacob K. Javits

Columbia University in the City of New York | *New York, N.Y. 10025*

INSTITUTE OF AFRICAN STUDIES 622 West 113th Street

April 29, 1971

Senator Claiborne Pell
Room 325
Old Senate Office Building
Washington, D.C. 20510

Dear Senator Pell:

As Director of the Institute of African Studies, Columbia University, I write to urge that your subcommittee reconsider the proposed reduction for the fiscal year 1972 in the appropriation under Title VI of the National Defense Education Act.

Support for the study of African languages has been afforded under the Act to language and area centers over the past several years. Prior to the establishment of these centers, virtually no teaching in the indigenous languages of Africa had been possible in American universities. Since their inception, however, both graduate and undergraduate instruction have developed on a serious basis at a number of major universities, particularly in the two most commonly spoken African languages, Swahili (for East Africa) and Hausa (for West Africa). Students from all parts of the United States have been able to attend the NDEA centers with the help of National Defense Foreign Language Fellowships. In consequence, a foundation for language and area teaching has been laid which can now be built up to provide teachers at the college level and elsewhere .

Those of us who have been engaged in setting up language and area courses are aware that the network of NDEA area centers, while not perfect in operation, has played a vital part in affording opportunity to engage in teaching programs which would otherwise not have been possible. The universities have themselves contributed substantially in excess of the Federal government contribution in each of the centers.

Abrupt termination of the present program in language teaching would not only have the effect of dismantling the language staff assembled in many centers at considerable effort and expense, but would substantially interrupt the training of students already in the program. The universities would, of course, to the best of their ability seek to retain as

many of these courses as possible but the pressure currently on university budgets from all sides would make any full continuation highly unlikely.

For the African field in particular there has been a sudden rise in interest in Swahili and Hausa as part of the search for cultural identity on the part of students from the American Black Community. Demand for teachers of Swahili has extended not only to colleges and junior colleges (especially in Black Studies Programs) but to the secondary schools as well. The NDEA Language and Areas Centers have acted as a reservoir for the production of Swahili teachers for all of these levels of education, as the experience of the Institute of African studies which I direct at Columbia can amply testify.

A review of Area Studies Programs, with a view toward evaluating in detail their accomplishments over the past few years and toward making recommendations for greater effectiveness and economy of operation is now being undertaken by Professor Richard Lambert of the University of Pennsylvania. It would be most unfortunate if the appropriation for the centers were drastically reduced before the results of this survey and recommendations for the rationalization of all language centers could be planned for.

Sincerely,

Graham W. Irwin

GWI/jtg

60-433 O - 71 - pt. 3 - 5

Columbia University in the City of New York | *New York, N.Y. 10027*

DEPARTMENT OF EAST ASIAN
LANGUAGES AND CULTURES

Kent Hall

May 5, 1971

Senator Claiborne Pell
Old Senate Office Building Room 325
Washington, D.C. 20510

Dear Senator Pell,

Last year as President of the Association for Asian Studies and as spokesman for the Area Studies Associations, I wrote to you concerning the importance of extending NDEA Title VI. Whether under this name or title, or under some other, it is vital to the national interest that the basic language and area programs be continued so that the full benefit may be gained from our investment in this area.

Competence in difficult Asian languages can only be developed by long and sustained study. This involves intensive and expensive training, which private universities in severe financial difficulties can only provide if their own contribution is strongly supplemented by government support. In Chinese, Japanese and Korean real competence can be gained only in six, seven or eight years. A long-term, vigorously sustained effort is required if capable young persons are to commit themselves, at a crucial period in their learning years, to this demanding profession. Above all we must not leave stranded students who have already invested several crucial years to such programs. A break of even a year or two causes a rapid loss of proficiency.

If you are holding hearings on the renewal or reformulation of NDEA Title Six programs, I should be glad to testify, and to bring with me student spokesmen who would represent an eloquent testimonial to the quality and calibre of young people at work in this field.

I am afraid that, in the midst of all too visible and audible student demonstrations, people may fail to appreciate the young Americans in the title VI programs whose constructive efforts sharply contrast with the mindless and anarchic activities so publicized in the newspapers.

Sincerely yours,

Wm. Theodore de Bary

Wm. Theodore de Bary
Horace Walpole Carpentier Professor
of Oriental Studies

Vice President for Academic Affairs
and Provost (Designate)

Program in Comparative Studies on Southern Asia
DUKE UNIVERSITY
DURHAM, NORTH CAROLINA 27706

April 29, 1971

Senator Claiborne Pell
Room 325
Old Senate Office Building
Washington D.C. 20510

Dear Senator Pell:

I am writing on behalf of the NDEA Center for South Asia at Duke University, but I know I am also expressing the views of those concerned with other areas of the world. I do not think that any other program has contributed so much to American understanding and expertise in regard to Asia as NDEA Title VI. To speak of our own situation, our own center is the only one of its kind between Washington, D.C. and Texas. Our graduates have filled teaching positions in many states, but particularly in the colleges of the South. Training in Asian languages is a long and expensive process, and given today's cost of higher education, quite prohibitive without fellowships. A program like ours - which is typical of NDEA Centers throughout the country - supplies not only teachers but provides a source for spreading information and understanding. I might mention that one recent concern of Asian scholars has been to introduce more Asian content in elementary and secondary education. We have met with an enthusiastic response from teachers and school boards. Our NDEA Centers are resources for business, government and the publishing world as well as education. The U.S. through NDEA Title VI has been able to build up specialized knowledge on Asia unmatched in any other country of the world, but this talent has to be continually fostered; we cannot assume that the task has been completed.

Your own interests in the welfare of higher education are so well-known that those of us who are involved on a local level trust that you will guard with jealousy a concern so important for the nation.

Sincerely yours,

Ainslie Embree

Ainslie T. Embree
Professor of History and
Chairman, South Asia Program

CORNELL UNIVERSITY
SOUTHEAST ASIA PROGRAM
108 Franklin Hall
ITHACA, NEW YORK 14850

Code (607)
256-2378

28 April 1971

The Honorable
Claiborne Pell
Room 325
Old Senate Office Building
Washington, D. C. 20510

Dear Senator Pell:

The Southeast Asia Program at Cornell University is completing its second decade of growth and development. Today there are over four hundred former graduate students of the Program engaged in government service, university teaching, international service, and other activities, using their specialized language and area skills in the United States and abroad. Currently there are some one hundred graduate students receiving Southeast Asia area and language training at Cornell, or overseas in Southeast Asia for research purposes, or writing their dissertations.

Critically important funding for development of Southeast Asian studies at Cornell has been provided by Title VI of the National Defense Education Act under Office of Education programs which support language and area teaching activities and fund graduate student fellowships. Title VI funds available to the Southeast Asia Language and Area Center have enabled Cornell to (a) provide a range and depth of training in the languages of Southeast Asia unmatched by any other American university and (b) to build up a unique collection of library and reference materials to support teaching and research on Southeast Asia. These functions on which Southeast Asian studies must be built, are continuing responsibilities of the Southeast Asia Language and Area Center and the Southeast Asia Program at Cornell University. Title VI funds spell the difference between the high level of accomplishment which over two decades has made Southeast Asian studies at Cornell outstanding in the United States and possibly in the world and the sharply reduced level of these activities we can fund if our support is limited to that available from the university and private foundations.

I write to urge you to support extension of NDEA Title VI which is now under consideration by the Senate Subcommittee on Education. Withdrawal of support for Title VI will have

debilitating consequences for Southeast Asian studies in the United States. The dimensions of this nation's future need for such area and language expertise may not be entirely clear, but the need almost certainly will not diminish as we thread our way through a transitional period in American policy toward Southeast Asia.

Sincerely yours,

Frank H. Golay

Frank H. Golay
Professor of Economics
Director

FHG:hs

1285

EARLHAM COLLEGE
RICHMOND, INDIANA 47374

International Programs Office

April 27, 1971

Senator Claiborne Pell
Room 325
Old Senate Office Building
Washington, D. C. 20510

Dear Senator Pell:

You will be hearing from our President Landrum Bolling on this important matter, but I thought I should also communicate to you a sense of urgency about the renewal of federal support for international studies which is provided by the Office of Education request for $15.3 million for language and area studies under NDEA Title VI. This is the amount requested in fiscal 1970 which was later cut by the House Appropriations Committee to $8 million. The cuts thus required in Language and Area Center budgets have been very keenly felt around the country, and nowhere more so than here at Earlham College where we have so little access to foundation and government support for international education. We think we have made our modest grants do yeoman service, not only to Earlham College students, but to other students in the area and to the Richmond community where we have frequently made available these services and materials that the Office of Education Center provides.

The small grants we have received have made it possible for Earlham College to provide basic Japanese language instruction for nearly as many students as are serviced by a large university center such as the University of Michigan. Without this support we could not continue.

Additionally, we provide significant personal and material resources for local public schools. Our film library and book collection could not be sustained without this help.

In a day when we need to generate a maximum amount of light rather than heat on the crucial issues of the time, it does seem short-sighted to reduce the funding available for this kind of long-range educational job which is so critically necessary if America is to play a constructive

role in the world of the 1970's. I hope that you will find it appropriate to make strong representations on behalf of this funding. It is vital to the well-being of small colleges that we have continuing modest support for such vital work. If I can help by providing you with any further information, please feel free to call on me.

Sincerely yours,

Jackson H. Bailey

Jackson H. Bailey
Professor of History
Director
Center for East Asian
Language and Area Studies

JHB/ms

cc Landrum Bolling

EARLHAM COLLEGE
RICHMOND, INDIANA 47374

THE PRESIDENT

May 9, 1971

Senator Claiborne Pell
Room 325
Old Senate Office Building
Washington, D. C. 20510

Dear Senator Pell:

As you and your colleagues wrestle with questions of priorities and budget needs for various aspects of the nation's educational system, I want to impose on your time with this brief but urgent appeal that you give special attention to adequate financing of programs in foreign languages and area studies developed under NDEA Title VI.

This aid in the operation of Language and Area Centers has been of enormous importance in strengthening one of the chronically weak sectors in U. S. higher education. With all the international burdens placed upon American governmental, business and cultural organizations our colleges just must do an expanded and improved job of teaching in the international and intercultural fields.

On the basis of quite modest grants, over the past several years, Earlham College has been able to develop a remarkably significant program of studies related to the language and social life of Japan. We have not only served an appreciable number of our own students but have drawn in regularly students from other institutions in our twelve-college Great Lakes Colleges Association. Indeed, the total impact of this program compares quite favorably with the results of far more expensive programs at the large universities. And the point of this is that we would not have been able to attempt such a program at all had it not been for the NDEA funds.

Accordingly, I appeal to you to use your influence to secure a renewal of the language and area studies program, for which the Office of Education has requested $15.3 million, and to support the restoration of the funds which were cut by the House Appropriations Committee. The long-term results of this program are of major importance.

Sincerely yours,

Landrum R. Bolling

Landrum R. Bolling

LRB:AEP

1288

HARVARD UNIVERSITY
EAST ASIAN RESEARCH CENTER
ARCHIBALD CARY COOLIDGE HALL

JOHN K. FAIRBANK, *Director*
ALBERT M. CRAIG, *Associate Director*
EZRA F. VOGEL, *Associate Director*

ROOM 301
1737 CAMBRIDGE STREET
CAMBRIDGE,
MASSACHUSETTS 02138

April 26, 1971

The Honorable Claiborne Pell
The United States Senate
Washington, D.C.

Dear Sir:

This is to urge your support for the extension of NDEA Title VI--a relatively modest expenditure of Federal funds which has enormous value in creating and maintaining a body of American specialists who can deal sensibly with East Asian problems.

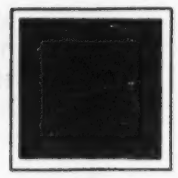
Our current relations with both Peking and Tokyo, to say nothing of Korea, Formosa, and Vietnam, indicate how absolutely essential this training is.

Sincerely,

JK Fairbank

JKF:cd

John K. Fairbank
Francis Lee Higginson Professor
of History at Harvard University



Institute for Sino-Soviet Studies

April 30, 1971

The Honorable Claiborne Pell
United States Senator
Room 325
Old Senate Office Building
Washington, D.C. 20510

Dear Senator Pell:

I understand that your committee has under consideration a matter of extension of the Title VI section of the National Defense Education Act. I would like to express to you my conviction about the importance of this program, both for the academic development and the interest of broadening public education so vital for support of our national policies. I think it imperative to maintain the momentum already established under this program. This extremely valuable support must be continued until other forms of assistance have been introduced that can supplant the present program. Any break in the continuity would create a set-back difficult to overcome.

I have expressed my views on this subject in testimony before a House committee and I am enclosing a copy of my statement. I would be very happy to provide any information you might wish or, if that would be useful, testify before your committee on this issue.

Yours sincerely,

Franz Michael

Franz Michael
Director

FM/mf

Encl.

THE
GEORGE
WASHINGTON
UNIVERSITY

Washington, D.C. 20006

Hearing:
Thursday, March 11
House Committee on Appropriations
Sub-Committee on Labor, Health,
Education and Welfare

Mr. Chairman, honorable members of the Committee:

I greatly appreciate the honor of being able to testify before this Committee at the invitation of the Chairman. Let me say that I do not represent one of the larger universities, but rather one of the smaller private institutions, the George Washington University, where I am Director of the Institute for Sino-Soviet Studies and of an NDEA Center. I would like to state at the outset that the NDEA Center program has been, in my view, one of the most important contributions made to education by Congress in the national interest. A comparatively small amount of financial support under the Title VI program has been of far-reaching impact on the American educational scene and on the American ability to deal with its new and inescapable responsibilities. At the end of World War II, when the United States was forced to assume a leading role in the development of a peaceful pluralist world, our educational program in high schools and colleges was little prepared for the task of developing an American citizenry equipped to understand and deal with the complexities of world problems. Today, cultural contact and exchange with the rest of the world is still one of the most essential means of contributing to a peaceful international world in a complex and dangerous period.

The NDEA Title VI program in the past had as its primary task the promotion of language skills to serve as a foundation for understanding of the history, economics, politics, and intellectual-cultural tradition of the nations of the world. Secondarily, the program supported area studies in the aforementioned disciplines. This program has made a decisive impact on the American educational scene, where a need for broader training in the cultures of other countries not only continues to exist but has grown.

To indicate that with all its success, the NDEA Title VI program should be expanded still, let us take the case of Japan. One of the most important problems for the future is, in my opinion, our understanding of Japan and our relationship to that country. Yet there are no more than half a dozen centers in this country which deal in depth with Japanese studies. At present none exists in Washington, D. C. At our own Institute we are currently developing a Japanese studies program which we feel is badly needed in the nation's capital.

There are two aspects of the program I would like to stress. One is the approach to the problem of better understanding of the international scene and American interests. The emphasis of the program in the past has been mainly on the developing of language training. That is as it ought to be. But language alone does not provide the expertise needed to deal with the problems which we encounter on the international scene. The program would be strengthened if it were to become more issues-oriented at each of the Centers.

One main purpose of the Centers is to train a comparatively small group of specialists needed in the academic world and to provide the expertise needed by government and business for contact with other countries. An urgent need exists, however, to broaden our understanding of world problems in the country at large. After all, it is an informed American public which will determine the success or failure of our foreign policy. To me, one of the more important aspects of the program has been its effect in increasing understanding of global problems at every level of American life. Lecturing to freshmen we learn again each year how inadequate high school training has been on those parts of the world that are not our immediate European heritage. Both directly and indirectly, the educational support provided by the NDEA program can have a much larger impact on this area of national education. Let me give but two minor examples: One is the utilization of university teachers from NDEA supported fields of study for lectures to groups of high school teachers under special programs. This has been an experience shared by many of us. The other is the possibility of the use of NDEA faculty as well as students for occasional lecturing in high school classes in their respective fields of geography, history, and culture and civilization of the countries under study.

The second point I would like to make refers to the question of distribution of support under the NDEA program. If the purpose is not only the training of language experts and specialists, but also the broad

influence of the program on the country at large, then this issue appears to be rather crucial. In the past, the program has benefitted the development of special studies at both large institutions and smaller universities. But the emphasis has been heavily weighed in favor of the well-known large institutions and their programs. I believe the effectiveness of the program would be greatly increased if greater attention were paid to the smaller private colleges. Through them, we can reach the public on a broader basis and help to bridge the threatening gap between the prestigious few in the academic world and the public-at-large. I am particularly concerned with smaller private colleges and universities which do not have the vast capital resources of some of the long-established private universities nor the state funds of the state-supported universities. My point is, therefore, that the poorer institutions -- although poverty is relative -- are not only most in need but can also best serve the purposes of broadening public knowledge of world areas and problems.

Many of these smaller universities are in difficult financial straits today, more so, indeed than the larger, well-endowed private institutions. Without outside support they could not continue these specialized programs, which do not draw the large enrollments of students necessary to cover costs from institution fees. And yet, the impact of these programs on the non-academic world throughout the country is more diverse and broader than that of the few well-known large universities. This broader distribution of NDEA support will also provide a greater variety of intellectual input into the program under the principle which was

characterized in ancient Chinese history by the motto "Let the hundred schools of thought contend" (a principle recently so mis-used in Communist China). This conforms with the American principles of diversity and intellectual freedom.

Here in Washington, D. C., with its unique importance nationally and internationally, there can be no state university -- in contrast to most other capitals of the world -- and the continued influence and growth of viable academic life depends on the survival and well-being of the local private universities even more than elsewhere in the United States. Specialized programs of the private universities here have been undertaken with some NDEA support, though the amount was very limited. The importance of developing such language and area studies in Washington needs no explanation, and the decisive role of federal support in this and in other cases of smaller institutions cannot be stressed enough.

Mr. Chairman, your committee is considering the continuation of a program that has been funded in 1970 - 1971 at $15.3 million. The allocation for 1971 - 1972 is $8.0 million. The figure under consideration for the year 1972-73 is $15.3 million. In proportion to the vast amounts needed to protect ourselves in other ways in this uncertain world, this is indeed a very small figure.

I well remember how, after the outbreak of World War II at the Western university where I was in charge of an ASTP program, we had to search the country to find qualified teachers of Japanese, Korean and Chinese languages. Thanks to the foresight of Congress, the foundation

has been laid with NDEA to avoid such unpreparedness for the future. It would be tragic if this program were aborted. The more we as a people become familiar with the world situation and world problems, the better can we follow a constructive policy in handling them. NDEA legislation is a major factor in providing the support without which much of the present work in the field could not continue.

As a student in the field and as a fellow citizen, I would like to express to you my hope that you will find it possible to allot to the NDEA Title VI program at least the proposed amount of $15.3 million or, if it is in your power, to increase this amount by another $5 million or more to broaden the contribution and strengthen the nation-wide program. It will be money well spent to educate our youth in the realization of the interrelationship of the world's problems and the tasks which will confront them as our future leaders.

60-433 O - 71 - pt. 3 - 6

SCHOOL OF ADVANCED INTERNATIONAL STUDIES
THE JOHNS HOPKINS UNIVERSITY
1740 MASSACHUSETTS AVENUE, N. W. WASHINGTON, D. C. 20036

April 26, 1971

The Honorable
Claiborne Pell
Room 325
Old Senate Office Building
Washington, D.C. 20510

Dear Senator Pell:

I am writing on behalf of the Middle East Center at SAIS to express our deep appreciation for the funding we have received under Title VI of the National Defense Education Act. Federal funding has played an important part in our developing a better understanding of the dynamics of Middle East politics. It goes without saying that in light of the present Middle East crisis the more scholarly work that can be done in this area the better off we all are.

I understand that a renewal of Title VI funding is now before your Sub-Committee on Education. I do hope that you will use all your influence to achieve an extension, and hopefully an expansion of this funding which is so important for our work.

Sincerely,

Michael C. Hudson
Director, Center for Middle
East Studies

SCHOOL OF ADVANCED INTERNATIONAL STUDIES
THE JOHNS HOPKINS UNIVERSITY
1740 MASSACHUSETTS AVENUE, N. W. WASHINGTON, D. C. 20036

FRANCIS O. WILCOX, DEAN

May 4, 1971

Dear Clay:

I write you today to underscore the importance which we at the School of Advanced International Studies attach to an adequate funding of Title 6 of the National Defense Education Act. For a number of years we have had the support of H.E.W. for our Middle East Center. This has been exceedingly helpful to us in developing the kind of graduate program we need here in the nation's capital.

I am sure you will agree that in these days it is highly important for us to continue our work in this vital Middle East field of study. Inasmuch as the matter is before your Subcommittee on Education I do hope you will use your influence to extend and expand this portion of the National Defense Education Act.

With many thanks and with kind personal regards, I am

Cordially yours,

Francis

Francis O. Wilcox

The Honorable
Claiborne Pell
Senator from Rhode Island
Room 325, Senate Office Building
Washington, D.C.

THE UNIVERSITY OF KANSAS · LAWRENCE, KANSAS · 66044

OFFICE OF THE
CHANCELLOR
913-864-3131

May 4, 1971

The Hon. Claiborne Pell
Room #325
Old Senate Office Building
Washington, D. C. 20510

Dear Senator Pell:

The University of Kansas, some fifteen years ago, decided to concentrate its efforts in International Education in three geographic areas, and thus to seek to make a maximum contribution from its very limited resources. With this beginning, the University was able to qualify for support from NDEA Title VI in both the East Asia and Slavic areas. I believe that we can demonstrate that we have made good use of the Federal funds, and I believe that we can also demonstrate that the returns have been well worth the investment.

The task of providing enough people qualified in these unusual languages and areas is far from completed. We have a continuing need for college and university students to receive adequate instruction in these area programs, a task which can be continued only if there is assurance that Title VI will be continued. On behalf of the University of Kansas, I most strongly urge the extension of NDEA Title VI.

Sincerely yours,

E. L. Chalmers, Jr.

E. L. Chalmers, Jr.
Chancellor

ELC:bs

KSU KANSAS STATE UNIVERSITY *Manhattan, Kansas 66502*

SOUTH ASIA CENTER
209 KEDZIE HALL

May 4, 1971

Senator Claiborne Pell
Room 325
Old Senate Office Building
Washington, D. C. 20510

Dear Senator Pell:

I would like to write you regarding the NDEA Title VI program which is currently being considered by Congress for 1972-1973. The development of area centers has been crucial in the development of higher education in the mid-West, not so much for the fact that these centers have developed a few elite experts on specific world areas, but because they have mobilized forces existing on campuses such as our own and provided students at both undergraduate and graduate levels with an international dimension which has been sorely lacking in the past. If we as a nation want to remain a leader on the international scene, we must, I am convinced, educate our young people to think in global terms, and to be able to interact with peoples in cross-cultural situations. On our campus, I believe that this has been the greatest benefit out of the federal support through NDEA.

We were encouraged to hear that the funding for NDEA Title VI has tentatively been restored for 1972-73, to the 1970-71 level. We are concerned, however, that this be finally approved. The amount of funding to universities such as our own are relatively small and the university has provided the major costs in terms of salaries and supplies of personnel involved. A major cut in the funding would threaten not only federal funding, but would undermine state commitments as well, for it is clear that states have followed the lead set by the federal government in the development of programs in higher education. It is for this reason that we feel that federal support is needed, as "seed" money for encouraging state support for what I consider to be one of the most productive programs initiated by the federal government in recent years.

Sincerely yours,

Paul G. Hiebert
Assoc. Professor
Dept. of Sociology and Anthropology

Latin American Studies Association Secretariat Hispanic Foundation, Library of Congress, Washington, D.C. 20540

LASA

April 27, 1971

The Honorable
Claiborne Pell, Chairman
Senate Special Subcommittee on Education
Room 228
New Senate Office Building
Washington, D.C. 20540

Dear Mr. Pell:

I am writing to urge your support for the extension of NDEA Title VI legislation. This program has proved to be indespensable in the development of programs that have produced a large number of well trained graduates who now serve in government international agencies, private agencies, business, and education. Research and teaching in Latin American studies has been greatly strengthened by the funds made available since 1958. At this time of strong interest in events in Latin America, it is important that well developed programs not be allowed to disintegrate.

Continued support is all the more urgent in view of the uncertainty which still surrounds the president's proposal for a Foundation for Higher Education. Until the nature of future federal support is clarified, it is important that existing support be maintained. Otherwise, the slowly accumulated expertise on Latin America cannot be sustained.

Many members of our Association strongly support the extension of Latin American studies to other levels of education: secondary, teaching, college, etc. I speak for these members in urging you to consider carefully the continued need for federal funding in the field of language and area studies.

Yours Sincerely,

Thomas E. Skidmore

Thomas E. Skidmore
Vice President of LASA

TS/dh

MANHATTANVILLE COLLEGE PURCHASE · NEW YORK 10577

May 11, 1971

Senator Claiborne Pell
Room 325
Old Senate Office Building
Washington, D.C. 20510

Dear Senator Pell:

May I call upon you to give us your assistance in maintaining what we believe to be an important part of liberal arts education here on our campus and elsewhere throughout the country?

Manhattanville, a small liberal arts college in New York, started an Asian studies program about five years ago with Federal assistance under Title VI of the NDEA. We introduced a variety of subjects in the East Asian field including Chinese and Japanese language courses. Apart from the general interest of the students the program has served, it has been able to draw a small, but highly motivated, group of students. Some of them, since graduation, have gone on to do graduate work at large universities, such as Harvard and Columbia.

The justification for offering these difficult subjects on the undergraduate level is that the students can learn foreign languages with greater facility on the undergraduate level than they can on the grade ate level and that, with adequate language preparation, they are able to shorten the length it takes them to earn graduate degrees considerably. This is a good way to train more and better qualified specialists in the area with which our country has been developing increasingly close and complex relationships.

A College such as ours, faced as we are with financial problems besetting instututions of higher learning throughout the country, would not be able to support for long a program which is costly but should, however, be maintained in the larger interests of our country.

The continuous support of the Federal government is essential if our program is to continue.

Sincerely yours,

K. Kim

Kwan Ha Kim, Director
East Asian Studies Center

2254 South Wellesley
Los Angeles, California 90064

May 5, 1971

Senator Claiborne Pell
Room 325 Old Senate Office Building
Washington, D. C. 20510

Dear Senator Pell:

I am taking this opportunity to express my concern over the possibility of cessation of NDEA Title VI Fellowships for students in universities and colleges. I am currently the Acting Director of the Institute of Ethnomusicology, University of California, Los Angeles. Many of our students working in areas of non-Western music are involved with learning languages, and these Fellowships are of invaluable assistance to them in preparing themselves for field work. Today, when we are trying to advance international understanding, we feel that in our work in researching and making known the music of the non-Western areas, we are an integral part of this drive for mutual peaceful interrelationships. May I take this opportunity to urge that you do everything possible to ensure that these Fellowships continue, and even that the program will be enlarged. It is of vital importance both to students receiving such aid, and, in the long run, to everybody in general who will be receiving the benefits of the results of the research carried on by these students.

Sincerely yours,

David Morton

David Morton

DM:ys
cc: Senator Owen Cranston
Senator John Tunney

THE UNIVERSITY OF NEW MEXICO | ALBUQUERQUE, NEW MEXICO 87106

VICE PRESIDENT FOR RESEARCH
DEAN OF THE GRADUATE SCHOOL
TELEPHONE 505-277-2711

April 30, 1971

Senator Claiborne Pell
Room 325
Old Senate Office Building
Washington, D.C. 20510

Dear Senator Pell:

The University of New Mexico earnestly requests your support of the move to restore NDEA Title VI, Fulbright-Hays, and Public Law 480 funds for educational purposes to their previous levels. The growing demands for new knowledge and competent experts in all world areas makes crucial the restoration of such funding.

We would appreciate any representations you might make on behalf of these vital programs in the forthcoming hearings.

Sincerely yours,

George P. Springer
Vice President and Dean

GPS/vr

April 28, 1971

The University of Michigan

Center for Japanese Studies

Lane Hall
Ann Arbor, Michigan
48104

Telephone
764-6307

Representative Marvin L. Esch
Rayburn House Office Building
Washington, D.C. 20515

Dear Representative Esch:

I am writing with regard to the matter of the extension of NDEA Title VI, which is now under consideration by the Senate Subcommittee on Education and by the Special Subcommittee on Education of the House of Representatives. I would begin, however, by acknowledging gratefully the past support you have given this program and, I assume, are willing to continue to extend at this time.

I place before you arguments which we consider crucial in the need for continued federal support of the language and area programs. My particular area of concern relates to the area of Japanese studies.

We are convinced of the need for greater study of Japan and the training of more specialists both because of the centrality of Japan's importance to the United States and the world and because of its direct and fundamental relevance to intellectual and educational development. The resurgence of Japan to the position of the third industrial power in the world has occured at a time when United States policies in Asia are being re-evaluated. In any future international policy planning Japan will be at the center of American concerns and our close political and economic relationship places the understanding of Japan's problems near the top of our national needs.

Equally important is the educational and intellectual relevance of Japan's experience. As the only instance of highly developed industrialization in a non-Western society and as a unique example of the transformation of a feudal to an industrial state, Japan's experience is of direct relevance in the analysis of Western society and the consideration of change in other non-Western and non-industrialized societies. In this sense, the study of Japanese society is crucial to every scholarly discipline in the humanities and social sciences and the results of that study must be integrated into the broader body of universal knowledge.

We are persuaded that these needs can best be filled at universities where Japanese specialists are concentrated and most succuessfully realized through a training and research program coordinated and administered by a center with vigorous support from both the university and outside sources. Graduate training is perhaps the most important activity of such a center because of the need for an increasing number of specialists with expert knowledge of the society and language of an area of vital importance to the United States. Graduates of the program flow into American public life and into schools and colleges providing leadership and specialized knowledge in national affairs and in the introduction of Japanese studies on a broader level.

The NDEA, Title VI, has been absolutely decisive in enabling students to pursue graduate studies in this field. The National Defense Foreign Language fellowships have been virtually the only source of fellowship funds available to graduate students, and the recent cut in the total number of NDFL's available has hit the area of Japanese studies particularly hard since it comes at a time when the few other sources of funding available to graduate students have also been sharply reduced. As an example, the University of Michigan suffered a severe cut in the number of NDFL fellowships awarded to students in the East Asian field for the academic year 1971-1972, a reduction of roughly half from 29 fellowships to 16 awards for the coming year. Of these 16, only half can be awarded to students in Japanese studies, the other half going to students in Chinese studies. We, therefore, find ourselves in the excruciatingly painful position of having to select 8 nominees from approximately 80 qualified applicants.

While I have cited only the example of the field of Japanese studies, other language and area programs have been equally hard hit by the cut in the NDEA allocation. We strongly urge that serious consideration be given the extension of the NDEA, Title VI and we deeply appreciate your efforts on the behalf of this bill.

Sincerely yours,

Roger F. Hackett

Roger F. Hackett
Director
Center for Japanese Studies

cc: Senator Claiborne Pell
Representative Edith Green

JAMES O. EASTLAND, MISS., CHAIRMAN
JOHN L. MC CLELLAN, ARK.
SAM J. ERVIN, JR., N.C.
PHILIP A. HART, MICH.
EDWARD M. KENNEDY, MASS.
BIRCH BAYH, IND.
QUENTIN N. BURDICK, N. DAK.
ROBERT C. BYRD, W. VA.
JOHN V. TUNNEY, CALIF.
ROMAN L. HRUSKA, NEBR.
HIRAM L. FONG, HAWAII
HUGH SCOTT, PA.
STROM THURMOND, S.C.
MARLOW W. COOK, KY.
CHARLES MCC. MATHIAS, JR., MD.
EDWARD J. GURNEY, FLA.
JOHN H. HOLLOMAN III
CHIEF COUNSEL AND STAFF DIRECTOR

United States Senate
COMMITTEE ON THE JUDICIARY
WASHINGTON, D.C. 20510

May 10, 1971

The Honorable Claiborne Pell
Chairman, Senate Education Subcommittee
Room 4228 N.S.O.B.
Washington, D.C.

Dear Mr. Chairman:

Enclosed is a letter I have received from Mr. A. William Johnson, Dean of the Graduate School of the University of North Dakota.

Dean Johnson is very concerned about the proposed phasing out of the National Defense Education Act Graduate Fellowship program. His letter, I think, points out an important and often over-looked benefit of the program to Universities that are developing their graduate programs.

I would appreciate your consideration of Dean Johnson's letter in your review of this program.

With kind regards, I am

Sincerely,

Quentin N. Burdick

QNB:ag
Enclosure

The University of North Dakota
GRAND FORKS 58201

GRADUATE SCHOOL
OFFICE OF THE DEAN

April 27, 1971

The Honorable Quentin Burdick
United States Senate
Washington, D.C. 20510

Dear Senator Burdick:

The Senate Appropriations Subcommittee for the Departments of Labor and Health Education and Welfare now are considering appropriations for the Office of Education for 1971-1972. For the first time in thirteen years the Appropriations Measure does not contain a request for funds for new National Defense Education Act Title IV Graduate Fellowships. The Bill presently includes only enough funds to carry on and phase out the fellowships now being held by students all around the country.

I should like to urge that your influence be used in an attempt to add approximately $8.4 million to this measure which would provide the funding for 1,500 new doctoral fellowships. For comparison, this past year funding was available for approximately 2,300 new fellowships.

Out of the FY 1971 Budget, the State of North Dakota received eleven new doctoral fellowships, six at NDSU and five at the University of North Dakota, to support existent doctoral programs. Both North Dakota universities have been a part of this program for virtually all of its life and have relied heavily on this program for assistance in the development and growth of their doctoral program. As a result of these efforts, our enrollments have increased and the quality of our programs has increased such as to attract better and better students. In addition, the institutional funds which are a part of this fellowship program have assisted us in building the doctoral programs to a point where we can compete in quality with many other programs in the country. Finally, numerous North Dakota students have been given the opportunity to go on to Graduate School and complete a Doctor's degree, thereby enabling them to take their place in both teaching institutions and industry both in North Dakota and outside of the state.

One of the major benefits of the Title IV Program is that the fellowships have been awarded directly to the institutions all around the country, thereby assuring a geographical distribution of graduate student financial aid of this form. With the recent phasing out of the National Science Foundation Science Development Program, the termination of the NSF Graduate Traineeship Program, and the severe cutbacks in the National Institutes of Health Graduate Training Programs, most of the graduate student and graduate school support programs which assured and required geographical distribution have been terminated or are being phased out. If this process goes to completion, we will return to the times of the mid-1950's when virtually all of such support funds were awarded directly to students and ended up on the northeast or southwest coasts of this country. One of the very

significant factors in the development of the institutions in mid-America has been the support offered them through programs such as the NDEA Title IV Program whereby funds were allocated to institutions and programs. By this means, the institutions were in a position to attract students and financial aid to themselves.

I would hope we would have your support in an effort to add sufficient funds to the U.S.O.E. Appropriations Bill such that new NDEA Title IV fellowships could be added and the program continued.

Sincerely yours,

A. William Johnson

A. William Johnson, Dean
Graduate School

AWJ:nm

OAKLAND UNIVERSITY Rochester, Michigan 48063
Area 313 377-2000
OFFICE OF RESEARCH SERVICES

May 20, 1971

Senator Claiborne Pell
Room 325, Old Senate Office Building
Washington, D.C. 20510

Dear Senator Pell:

I am writing to report the experience of Oakland University with NDEA Title VI. Since 1965, this University has received support for Language and Area Center in East Asian Studies. This support has been extremely useful, not only in preparing specialists in Chinese language and Chinese studies, but in increasing the sensitivity of our entire undergraduate student body to non-Western cultures. Perhaps the best evidence we can present is that we now have nearly twenty full-time faculty members in the non-Western studies area, offering a variety of courses probing into the languages, cultures, histories and philosophies of India, China and Japan. Our commitment is indicated by the fact that, while support for our efforts under NDEA Title VI has been decreasing, our investment of University resources has been going up steadily.

However, as indicated in the enclosed article, the project system of support of higher education has severe shortcomings. One must hope that the Congress and the executive branch of the Federal Government would move steadily toward broader-based, multi-year support for the improvement of institutional programs. NDEA Title VI, for example, would find its purposes much better served if grants could be made on a three to five-year basis. Parenthetically, one must say that my general unhappiness with staff practices and policies at the Office of Education does not extend to the staff of the Title VI Program. We have had excellent relations with the Institute of International Studies, and in particular with Dr. Stanley Wilcox, Chief of the Language and Area Centers and Research Branch, and with Dr. Robert C. Suggs, Chief of the Language and Area Centers Section.

In summary, we believe that NDEA Title VI is an extremely effective and productive program which should be continued. At the same time, we are concerned about starts and stops in federal funding, frequent changes in direction, and, in general, a style--or lack of style--which suggests that the federal government and higher education have yet to work out an effective basis for attacking our common problems.

Sincerely yours,

Lewis N. Pino

Lewis N. Pino
Director of Research Services
Dean, Spring and Summer Sessions

LNP/et
cc: Mr. Obear, Mr. Thomas
Enclosure

Reprinted from Michigan Academician Vol III No 2 Fall 1970

MICHIGAN ACADEMICIAN

THE STATE OF THINGS

In 1969, a National Science Foundation publication, entitled *The Impact of Federal Support of Science on the Publicly Supported Universities and Four-Year Colleges in Michigan*, reported the results of an NSF-supported study conducted by Paul L. Dressel and Donald R. Come, of Michigan State University. From the pattern of funding for academic science in Michigan (documented in spite of difficult data collection problems), Dressel and Come draw a coherent set of conclusions and recommendations which deserves the attention of all those concerned with the future of higher education. Those familiar with Michigan colleges and universities will also note some unique insights into the personalities of individual institutions.

One is tempted to quote at length from various portions of the study, particularly the last chapter. I have selected only one short section, in the hope that this sample will encourage careful reading of the entire report.

The following selection, drawn from Chapter VI, indicates "some of the major funding patterns and their impact upon the institutions."

1. The expenditures for Separately Budgeted Research in the sciences at the University of Michigan in 1965–66 were more than twice the General Fund Expenditures for Instruction and Departmental Research. At Michigan State University they were about equal; at Wayne State University about one-half; at Michigan Technological University about one-fourth; at Oakland University about one-sixth; at Western Michigan University about one-thirteenth; and at other institutions a considerably smaller fraction.
2. The absolute differences among the institutions in expenditures for Separately Budgeted Research increased over the period 1957–66 despite increases in less well-funded institutions. Funds from Federal agencies in 1965–66 accounted for more than three-fourths of all Separately Budgeted Research funds spent by the Michigan institutions. The Proportion of Federal funds between 1957 and 1966 either remained the same or increased at most institutions.
3. Funds from outside the institutions for specially organized Science Education Projects (such as institutes for science education teachers) were almost wholly Federal in source and were much more evenly distributed among the institutions than Separately Budgeted Research Funds.
4. Within each institution in which research funding was strong, there was great unevenness of expenditures among the areas of science. Usually, heavily funded areas of science received the great bulk of their funds from one to three Federal agencies.

5. Institutions seeking to become more strongly research-oriented, select and assist a few science disciplines in obtaining project grants by assigning internal resources to provide staff and facilities to initiate research.
6. Strong majorities of faculty sampled maintain that research programs are conceived internally rather than arising out of the availability of outside funds for specified purposes. However, similar majorities maintain that such funds strongly influence the actual initiation of projects. Thus, some imbalance, or movement away from the pattern of activity desired by an institution, occurs.
7. Most faculty see a strong and necessary connection between a strongly funded research program and a graduate program of high quality in science.
8. Graduate training was facilitated in the largest institutions through the use of: research plant and facilities funded by outside sources; by the use of sponsored research funds for major purchases of equipment, employed both in research and graduate education; and by the use of sponsored research funds to provide direct financial support to the greatest proportion of graduate students holding research assistantships or traineeships. The greatest proportion of the funds were from Federal sources.
9. Most faculty see a helpful, but not necessary, relationship between a strongly funded research program and an undergraduate science program of high quality. At the three largest institutions, 30 percent of the faculty said that strong research programs were not necessary for, or were harmful to, undergraduate science programs.
10. Both senior undergraduate and graduate student majors in science at the five institutions with Ph.D. programs in science were generally favorable toward the contribution made to their professional training by professors who were engaged in research activity. Some drawbacks were noted, however.

Rather than attempting to review the study, I will limit my comments to a few aspects of the complex relationship between the federal government and higher education, from the viewpoint of one who traded his academic regalia for a National Science Foundation garment in 1959 and then traded back again in 1966.

According to the Roth Study[1] there are currently 1,315 federal grant and contract programs, with perhaps 500 of these having some direct or indirect impact on higher education. Most of these programs use the project approach, under which an agency invites proposals by: publishing a set of objectives and guidelines for proposal preparation; collecting requests normally under one or more annual deadlines; assembling an expert panel or panels to rate the proposals; and then, after intensive staff discussion, negotiation, and so forth, issuing letters of award and letters of denial.

One of the problems a college or university faces is finding those programs which are responsive to the concerns and capabilities of higher education. As an aid in identification, let me suggest some not commonly

[1]Document 91-177, House of Representatives, prepared by the staff of Representative William V. Roth, Jr., 1969. U.S. Govt. Printing Office, $4.50

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used criteria for determining the character and style of a federal program. First of all is ease of information availability. Any first-rate program will provide promptly, upon request, detailed yet concise written statements of program objectives, procedures, and past performance. An established program which hesitates to give such information to a college or university, or does not have it at hand, is suspect.

A fairly quick scan of a set of guidelines often conveys a great deal about the attitude of the program staff. Anyone who has read these documents with any care can cite examples of guidelines which are excellent, while at the same time identifying others which are administrative and literary nightmares. I have, in unkind moments, speculated that the worst ones I've seen were written by lawyers and edited by idiots, or vice versa. One all-too-common trait of this sort of document is size increase each year, with each increment in size matched by at least an equivalent decrement in intelligibility.

Some organization, such as the Michigan Academy or the American Council on Education, could perform a major public service by establishing a review committee to rate federal guidelines. My own informal rating suggests that the U.S. Office of Education has built, over the years, a remarkable system for preparing guidelines that are dense, thick, murky, and late.

On a kinder note, we have seen, over the past ten years, project-oriented programs for research and educational purposes, joined by a small but growing number of programs aimed at institutional development. The various developmental programs of National Science Foundation are probably the most advanced. These operations are smoothly and professionally run (e.g., guidelines are brief, literate, comprehensible, and available), show sensitivity to the needs and practices of higher education, and suffer only from being greatly under-funded. We trust that all of higher education recognizes that developmental funds of this sort are extremely important, and that the press for greater research and training project support will not be diverted by the destructive cry that project support must inevitably decrease if institutional development support is increased. One need only cite the Morrill Act (which for nearly 110 years has encouraged the formation of land-grant colleges) as the measure of what can be done through the enlightened use of federal resources for developmental purposes.

Over the past few years, some support for the arts and humanities has become available both from the National Foundation on the Arts and the Humanities and, in a very limited way, from the U.S. Office of Education. The results so far are minimal, but there are encouraging signs that the Endowment for the Arts and the Endowment for the Humanities have built, and are building, professional staff competence in the difficult game of giving away federal money without losing the confidence of either Congress or the academic community. One would expect, and we are beginning to see, concise and cogent statements of purpose and guidelines for proposal preparation from these agencies as

evidence of their professional styles.

Finally, one wonders if the current fiscal stringency in Washington will reveal a fatal flaw in the project system; specifically, I have in mind its vulnerability when faced with decreasing resources or, put in other terms, its ability to survive when it makes more enemies than friends.

A typical new proposal requires perhaps ten to twenty man-days for preparation (including typing and internal approval). Review and processing in most federal shops takes four to six months, and involves not only staff time but the services of external reviewers (generally drawn from the universities and colleges on an unpaid basis). Thus, we might estimate an additional twenty man-days for review and for processing. If thirty to forty percent of proposals are ultimately funded, perhaps the investment of human time and talents is justifiable. However when, as now, some programs report that at most only one out of ten new proposals is being funded, the input required per dollar of output begins to go beyond the bounds of reason and the good will of the prospective principal investigator begins to be strained.

Federal officials and their advisors, as well as college and university officials and faculty members, are beginning to ask whether there are not more direct and less costly ways (in time and in money) to do what must be done. Add to this the suspicion that, in most programs, the sorting is not between good and bad but rather between excellent and adequate (with the culls amounting to no more than 20 percent in the typical case), and one wonders if better mechanisms are not needed. Finally, the agencies tend, during times of financial stress, to cut back on multi-year grants in favor of short-term support, so that even the winners must return to the competition each year or two instead of every three to five years.

Thus, although the project system has served us well during times of rapid growth, it may not survive an extended drought. Perhaps the time is ripe to design and test new approaches, based on fresh thinking, about ways in which the higher education enterprise can best be strengthened in the public interest. Perhaps we begin by recognizing that we must deal with the entire spectrum of educational concerns, since the old spillover theory—support research and graduate education, and all else in higher education will prosper—seems much less politically and academically sound than it may have in the days of Sputnik I. The new spillover theory—support the students and higher education will prosper—simply seems wildly unrealistic if even a minor goal is institutional development.

In fairness, it must be pointed out that relations between higher education and the federal agencies, which have grown unevenly though largely fortuitously, are better than they have any right to be. A pretty good poor system is in existence, largely because some very capable people in the federal service have worked hard and imaginatively under trying circumstances.

If one believes that the fate of the colleges and universities is important to society, one must also believe that

the burden of cumbersome, less-than-elegant ways of distributing federal resources can be eased. The attention given by Dressel and Come and an increasing number of other concerned citizens to this problem will, I trust, encourage all of us to think more deeply about the ways in which more effective and permanent relationships between campus and government can be designed and instituted.

Lewis N. Pino
Oakland University

OBERLIN COLLEGE
OBERLIN, OHIO 44074

OFFICE OF THE PROVOST

May 21, 1971

The Honorable Claiborne Pell
325 Old Senate Office Building
Washington, D. C. 20510

Dear Senator Pell:

I am writing regarding NDEA Title VI and the matter of its extension, which will be considered by your Subcommittee on Education. Oberlin College and its faculty in East Asian Studies are very concerned that this act be extended.

In the past, Oberlin College has been fortunate to have benefitted under NDEA Title VI by grants to maintain a Center for East Asian Studies and to conduct language and area programs abroad for undergraduates. We are confident that the projects we have sponsored with NDEA support have made substantial contributions to Oberlin College, our students, the community, and the national welfare. The continuation of these programs will be affected by the results of action on legislation soon to come before your Subcommittee. The failure to extend Title VI will add additional strains to financial pressures on institutions of higher education caused by the many cutbacks in various areas of federal support for education.

Since 1964 Oberlin College has been an NDEA Center for East Asian Studies. This Center, with an emphasis on the Chinese language and area studies, is a development that is unprecedented in recent Oberlin educational history. It is the first program here to provide an opportunity, on such an extensive scale, for students to immerse themselves in the multi-dimensions of a foreign culture. The program has had a positive and constructive impact on the campus as a whole. The program is designed for the undergraduate and is not subject to the professional and elite pressures of the large graduate centers at major universities. It began with a modest language curriculum, expanded annually by more advanced work in language and literature, and enriched by courses in East Asian History, Art, Religion, Linguistics, Sociology, Government, and Economics.

The students in our classrooms today are the people who will man the important positions of the nation tomorrow. I would be extremely pessimistic about the chances of the United States to maintain satisfactory relations with a nation like China unless we can foster the training of younger men who will be sensitive to Asian needs for international scope. We need students who understand Asians.

We have lacked men with this kind of understanding in the past. The need will be critical in the future. To terminate programs which encourage young students to study the cultures and the traditions of Asia today would be a serious mistake.

I strongly urge you to support the continuation of NDEA Title VI, including the program of Language and Area Centers.

Sincerely yours,

Ellsworth C. Carlson

ECC/ej

Ellsworth C. Carlson
Provost

OHIO UNIVERSITY CENTER FOR INTERNATIONAL STUDIES
ATHENS, OHIO 45701

African Language and
Area Center
Burson House, 56 E. Union St.
614-594-5542/6457

Office of the Director

April 27, 1971

Senator Claiborne Pell
Room 325
Old Senate Office Building
Washington, D. C. 20510

Dear Senator Pell:

I am writing you to express my strong support in favor of extending NDEA Title VI, in support of language and area studies, for FY 1972, which is now before your Subcommittee. Such federal aid as provided by NDEA VI has been vital to the continued operation of Ohio University's African Language and Area Center. As I am sure you are aware, these NDEA Language and Area Centers are instrumental in adding a vital non-Western element into higher education (principally the social sciences and the humanities), which all too few students gain exposure to.

Among institutions supporting language and area centers, such as Ohio University, any plans by the Administration to cut back its commitment to international studies would be viewed with deep concern. The concept of interdisciplinary area studies programs has been one of the most innovative in the field of higher education in the past two decades. Because of their relatively high cost (in terms of such items as language training and field research) their support necessarily came from the foundations in the beginning. Governmental commitment to the continuance of these programs and the initiation of new ones was realized by the National Defense Education Act, enacted under the Eisenhower-Nixon administration. As the foundations gradually withdrew their support (acknowledging governmental support and turning to other pressing problems), language and area studies centers became more heavily dependent on continued NDEA backing for their continued operations. Now that assistance is threatened, placing in jeopardy many of the carefully built programs it has taken so long to nurture. These Centers should be looked upon as national resources, rather than as institutions tied to particular campuses.

Should federal assistance be reduced any further, the most serious consequences for the future of internationalized education necessary for our continued survival and leadership in the twentieth century are sure to follow. And most tragically, this would occur precisely at the time when the greatest benefits of the language and area centers are being felt, in terms of students education and qualified professors produced. It will happen not because there is a lack of university commitment: during the past five years Ohio University has matched the federal dollars invested at a ratio of nearly ten to one.

Rather, it will happen because at a time when we are experiencing the greatest budgetary crisis in the history of American higher education, the universities will view such a pullout as symbolic of an abandonment of concern. History proves that, for better or worse, such an action on the part of the Government inevitably leads to a reassessment of priorities.

Allow me to express one point in particular, as to why I view the projected phase-out at this particular time with such deep concern. It is well known that humanity is now faced with its greatest challenges: problems of race and urbanization, and particularly the crisis of our environment. No long-range solution to any of these problems is possible on a national basis, for ecology is global. No programs are contributing or have contributed more significantly to our ability to understand and cooperate with other peoples of the world than our language and area centers. To threaten the existence of those centers at this critical juncture caries, in my view, grave implications. Quite admittedly the focus of attention of these centers might well be altered to meet changing needs and problems, but to cut back their support would be a needless waste of a national resource.

I would therefore urge you to use your influence to keep the funding of this vital program at the level projected by the presidential budget request. Once this is done, let us seek ways to improve on NDEA VI or replace it with something more substantial, rather than to simply eliminate it.

Sincerely yours,

Alan R. Booth
Director of African Studies

ARB/pb

cc: Dean Parmer

western union **Telegram**

PRA018
PR SLA060 WCNL PDB SALT LAKE CITY UTAH 5 1971 MAY 6 AM 9 01
HON CLAIRBORNE PELL
US SENATE WASHDC
SOME OF THIS INSTITUTIONS MOST SIGNIFICANT AND SUCCESSFUL PROGRAMS
ARE DEPENDENT UPON SUPPORT FROM NDEA TITLE VI. I URGE YOUR
FAVORABLE RECOMMENATION FOR ASSISTANCE OF THE PROGRAM - NDEA
TITLE VI
THOMAS C KING, PROVOST UNIVERSITY OF UTAH.

STANFORD UNIVERSITY
STANFORD, CALIFORNIA 94305

MAY 3 1971

Center for
LATIN AMERICAN STUDIES

Bolivar House
582 Alvarado Row

April 29, 1971

The Honorable Claiborne Pell
Room 325
Old Senate Office Building
Washington, D.C. 20510

My dear Senator Pell:

I am writing to ask for your support of Title VI of the National Defense Education Act. Those of us concerned with the teaching of international studies are once again faced with trying to alert the national government to the importance of our professional field and to urge restoration to the $15.3 million level, which was recommended by the Administration in mid-1970 and again in recent months.

Speaking as an individual who has been in the field of international education, more specifically Latin American affairs, both as a university professor and as a member of the State Department, I am deeply disturbed that at a moment in history when we are seeking desperately to reduce our military visibility abroad and to increase our cultural visibility, many individuals in our national government are disposed to undercut that area of learning designed specifically to train members of the upcoming generation as teachers, public servants, and business representatives to understand the values of other cultures and how they relate to their own culture.

As you know, Title VI was funded at the level of $15-18 million for several years prior to the present one, although legislation permitted appropriations in the range of $30 million. What the pressures of your office may have prevented you from discovering is that Title VI support contributed most significantly to the development of international education, as I believe the following information will confirm. In 1968-69 (the last year that Title VI was funded at the level which the Administration recommended in 1970 and again this year), Title VI funds received by Stanford University were used to (a) provide partial support for three NDEA centers (East Asian, African, and Latin American), (b) support library acquisitions in the University libraries and Hoover Institution, (c) finance research abroad for at least a dozen scholars, (d) fund a summer institute for intensive language training, (e) support fellowships for 48 graduate students in the first year of their training, and (f) support 4 full fellowships for graduate students to do field research. Enrollment at Stanford University in courses supported

in whole or in part with Title VI funds totalled 4,609 during the academic year 1968-69. I feel that these statistics provide an excellent example of how Title VI funds have helped a private institution of higher learning to develop and maintain, up to now, an international education program of world-wide visibility and of, we believe, lasting service to the nation. Having made the case for Title VI, I feel obliged to point out that Stanford's own contribution to international studies is far in excess of the amount received under Title VI. I am asking for cooperation, not that the national government carry the major burden.

Nationally, the record for Title VI is equally impressive. In 1967-68, the last full year for which I have the complete records, Title VI funds provided partial support for 106 centers at 63 colleges and universities. More than 2,000 faculty were involved in the work of the centers, over 3,000 language and area courses were offered and enrollment totalled over 70,000, a spectacular and critically important increase over the enrollment of 18,000 in similar courses in 1958 when Title VI was initially legislated. At least as important, Title VI funds have provided opportunities for professors to develop greater expertise in their chosen areas and as a consequence become better prepared to train students to understand those people and cultures with which the United States as a world leader must work.

Impressive as have been the achievements of Title VI to date, there is still much to be done. In the national interest, we must insure an increasing flow of well-trained undergraduates into graduate programs. We must continue to train potential elementary and secondary teachers who are aware of the latest methodologies and interpretations as they relate to other cultures. We must provide informed individuals for government and international agencies, and we must train individuals for international business who not only know business practices but who have acquaintance with the languages and societies in which their companies operate.

I sincerely hope that I have presented my case for Title VI convincingly enough that you will not only give your strong and much appreciated support for international education, but will use your influence to win support from your colleagues. I urge you first, to vote to restore funding for Title VI to $15.3 million in FY 1971 and second, to support continuance of Title VI beyond FY 1972, when, under existing legislation, it is due to expire. International relations is primarily the concern of the national government; if it does not partially fund international education, support at the state, local, and private levels is, I greatly fear, apt to be both restricted and erratic.

Sincerely yours,

John J. Johnson
Director

The University of Texas at Austin

The Institute of Latin American Studies

PHONE 512 471-5551 SID W. RICHARDSON HALL, AUSTIN, TEXAS—78705

April 29, 1971

Senator Claiborn Pell
Room 325
Old Senate Office Building
Washington, D.C. 20510

Dear Senator Pell:

While you are doubtlessly beseiged by requests urging on you all manner of priorities, let me appeal in the strongest possible terms for an extension and augmentation of the NDEA Title VI program. Our hemisphere relations are at least as critical as they ever were, if indeed not moreso, and there is a growing demand these days, on the part of Latin Americans, that any and all North Americans with whom they deal should have a considerable understanding of the Latin American cultural milieu and socio-economic complex. Although my own professional competence as an area-specialist economist lies in my long involvement with that particular region, I see little evidence that our relations with the Middle East, Africa, and Asia are any more tranquil.

We shall require an even broader range of area-oriented specialists over the years ahead, and given the present circumstances, an extension and enlarging of the NDEA Title VI program is the best way of adjusting supply to meet this critical need. The growth of the community college and adult educational systems (with concomitant trends towards introducing a greater "international" component into the curricula thereof) is another compelling reason for increasing the support of the NDEA Title VI, because the training it affords constitutes a

desirable element in the preparation of community college teachers, among other occupations.

The benefits of continued NDEA support will likely accrue to the nation over many years ahead.

Cordially,

William Glade,
Acting Director

WG/dh

cc: President Bryce Jordan
Vice-President Peter Flawn
Provost Stanley Ross
Chancellor Charles A. LeMaistre

THE UNIVERSITY OF UTAH
SALT LAKE CITY 84112

ACADEMIC VICE PRESIDENT

May 11, 1971

Senator Clayborne Pell
U. S. Senate
Washington, D. C.

Dear Senator Pell:

On behalf of the University of Utah I am writing to urge you to continue the extension of NDEA Title VI funds.

These funds have supported our Middle East Center at the University of Utah for a number of years, and I can tell you that without the Federal impetus which these funds gave us, we never would have developed a fine program in Middle East Studies which we now have. We have accumulated an excellent library of source materials dealing with all of the Middle East countries, have hired a number of faculty members with both the Title VI funds and other which we have been able to attract because we had those funds and, hence, have been able to offer a number of courses to our students which will enable them to understand that important part of the world in which we live.

The money provided by those funds has been indispensable for developing the program we have. Without that money our program will be curtailed severely.

Sincerely,

Jerry R. Andersen
Academic Vice President

la

VANDERBILT UNIVERSITY
NASHVILLE, TENNESSEE 37203
TELEPHONE 322-7311 AREA 615
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April 27, 1971

AIRMAIL

Senator Claiborne Pell
Room 325
Old Senate Office Building
Washington, D. C. 20510

Dear Senator Pell:

I feel that universities constitute one of the best agencies in our country for fostering a desirable understanding of other cultures and other peoples. The NDEA Title VI programs at our own university, although small, are rendering an appropriate and worthwhile service to our nation in this respect. The programs are of particular significance in that persons in this part of the United States have fewer opportunities than, say, those on the East Coast, for coming in contact with the literatures, the languages, and the other aspects of foreign cultures. Moreover, our local business men are more and more entering into trade with other countries, and our graduates are, in a few cases, being of direct benefit to business. Thus, in a very real sense, the Title VI programs are having an immediate as well as a long-run benefit.

Sincerely yours,

Robert T. Lagemann

Robert T. Lagemann
Dean

/m

cc: Representative Richard Fulton

UNIVERSITY OF VIRGINIA
FACULTY OF ARTS AND SCIENCES
416 CABELL HALL
CHARLOTTESVILLE 22901

OFFICE OF THE DEAN

(Code 703) 924-3589
924-3580

April 28, 1971

Senator Claiborne Pell
Room 325
Old Senate Office Building
Washington, D. C. 20510

Dear Senator Pell:

I write to support the extension of programs under NDEA Title VI. The relevant academic programs here at the University of Virginia, and at other universities also, I am sure, would suffer badly if authority to extend these programs were not forthcoming. The need, clearly, goes beyond the universities. The longer the war in Indo-China continues, the stronger old-fashioned isolationist public sentiment is likely to grow. One way to minimize growth of this opinion is to educate our able young people on these matters through the extension of Title VI programs.

Sincerely yours,

David A. Shannon
Dean

DAS:aa

UNIVERSITY OF WASHINGTON
SEATTLE, WASHINGTON 98105

Office of the President

April 23, 1971

The Honorable Claiborne Pell
Room 325
Old Senate Office Building
Washington, D.C. 20510

Dear Senator Pell:

I am writing on behalf of the University of Washington to recommend extension of authorization for support of language and area studies programs, currently funded under Title VI of the National Defense Education Act. The University of Washington has made a major commitment in support of language and area studies programs on East Asia, Russia and Eastern Europe, South Asia, the Middle East, Africa, and Latin America. It regards these programs as essential components of university instruction from the standpoints of general, specialized, and professional education. Yet it must be pointed out that the University cannot carry the burden alone in maintaining programs that serve the national interest. They should be supported by the Government at least in part. NDEA Title VI funds have served as a catalytic agent in mobilizing local educational resources for the creation of language and area studies centers which give direction to more effective utilization of those resources. This support is crucial. We must maintain the faculties, courses, libraries, fellowships, and research operations that have required many years and great effort to build. It would be foolhardy to cut back language and area studies at institutions like the University of Washington at a time when need for educated professionals and general knowledge of foreign affairs is so great.

Moreover, it may be appropriate at this time to raise the question whether in the national interest there should be Federal support of other kinds of international studies. It is increasingly clear that problems concerning population, urbanization, pollution, and ecological balance are shared by all nations. More and more, there is need for cooperative, comparative, and problem-oriented approaches. I think that your committee should seriously consider the question of whether to authorize support of comparative and problem-oriented international studies in addition to language and area studies.

During the past two years, Professor George M. Beckmann, director of the Far Eastern and Russian Institute of the University of Washington, has been active in the national academic effort to maintain funding of NDEA Title VI programs. I enclose for your information the testimony of Professor Beckmann before the Senate Appropriations Subcommittee in 1970 and 1971.

Sincerely yours,

Charles E. Odegaard

Charles E. Odegaard
President

CEO:gb

Enclosures

STATEMENT OF DR. GEORGE M. BECKMANN, DIRECTOR,
FAR EASTERN AND RUSSIAN INSTITUTE AT THE
UNIVERSITY OF WASHINGTON IN SEATTLE BEFORE THE
SENATE APPROPRIATIONS SUBCOMMITTEE ON LABOR-HEW
March 30, 1971

I appreciate having the opportunity to testify in support of the Administration's FY 1972 budgetary request of $15.3 million for the National Defense Education Act Title VI and the Mutual Educational and Cultural Exchange Act, Section 102(b)6. I would, however, like to recommend an increase in the allocation of funds under Public Law 480 (as amended by PL 90-436), from $3 million to $4 million, for the educational use of U.S.-owned excess foreign currencies.

Before proceeding with this statement, I would like to take this opportunity to thank the Senate Subcommittee for its positive and encouraging last year, even before the issue of the special budget amendment restoring $9.3 million to the NDEA VI budget. I also want to express my gratitude to the Administration, however, which, in responding to appeals from leaders in the academic community, reevaluated its position as to the importance of this program, and in April requested a restoration of these NDEA VI funds. Unfortunately, the level finally appropriated was $8 million.

My recommendations are based on the premise that the United States will continue to be deeply involved in world affairs and, hopefully, increasingly in educational, economic and cultural activities

with less involvement militarily. There is, therefore, continuous need for more competent people in both public and private institutions and agencies of our society, people whose skills tend to be high in cost to produce, but whose expertise benefits the nation as a whole. Area studies programs at universities and colleges are crucial for the education and training of such personnel for other educational institutions, for U.S. government agencies like the Department of State or the Foreign Service, and for American companies or multinational businesses. Such area competence should include linguistic skill, as well.

Not only do we need a continuing and expanding supply of well-trained personnel, we also need on-going research and new ways to study foreign areas, for example, immense and populous countries like mainland China, which is so crucial in foreign policy considerations. This growing demand for new knowledge and information comes from all sectors of society--not just from government agencies and educational institutions, but also from businessmen, labor unions, women's and professional groups, churches and local world affairs councils. Area studies centers funded by this program constantly provide information services to such groups.

Since area studies programs serve the national interest, they should be supported by the government at least in part. The universities, colleges and secondary schools cannot carry the burden alone. NDEA Title VI and Fulbright-Hays funds have served as a catalytic agent for the mobilizing of educational resources and the

creation of area studies centers which give direction to more effective utilization of those resources. Government funds provide basic foundations for these programs and enable them to maintain essential elements not available from local resources. This support is crucial at a time when educational budgets are under great pressure, and in many cases, where retrenchment is the order of the day. A sustained reduction in NDEA VI (and Fulbright-Hays) funding beyond the one-year cutback, will severely damage programs and no doubt force some to terminate. We must maintain the faculties, courses, libraries, fellowships and research operations that have required many years and great effort to build.

It would be foolhardy to cut back East Asian studies at institutions like the University of Washington, at a time when the need for educated professionals and knowledge of foreign developments is great. Again, take the case of China. The present Administration, with strong Congressional support, is making a determined effort to establish economic, cultural and scholarly relations with the People's Republic of China and her 800 million citizens, but, we must have the personnel and expertise needed for any expansion of contact. At this time, we have neither. Especially needed is the continuation of a graduate fellowship program to provide the extra time necessary to educate a well-trained specialist with the knowledge of a discipline, area and its language, often two or more years beyond the normal time for a doctoral program. Moreover, the National Defense Fellowship Program trains teachers and professors for a large number of universities, colleges and community colleges with area programs that do not receive direct monetary support from this $15.3 million allocation. Thus, this program has a

substantial multiplier effect. Former fellows are now teaching at approximately 120 four-year colleges and universities. Equally important, this fellowship program at present provides graduate training opportunities at a limited number of federally-funded area studies centers for students coming from some 200 colleges and universities across the United States. (See the attached lists for examples of this multiplier effect at the University of Washington.)

Area studies are also becoming more relevant to domestic problems. To try to separate domestic from international concerns is a misconception. It becomes increasingly clear that problems concerning population, urbanization, pollution and ecological balance are shared by all nations. More and more, area studies are taking on a comparative and problem-oriented arproach, because the definition and solution of such problems will be expedited by a cooperative approach. The United States has been a leader for other countries in the development of technologies, but now, cooperative efforts with other nations will be able to help the United States in finding solutions to some of its own pressing concerns.

NDEA VI and Fulbright-Hays funds are not used solely to train new specialists at the large universities. Funds are used for a wide variety of educational purposes and at many kinds of educational institutions. At the University of Washington, for example, the funds help enrich the general education of a substantial number of undergraduates. Total undergraduate enrollment in area and language courses related to the Far Eastern and Russian Institute alone have averaged over 6,000 students per year for the past three years.

In addition, large universities like the University of Washington have been sharing library and research facilities with other state institutions and private colleges, training teachers for high schools, developing area and language instructional materials for local school systems and cooperating with the Seattle World Affairs Council in presenting special programs in response to community needs. Through television, the University reaches a larger audience by means of a variety of programs on the cultures and problems of the countries in Asia. These programs have been quite popular and reach general viewing audiences as well as classrooms in the Pacific Northwest and the Rocky Mountain regions.

More recently, the Far Eastern and Russian Institute has begun planning a special Doctor of Arts graduate degree program in East Asian studies for prospective community college teachers. It is working closely with community colleges in the Seattle area in formulating the degree program which will emphasize teaching and curricula development and not research.

Many smaller colleges and school systems have received direct support from NDEA VI and Fulbright-Hays funds in this program, and there is increasing emphasis in this direction. A number of schoolteachers and community and junior college teachers have been able to study and travel abroad so that they might add more international dimensions to regular social studies classes. The development of international curricula materials for all levels of education is another important aspect of the program. In the case of the State of Washington, for example, Spokane School District #81 used funds (in FY 1970) to sponsor a French curriculum

consultant, and the Tacoma Public School System (in FY 1970 and FY 1971) used a Nigerian consultant to prepare materials on the language and culture of Africa. In general, programs under the Fulbright-Hays Section 102(b)6 authority have provided considerable funds to smaller institutions and to local and public school systems.

The Far Eastern and Russian Institute at the University of Washington has assisted in the development of Asian-American studies in the College of Arts and Sciences. A number of Latin American centers at other universities have paralleled this action by preparing special materials and encouraging both informal seminars and formal classes on Puerto Rican/Mexican-American studies, just as a number of the African studies centers have considered African-American studies. All of this is an attempt not just to ease some of the ethnic tensions in U.S. society, although it will help, but more importantly, to encourage an appreciation of the cultural plurality in the United States by the entire populace.

The recommended increase in allocation of excess foreign currency funds (PL 480) from $3 million to $4 million will enable the Office of Education to provide more needed opportunities for training and research overseas. The countries in which these funds are currently available are Guinea, India, Pakistan, Poland, Tunisia, the United Arab Republic, Morocco and Yugoslavia.

These increased opportunities would help teachers in schools and professors in colleges and universities to improve their professional competence as well as their teaching. Moreover, expanded use of PL 480 funds for educational purposes would permit more comparative studies in

problems of concern between these countries mentioned above. Inter-institutional, binational research projects would benefit both societies involved, as for example, problems of mutual concern like the environment, urban planning and development, literacy, population planning, health, the restructuring of legal systems and laws, and special education problems like education for the handicapped. Expansion of PL 480 funds would enable a greater sharing of research and resources on a number of problems in the physical sciences and in the social science fields. Language training could also be improved and made more effective by providing overseas training opportunities for students at the intermediate level, whereas in the past, such experiences have been limited more or less to students at the advanced levels.

For these reasons, I recommend an increase in the PL 480 allocations from $3 million to $4 million, an increase which would not represent an increase in the overall U.S. dollar budget.

ON NDEA TITLE VI AND FULBRIGHT-HAYS

Statement by George M. Beckmann, Director,
Far Eastern and Russian Institute
University of Washington

April 17, 1970

1. The NDEA Title VI Program and the Fulbright-Hays Program have made important contributions in helping colleges and universities to meet national needs for trained personnel with international competence and for more extensive knowledge of foreign countries. The executive and legislative branches of the Federal Government have until very recently recognized the continuing success of these programs by extending authorization and by providing funding at modest but reasonable levels. Both programs are now being threatened by substantial cuts in funding.

2. The executive and legislative branches of the Federal Government have also recognized that the need for international competence and knowledge must be met by more than the language and area studies capacities of American colleges and universities. The International Education Act was sponsored and passed to broaden our educational capacity in international studies and to widen its impact on American education in general. Unfortunately, this authorized legislation has not been funded and the authorization itself will soon lapse.

3. This situation with regard to international studies is more than disturbing, especially in view of the efforts of the past twenty-five years to build our international studies capacity in colleges and universities. There are still recognized needs which higher education is prepared to commit resources to meet in partnership with the Federal Government. These needs are national, not local, in character and scope, and hence should be met by a combination of (1) Federal Government and (2) college and university resources.

4. What can the Federal Government, especially the Congress, do? First, there is sufficient evidence to indicate that the International Education Act should be funded as a means to develop the variety of programs in international studies that this nation needs. Or, if it is not the International Education Act, then other legislation with similar objectives. Second, NDEA Title VI and Fulbright-Hays should be extended in Fiscal 1971 at the present level of funding (Fiscal 1970, estimated $15.3 million) because language and area studies programs must remain as one important core of international studies. It would be possible to phase out NDEA Title VI when there is broader Federal Government authorization and funding of international studies to include language and area studies programs. The present effort to reduce funding of NDEA Title VI to $6 million in Fiscal 1971 makes no sense at all. Language and area studies programs continue to meet important national needs.

5. Office of Education administration of NDEA Title VI and Fulbright-Hays can and should be improved. The present study of language and area studies being conducted by Professor Richard Lambert of the University of Pennsylvania is designed to provide comprehensive data as the basis for such improvement. There is need for new priorities according to language, area, discipline and profession, level of education, and nature of graduate training. The Institute of International Studies of the Office of Education is funding this study with these objectives in mind. The study will be completed during the next academic year.

6. Colleges and universities must also maintain their commitment to international studies development in face of increasing budgetary pressures and at a time when major private foundations do not have adequate resources to continue to assist program development on the scale of the decades of the 1950's and 1960's. Federal support is crucial because it enables colleges and universities to use their resources more effectively in training students and conducting research. Especially important are funds for graduate student fellowships in fields where training requires greater commitment and a longer period of training, faculty and student foreign travel and research, library personnel and materials acquisitions, and teaching of languages where there are not large enrollments but where there are particular national needs.

7. The University of Washington has two NDEA Title VI Language and Area Centers, one on Russia and Eastern Europe and another on Asia, including China, Japan, Korea, South Asia, and Southeast Asia; moreover, it receives forty NDEA Title VI graduate fellowships for disciplinary training in these areas. It also receives faculty research support for two specific projects. I am appending to this statement (1) a brief profile, or basic fact sheet, about the University's programs in these two major areas as well as (2) a recent publication on the University's International Programs and Research. It is clear that NDEA Title VI support is a crucial element in the University's effort to play an effective role in international studies training and research. The University is not in a position to generate local or state support of graduate training fellowships and foreign travel for advanced graduate student field research, or to provide minimum support for library development or the teaching of some critical languages like Korean, Mongolian, Hindi, Tamil, Thai, Czech, Polish, Roumanian, Bulgarian, and Hungarian. Partnership with the Federal Government should be preserved. It is clear also that the University of Washington is serving national and even international needs as an educational institution (1) training graduates from a large number of American and foreign colleges and universities and (2) placing them after training in a similarly large number of American colleges and universities.

UNIVERSITY OF WASHINGTON

FAR EASTERN AND RUSSIAN INSTITUTE

1. Character of the Far Eastern and Russian Institute. The Institute coordinates undergraduate and graduate instruction on Russia, Eastern Europe, China, Japan, Korea, Inner Asia, South Asia, and Southeast Asia in cooperation with discipline departments (History, Political Science, Sociology, Anthropology, Economics, Geography, Art, Music, Philosophy), especially the Department of Asian Languages and Literatures and the Department of Slavic Languages and Literatures, and professional schools like Law and Education. The Institute also coordinates research on the above foreign areas.

2. Funding of the Institute. The sources of funding of the Institute and related discipline departments in 1969-70 are approximately as follows:

   (a) State of Washington: $1,400,000 for academic administration, instructional staff, library personnel, language laboratory staff, retirement and other benefits, library acquisitions, language laboratory, maintenance, and supplies. This does not include operational overhead.

   (b) Office of Education, HEW: $385,000 broken down as follows:

      (1) $73,940 for NDEA Title VI Asian Language and Area Center: funds used for language instruction in Chinese, Japanese, Korean, Turkic, Mongolian, Tibetan (native speakers), faculty research travel to foreign areas, and library personnel and acquisitions

      (2) $42,060 for NDEA Title VI Russian and East European Language and Area Center

      (3) $156,000 for 40 NDEA Title VI graduate fellowships broken down as follows: East Asia, 27; Russia and Eastern Europe, 9; South Asia, 3; and Southeast Asia, 1

      (4) $33,000 for faculty research on East German education and for the preparation of a Romanian language textbook

      (5) $33,226 for Slavic and East European studies summer program to cover partial instructional costs and fellowship awards. The University of Washington contributed $66,000.

      (6) $46,744 for South and Southeast Asian studies summer program to cover partial instructional costs and fellowship awards. The University of Washington contributed $58,000.

   These figures do not include several graduate student and faculty Fulbright-Hays awards.

(c) Private foundations

(1) Ford Foundation, $187,000 for faculty research on Russia and Eastern Europe, China, Japan, Korea, Inner Asia, and South Asia

(2) Rockefeller Foundation, $13,000 for research operations (secretarial)

(3) Mellon Foundation (Scaife), $35,000 for foreign graduate students

3. Instruction

(a) Undergraduate

(1) Total student enrollments in foreign area and language courses related to the Institute have averaged over 6,000 for the past three years.

(2) Majors in foreign area studies related to the Institute have increased from 322 in 1965-66 to 379 in 1969-70. These figures include interdisciplinary area studies majors and discipline majors with concentration on a foreign area.

(3) Approximately 20% of the majors in foreign area studies related to the Institute go on to graduate schools. The remainder go into elementary and secondary school teaching; domestic business; international business and foreign trade; U. S. Government agencies; the armed forces; religious, charitable, and international agencies; and become housewives.

(b) Graduate

(1) The University has trained 86 Ph.D.'s in a wide variety of disciplines with concentration on foreign areas related to the Institute since the academic year 1964-65. The foreign area breakdown is as follows: Russia and Eastern Europe, 38; China, 23; Japan, 13; Korea, 3; Inner Asia, 4; South and Southeast Asia, 5. The discipline breakdown is as follows: Anthropology, 4; Business Administration, 2; Comparative Literature, 5; Economics, 5; Education, 2; Geography, 11; History, 29; Language and Literature, 20; Music, 1; Philosophy, 1; and Political Science, 6. Most Ph.D.'s have gone into college and university teaching. See the attached sample list of Ph.D. placements.

(2) The University has trained 124 M.A.'s since 1964-65. The foreign area breakdown is as follows: Russia and Eastern Europe, 54; China, 25; Japan, 9; Korea, 12; Inner Asia, 8; and South and Southeast Asia, 16. The disciplinary breakdown is as follows: Architecture, 2; Area Studies, 45; Art, 2; Business Administration, 1; Drama, 1; Economics, 1; Education, 3; Fisheries, 1; Geography, 5; History, 17; Home Economics, 1; Language and Literature, 30; Library, 1; Linguistics, 10; Music, 1; Oceanography, 1; and Political Science, 2.

(3) The University of Washington Law School has developed an outstanding program in Japanese law. Courses in this program are open to LL.B. students and are part of Law masters and doctorate programs. During the past five years, some 150 Law students have taken courses in Japanese law concerning U. S.-Japan business relationships.

4. Research. The Institute maintains a broad research program which is fundamental to good teaching and to expanding knowledge of foreign areas through publication. A list of Institute and University of Washington Press books is attached. Institute faculty have also published a long list of books through other presses and numerous articles in a wide variety of academic journals.

SELECTED LIST OF UNIVERSITY OF WASHINGTON PRESS PUBLICATIONS

Barnett, A. Doak (introduction by and edited by): Chinese Communist Politics in Action

Carrasco, Pedro: Land and Polity in Tibet

Chang, Chung-li: The Chinese Gentry: Studies in Their Role in Nineteenth Century Chinese Society

Chang, Chung-li: The Income of the Chinese Gentry

Chiang, Siang-tseh: The Nien Rebellion

Compton, Boyd (translation and introduction by): Mao's China: Party Reform Documents, 1942-44

Dator, James Allen: Soka Gakkai, Builders of the Third Civilization

Gasster, Michael: Chinese Intellectuals and the Revolution of 1911

Guenther, Herbert V. (translation by and annotated by): The Royal Song of Saraha: A Study in the History of Buddhist Thought

Henderson, Dan Fenno: Conciliation and Japanese Law

Henderson, Dan Fenno: The Constitution of Japan: Its First Twenty Years, 1947-67

Hsia, Tsi-an: The Gate of Darkness: Studies on the Leftist Movement in China

Hsiao, Kung-chuan: Rural China

Hsiao, Tso-liang: The Land Revolution in China, 1930-1934

Hsiao, Tso-liang: Power Relations Within the Chinese Communist Movement, 1930-1934

Knechtges, David R.: Fengyang: Two Studies on the Han Fu

Lensen, George Alexander (edited by): Revelations of a Russian Diplomat: The Memoirs of Dmitrii I. Abrikossow

Li Chi: The Beginnings of Chinese Civilization

Maki, John J.: Court and Constitution in Japan

Michael, Franz in collaboration with Chung-li Chang: The Taiping Rebellion

Poppe, Nicholas; Hurvitz, Leon; and Okada, Hidehiro: Catalogue of the Manchu-Mongol Section of the Toyo Bunko

Shih, Vincent Y. C.: The Taiping Ideology: Sources, Interpretations, and Influence

Spector, Stanley: Li Hung-chang and the Huai Army

Sugar, Peter F. and Lederer, Ivo J. (edited by): Nationalism in Eastern Europe

Thornton, Richard C.: The Comintern and the Chinese Communists, 1928-1931

Treadgold, Donald W. (edited by and introduction by): The Development of the USSR

Treadgold, Donald W. (edited by and introduction by): Soviet and Chinese Communism: Similarities and Differences

UNIVERSITY OF WASHINGTON

Far Eastern and Russian Institute

Recent Graduate Students: Sample of Undergraduate Colleges of Origin
(69 U. S. colleges and universities and 22 foreign institutions)

Agra University (India)
Amherst College
Rensselaer Institute
Boston College
Boston University
Brigham Young University
California, University of
Cambridge University (England)
Centenary College of Louisiana
Chicago, University of
Chuo University (Japan)
Claremont College
Colgate University
Colorado, University of
Columbia University
Cornell University
College of Puget Sound
Fresno State College
Friedrick Wilhelm's University (Germany)
George Washington University
Gonzaga University
Gymnasium (Poland)
Harbin Polytechnical (Manchuria)
Harvard University
Hastings College
Hawaii, University of
Hong Kong University
Idaho State College
Illinois, University of
Indiana University

Istanbul, University of
Institute of History of Arts (Leningrad)
Kansas, University of
Kazan Medical School
Kentucky, University of
Kiev, University of (USSR)
Loyola University (Chicago)
Mankato State Teachers College
Massachusetts, University of
Michigan State University
Mills College
Minnesota, University of
Montana State University
Moscow, University of
National Central University (China)
National Chengchi University (China)
National Taiwan University (China)
New Asia College (Hong Kong)
New Mexico Highlands College
New York University
Nigeria, University of
North Carolina, University of
Northwestern University
Oberlin College
Oklahoma, University of
Ohio State University
Pacific Lutheran University
Parsons College
Peking University
Pennsylvania State University
Pittsburgh, University of
Portland, University of
Princeton University

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Rice University
Sacramento State College
San Diego State College
San Francisco State College
San Jose State College
Saskatchewan, University of
Seattle Pacific College
Smith College
Southern Illinois University
Spring Hill College
Sophia University (Tokyo)
St. Martin's University
Stanford University
Sung Kyun Kwan University (Korea)
Taiwan Normal University (China)
Texas, University of
Tokyo, University of
Utah, University of
Wisconsin, University of
Wittenberg College
Vanderbilt University
Waseda University (Japan)
Washington State University
Washington, University of
Wayne State University
Whitworth College
West Montana State College
Worcester State College
Yale University

UNIVERSITY OF WASHINGTON

Far Eastern and Russian Institute

Sample of Employment of Ph.D's, 1958-69 :

University	Graduate	Field
Arizona State University	Thomas P. Nielson	Language & Literature: China
California Universities and Colleges:		
Berkeley	James E. Bosson	Language & Literature: Mongolia
Sacramento State	John R. Shaw	Language & Literature: Russia
San Fernando State	Katsu H. Young	History: Japan
Santa Barbara	Stanley D. Krebs	Music: Russia
Santa Clara	Edward T. Flood	History: Japan
UCLA	Philip C. Huang	History: China
	James Wilson	Language & Literature: China
Southern California	William R. Wilson	Language & Literature; Japan
College of the City of of New York	Henry R. Huttenbach	History: Russia
Colorado University	Lawrence W. Beer	Political Science: Japan
	Howard A. Daugherty	Language & Literature: Russia
Cornell University	Charles A. Peterson	History: China
George Washington University	William R. Johnson	History: China
	Richard C. Thornton	History: Russia
Harvard University	E. Bruce Brooks	Area Studies: China
Hawaii, University of	Harry J. Lamley	History: China
	Hi-Woong Kang	History: Korea
	Virgil D. Morris	History: Japan
Illinois, University of	Robert B. Crawford	History: China
	Temira Pachmuss	Language & Literature: Russia
	Ernst Wolff	Language & Literature: China
Indiana University	John R. Krueger	Language & Literature: Mongolia
Iowa, State College of	Shelley H. Cheng (deceased)	History: China
	Barbara J. Teters	Political Science: Japan
	John L. Kirby	Geography: China
	Toshihiko Sato	Language & Literature: Japan

Kansas, University of	Brian T. O'Connell	History: Eastern Europe
Michigan State at Oakland	Henry Rosemont, Jr.	Philosophy: Japan
Montana, University of	Richard B. Landis	History: China
Ohio State University	Howard W. Chalsma	Language & Literature: Russia
Oregon, University of	William E. Naff	Language & Literature: Japan
	Angela Palandri	Language & Literature: China
Pennsylvania, University of	Osman Nedim Tuna	Language & Literature: Turkey
Princeton University	Frank A. Kierman	History: China
	Frederick W. Mote	History: China
Queens College, North Carolina	Renville C. Lund	China Studies
Rhode Island University	Chong Sun Kim	History: Korea
Rochester, University of	Charles J. Wivell	Language & Literature: China
Rutgers University	Tu Ching-I	Language & Literature: China
	Paul Friedland	History: China
	Michael Gasster	History: China
Seattle University	Andrew L. March	Geography: China
	Ren Cashman	Political Science: Far East
Tulane University	John D. Basil	History: Russia
	Demetrius J. Koubourlis	Language & Literature: Russia
Washington University St. Louis	Stanley Spector	History: China
Washington, University of	James E. Augerot	Language & Literature: Rumania
	Imre Boba	History: East European
	Jack L. Dull	History: China
	Michael Gasster	History: China
	Roger M. Hagglund	Language & Literature: Russia
	Paul V. Gribanovsky	Language & Literature: Russia and East Europe
	Willis A. Konick	Language & Literature: Russia
	Turrell V. Wylie	Language & Literature: Tibet
Western Reserve - Case University	Melvyn C. Goldstein	Anthropology: Tibet
Wisconsin, University of	Paul Thompson	Language & Literature: China

Yale University	David R. Knechtges	Language & Literature: China
FOREIGN SERVICE		
John H. Fincher		History: China
SEMINARY		
Paul B. Denlinger		China Studies
LAW		
David C. Buxbaum		Law: China
FOREIGN UNIVERSITIES		
Canada: Ontario, University of	David A. Davies	History: Russia
Toronto, University of	Kinya Tsuruta	Comparative Literature: Japan
York University (Toronto)	John M. F. McErlean	History: Russia
Thailand		
The Prince Royal's College (Chiengmai)	Amnuay Tapingkae	Education and Philosophy

The University of Wisconsin - Milwaukee

MILWAUKEE, WISCONSIN 53201 • 228-1122

• DEPARTMENT OF SPANISH
AND PORTUGUESE

May 15, 1971

Senator Claiborne Pell
Room 325
Old Senate Office Building

Dear Senator Pell,

I understand that you and your subcommittee are considering the extension of NDEA Title VI. I hope that you will be able to extend this title, for it has meant a great deal to us in our academic work. Our Latin American Center was instrumental in my going to Mexico for a long residence, where I finished two books and did other research.

Most sincerely yours,

Gerard Flynn

Gerard Flynn
Professor of Spanish.

Senator PELL. The next witnesses are from the Association of Research Libraries, Dr. Stuart Forth and Stephen A. McCarthy.

STATEMENT OF DR. STUART FORTH, DIRECTOR OF LIBRARIES, UNIVERSITY OF KENTUCKY; ACCOMPANIED BY STEPHEN A. McCARTHY, EXECUTIVE DIRECTOR, ASSOCIATION OF RESEARCH LIBRARIES

Senator PELL. You have a statement here which will be put in the record in full, and I wonder if you want to make one or two comments verbally and then we might chat with each other a little bit.

Dr. FORTH. Senator, I am very pleased to have this opportunity to talk in support of S. 659. It is a bill which has in it many things which are very important to those of us in the research libraries of the country. I would ask that my entire statement be made part of the record.

Senator PELL. This will be done.

Dr. FORTH. Thank you.

I would point out that the thing that is most important is to continue the programs under title II A, B, and C as provided in existing legislation. I understand that these programs have been criticized, and I would like to read briefly from the current issue of the Educational Record, the official statement of the American Council on Education. This is very important to us and I would like to stress it at this time. That policy statement is:

> It has become commonplace to attack much of the existing Federal support of higher education as a hodgepodge of categorical programs. The attack is unwarranted . . . Title II of the Higher Education Act of 1965 has provided basic support to libraries, one of the most essential elements in all of higher education, and has been especially valuable to new developing institutions. These programs should be continued and, in the case of the Library Title, expanded. In particular, the enormous financial burden under which the National Research Libraries are laboring requires greatly expanded federal support. In the truest sense of the word, they represent a vital national resource.

I cannot stress too strongly what title II A means to us.

In terms of title II B where we are talking about library research and library training, again this is a small, comparatively small, professional group in the country. We need to recruit more of the best people we can find to meet the demands of society and of our students. In addition, we need to have research in the area in which we are held responsible.

Library research is one of these areas that everybody knows about, everybody who is not a librarian. We are constantly told by the computer people how it should be done but they are unable to help us get it done. We need the kind of support necessary so we can do our own work.

In terms of title II C, I think this committee has heard from other librarians on how important the Library of Congress national acquisitions and cataloging program is to American libraries. It makes no sense to us to have 80 individual libraries around the country performing the same function that the Library of Congress can do better for us if it is adequately funded.

In that particular area, we support the Library of Congress' own desire to have the Higher Education Act of 1965 amended, the title II, part C, section 231, to delete the phrase "to enable the commis-

sioner to transfer funds," in the first and last sentences of the section. We feel this would further strengthen the Library of Congress in its efforts to help us.

There are two final things I would like to say in these informal comments. One is that nationally our libraries are falling behind in meeting the demands for resources that our growing student enrollments put upon us. I need not tell you anything about the growth of enrollments in American universities. My own university has almost doubled in size—not quite—in the last 6 or 8 years, and the Commonwealth of Kentucky is a fairly good example of many other States. It is putting almost 70 percent of its general fund revenues into education. e Wcannot get additional money—or so it appears—from our citizens for higher education, and we do need the help of the Federal Government in developing our book collections. The price of books goes up every year 10 or 15 percent. The inflation in journals is even higher. We have fewer books per capita in academic libraries at this time than we had in 1965.

One other thing I would like to comment on is the matter of loans to students to enable them to go to college. All of us are interested in realizing the dream of higher education for increasing numbers of Americans, but I think we must examine the results of this. The students are enabled to go, but if resources for their use are not provided, resources in libraries, resources in librarians who can interpret and service the collections for them, and resources in research that will enable these large collections to be used more easily, students are being sold a bill of goods. In other words, they may get an education but its value will decrease as support for it becomes increasingly hard to come by.

I think I have commented on everything that I feel is most important in this bill. It meets just about every requirement that I can think of to get the job done that we want done.

I particularly like the specific authorization of funds and the fact that the bill is recommending a 5-year extension. It is important to us and we much prefer it to the administration bill.

PREFERENCE AS TO BILLS

Senator PELL. As you know, we are faced with two definite choices and we want to try to be specific about which we want to do. As opposed to the two bills, the administration bill, S. 1123, and the committee bill, S. 659, when it comes to your area of interest do you have a choice between them?

Dr. FORTH. Yes. As far as I am concerned, S. 659 is the one that we want.

Senator PELL. That is a nice statement which is very hard to get. Thank you. This helps us as we move ahead in the legislative process, and you will be amazed how rarely it is that witnesses will say we want this and we want that.

CATALOGING FUNCTION

Now, in connection with the problems that would arise if S. 1123 were enacted and the deletion of those cataloging functions was allowed to happen, thus ending them, who would pick up the slack? Indeed, who could pick up the slack?

Dr. FORTH. You mean the Library of Congress acquisitions and cataloging program?

Senator PELL. Yes, the actual function of cataloging. Who would pick it up? If the administration view prevails, do you see anybody picking up this function or do you see it going down the drain?

Dr. FORTH. Senator, I hate to think of it being deleted. But if it were I suspect that much of the work would not be done. Most of the libraries around the country simply do not have enough staff sufficiently trained in the various disciplines and knowledgeable enough in the many different foreign languages that the Library of Congress catalogs books in, to do the job. At the present time, in my own institution we have almost 50,000 uncataloged books that we cannot get on shelves except on demand. If a scholar knows that a book is there and he says, "Can't I, for heaven's sake, get this one cataloged?" the answer is, "Yes, you can." But in terms of providing this body of material to our students and faculty in general or to the general community, we can't do it. I don't have enough people and I am not likely to get them. What happens, as you probably know, in universities is that the usual priority is put on getting a teacher in front of the students. It is the essential support function that weakens a student's education if it is not there.

Senator PELL. Thank you very much indeed for the record, and I thank you for your explicit expression of views. Let's hope we succeed.

Mr. MCCARTHY. Yes, I hope you do.

Senator PELL. Thank you very much, both of you gentlemen.

(The prepared statement of Dr. Forth follows:)

1352

ASSOCIATION OF RESEARCH LIBRARIES

STATEMENT

BY

STUART FORTH

DIRECTOR OF LIBRARIES

UNIVERSITY OF KENTUCKY, LEXINGTON

REPRESENTING

THE ASSOCIATION OF RESEARCH LIBRARIES

BEFORE

THE SENATE'S COMMITTEE ON LABOR AND PUBLIC WELFARE

SUB-COMMITTEE ON EDUCATION

ON BEHALF OF

S. 659

APRIL 22, 1971

1365

Statement by Stuart Forth
Director of Libraries, University of Kentucky

Mr. Chairman, and members of the sub-committee:

My name is Stuart Forth. I am the Director of Libraries, and a Professor of Library Science, at the University of Kentucky, in Lexington. I might also mention that I am an American historian and for a couple of years I served my University as Vice President for Student Affairs. As the librarian of a fairly typical emergent state university with a central campus and fourteen community colleges, a total enrollment of over 27,000, and aspirations to excellence, I personally appreciate the opportunity to comment on S. 659. My personal pleasure aside, I am appearing today as the spokesman for the Association of Research Libraries, the principal organisation of the major university and other large research libraries of the country. I ask that my statement be made a part of the record.

Mr. Chairman, I am impressed with S. 659. It seems to me an excellent bill which, if enacted, would be of benefit to the educational efforts of our country's academic institutions and, thus, of great value to our national well being. There are a number of points I would like to make about the problems we are faced with before I comment on the bill itself.

My experience at Kentucky suggests that our problems are fairly typical of those of many other colleges and universities. Because of

increased enrollments and new program demands, literally thousands of institutions must depend on older, richer, better established schools to supplement their comparatively meager resources. In Kentucky, for example, we turn often to Indiana University, Ohio State, the Universities of Illinois, Michigan, Chicago and North Carolina for help in supplementing our book and information resources. We also expect and receive help from the Library of Congress and, of course, from the Center for Research Libraries of which we are a member.

To many other schools in the Ohio Valley and the mountains to the east of us, however, we are the richer, better established institution and we give help in the form of books and information to hundreds of private individuals, to business and industrial firms, to high schools, junior colleges, and colleges and universities. Pikeville College, Berea, Lees College, Kentucky Wesleyan, Centre College, Morehead State, Eastern Kentucky University, and many others have a legitimate demand on our resources and services which we honor to the extent of our ability.

Librarians are enthusiastic about these and other cooperative efforts in the interest of saving building costs, reducing duplication of collections, and utilizing information specialists. Members of the committee may be familiar with the Center for Research Libraries in Chicago, the Hampshire Inter-Library Center, the New England Deposit Library and other cooperatively organised or administered depositories some of which, I might note parenthetically, have benefitted from the HEA's Title IIA's special purpose grants.

Such cooperative efforts are often designed to house valuable but less-used research material (and the Center for Research Libraries also has a sophisticated program for acquiring such material for the benefit of its members) thus insuring its preservation but relieving member libraries of the necessity of housing, and administering, it. I should also mention that the Association of Research Libraries, for which I speak, is even investigating the possibilities of planning, on a national level, now for the creation of regional depositories of important research and teaching resources.

I would do you a disservice if I did not note, however, that in spite of the accomplishments of the past, and regardless of what we may accomplish in the future, the fact remains that on each of the nation's campuses there will still have to be large collections of materials used by faculty and students in their day-to-day participation in the teaching, learning, and research processes. Knowing what we do of the present burgeoning enrollments, planning for the inexorable growth of the nation's population, and expecting the dream of higher education for ever more Americans to remain a constant, libraries with a million volumes or more will become increasingly common and, more important, vital to the success of the educational mission. A sociologist at Kentucky, working against time on a human problem related to, let us say, an urban renewal program, has the same need for the same material here and now that a man in Massachusetts or Minnesota or Iowa has. I know from my own teaching experience the frustration of knowing important material exists which would "turn a student on" but either not having the funds to buy it, or having to borrow it briefly from another school. Some things, many things, must be duplicated.

These things being so, we hope the Congress will realize yet another fact with which we live. Traditionally, our government has responded to the needs of many varied groups of citizens organised to bring their needs and responsibilities, their potential for better serving the nation to government's attention. We academic librarians are at a disadvantage here: There are just not many of us as over against, say, the tens of thousands of school teachers and professors who also make their problems known to you.

Although few in number, our function in quality higher education is vital. Without us, without what we do and what we know, academic teaching and research would fail. You might compare the librarian to anesthesiologist -- bladder stones can be cut out without anesthetics (it was done for years) but success is more likely to be assured if one member of the medical team performs his highly specialised function at the appropriate time. You might carry the comparison even further: Time was, the surgeon himself administered the anesthetic, then it became a nursing function, now, as medical science has improved to meet the demands of a better educated more demanding public, it is done by a medical specialist. So it is in libraries. As they become larger and more complex, the demands on them for specialised services and information have increased phenomenally.

Based on the evidence of S. 659, I assume that this committee is fairly knowledgable about the function of librarians. I hope that you will agree that the unique rôle, the unique needs of librarianship <u>not</u> be submerged in some vague, general education legislation which does not specifically provide for:

1) The provision of college and university library resources.

2) Funds for library research and training in librarianship.

3) Specialised service from the Library of Congress to all academic libraries.

The Higher Education Act of 1965, as amended, has been of great benefit to the academic libraries of the nation which, in turn, means that the quality of education, and of American life, has also been improved. The Act has, indeed, been a conspicuous success, its detractors to the contrary. The journal of the American Council of Education, entitled Educational Record, notes in the current issue (Winter 1971), on page 111, that organisation's official policy statement:

> "It has become commonplace to attack much of the existing Federal support of higher education as a hodgepodge of categorical programs. The attack is unwarranted... Title II of the Higher Education Act of 1965 has provided basic support to libraries, one of the most essential elements in all of higher education, and has been especially valuable to new developing institutions. These programs should be continued and, in the case of the Library Title, expanded. In particular, the enormous financial burden under which the National Research Libraries are laboring requires greatly expanded federal support. In the truest sense of the word, they represent a vital national resource."

I want to state flatly that on my Lexington campus, on the campuses of the University of Kentucky's 14 community colleges, and on the campuses of my Commonwealth's regional state universities and private colleges, I have heard nothing but praise for the specific Library provisions of the Higher Education Act. Much of the enthusiasm of librarians for S. 659 is because it not only proposes to continue and extend the Higher Education Act, but identifies specific library provisions with the appropriation of adequate funds for implementation.

Believing as I do that the Higher Education Act has been successful, I regret that funds authorized for its implementation have not been provided, and that it is being gradually and arbitrarily weakened by administrative fiat. In my triple role, if you will, as a student of American history, a librarian, and a citizen who has long been fascinated by government and active in various political campaigns, I have a concern for several things:

1) The first is the so-called "impounding" of appropriated funds by H. E. W. Indeed, it has been reported to me that the only Higher Education funds so impounded are Title II A funds. The Administration's apparently deliberate and systematic de-emphasis of the program, its indifference to a demonstrably effective service to higher education, and its failure to offer a viable alternative program seriously disturbs me, and my colleagues around the country.

2) The second is what appears to this observer as a reasonably serious legal, or Constitutional, question, i. e., the Administration's policies to thwart the intent of Congress. At the risk of appearing antedeluvian, may I ask what's become of the independence of Congress? Should this happen? Congress has indicated its interest in and concern for academic libraries as being a major informational source for the whole nation. It reaffirmed this position last summer when it voted to override the Executive's veto of the 1971 fiscal year appropriation act, but where are we now?

3) The third, from the vantage point of having been responsible for the administration of my University's ~~(which included our student financial aid program),~~ Office of Student Affairs and from a first-hand knowledge of student characteristics and attitudes, it seems to me that the Administration's emphasis on providing funds to get students to college, while at the same time reducing funds to provide learning resources, well-trained librarians, and modern information services based on the results of strong library research programs, makes very little sense indeed. In fact, it arouses expectations which cannot be fulfilled. This, in turn, leads to frustration, disillusion, and contempt for "the system's" educational process on the part of students. We encourage them to aspire to higher education but we are not adequately supported in our efforts to maintain the standards which make that education of value. In other words, under these circumstances, merely by assisting students to go to college, while it may be politically popular, does not solve the problem of higher education -- it makes it worse.

Finally, let me comment on some specific proposals in S. 659, proposals which, if enacted and implemented, would do much for all academic libraries, although, to be sure, I can speak most authoritatively for my own.

I am unable, I should mention, to separate the first three alphabetical sub-sections of Title II from one another -- A B and C are, in effect, like the Trinity, one and indivisible, but I can comment on them separately.

While you are doubtless accustomed to hearing academic librarians talk about the need for books and other information resources, let this librarian first talk about academic programs.

The Commonwealth of Kentucky, according to its Council on Public Higher Education, spends 68.5% of its general fund money on all education, and 28% of its general fund monies on higher education. Ours is a state with a rural tradition, a farm-based economy, an extensive problem with the rural poor in the Appalachian area, a staggering welfare load, and the problems of aspiring minorities and decaying urban areas. Under these circumstances, Kentucky's citizens are supporting education to the limit of their ability. Other states, as you know, have serious problems which may differ in degree or kind from ours, but most of us are in similar if not identical situations.

Our problems, while typical, are nevertheless very serious. You might be interested in some specifics:

1) Title II A is extremely important to our programs because of several factors which inhibit our effectiveness. One of them is the national phenomenon of enrollment growth, with which you are familiar. At my own institution, our Lexington campus enrollment grew from 12,443 in 1965 to 17,668 in 1970. Our community college enrollments grew from 4,530 to 9,766 in the same period.

2) While our book budgets, both in Kentucky and on the national scene, have grown, even with the assistance provided by HEA,

there are fewer books per capita in American academic libraries than there were in 1965. The cost of books and journals, as you probably know, increases from 10 to 15% per centum every year! Publisher's Weekly reports that the average price for a hard-cover book rose from $9.50 in 1969, to $11.46 in 1970! This fact of economic life being what it is, we hope the sub-committee will recommend increasing the money for supplemental grants under II A from the present $10 per capita to $20 per capita. Presently we are failing our students. Milton said it better: "The hungry sheep look up and are not fed."

3) We have a number of new and revitalised programs which, through research, serve both to help solve local, regional, and national problems, and to teach students the things they will need to know as responsible leaders of tomorrow. Some of these are programs in allied health professions, in architecture and urban planning, in sociology and anthropology which help us with ethnic and racial minorities, in librarianship and information sciences, in agriculture, business administration, marketing, and many others. In the years since 1965, we have used our federal library grants, both basic and supplemental, in support of these programs and one or two others I have not mentioned. These funds have been of great assistance but when we did not succeed in securing all we needed, as in 1970, a program of studies on the American Indian, on the

rural poor, and several other areas in applied anthropology and behavioral science were casualties. This in one department alone!

Related to this need for full funding for Title II A, is the equally imperative need for full funding for Title II C, the Library of Congress national program in acquisition in cataloging and to this, in turn, is related our need for better trained librarians and for research in new methods to secure bibliographic control of the growing volume of publication both here and abroad and to quickly provide information society needs.

Legislation to extend Title II C, and funding to implement it, will assure that important teaching and research materials are available in America; that cataloging can be done once at the Library of Congress rather than duplicate the efforts in 80 research libraries around the country; that material, having been bibliographically identified, other libraries may more quickly acquire it as needed; and that money formerly spent on duplicate cataloging programs can be diverted to service for our growing student population and faculty. This program makes superb sense bibliographically, economically, administratively, and intellectually.

It is our hope that your committee will support the change in the language of the Higher Education Act legislation as recommended by the Library of Congress, that II C funds be appropriated directly to the Library of Congress, and not to H. E. W. for transfer. I hope the sub-committee will see the wisdom of amending the Higher Education Act's Title II, part C, Section 231 to delete the phrase "to enable the Commissioner to transfer funds" in first and last sentences of the Section.

And in conclusion I would recommend that the training and research function of librarians be specifically included in any legislation adopted to extend and provide funds for the Higher Education Act. Our profession is rapidly changing to meet new demands on the use of our increasing resources, to respond to and utilize the new technology, and to prepare for the anticipated sophisticated participation which will come as the nation grapples with its future informational needs.

Because librarians are so few in number and have had little political or economic clout, adequate fellowship and training programs have been extraordinarily scarce. So, too, have research funds desperately needed to help solve society's informational problems. Title II B has helped us recruit excellent and promising young people to the profession, has enabled us to increase those trained through the doctoral level, has contributed to the up-grading of our library schools and to the quality of our total service not only to academia, but to society. Funds have made research possible in automated bibliographic services, in evaluating the utility and cost of computerized catalogs, in studies of user requirements in large libraries, in reviewing availability of primary scientific and technical documents in the United States, etc.

None of these projects, all of which will be of value in the discharge of our responsibilities to society, would have been possible without Title II B money. Libraries have no means of generating their own money, no endowments to provide research funds, and no industrial or commercial organisations with the ability to do their research for them. While millions use libraries, and all know what they want libraries to do now and in the future,

only librarians have the bibliographic, administrative, and technical knowledge to solve the problems of the future. It is true, we are concerned with all fields of knowledge, and we draw on all fields in seeking solutions to our problems, but we cannot hire the basic research expertise, we must provide it ourselves. We cannot do it without the help of federal money.

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(A letter to Senator Pell follows:)

THE LIBRARIAN OF CONGRESS

WASHINGTON, D.C. 20540

April 14, 1971

Dear Senator Pell:

I understand that your Subcommittee now has under consideration S. 659, a bill to amend the Higher Education Act.

As you know, the Library of Congress' primary interest is in Title II-C (Sec. 124 (a) (b) of S. 659) of the Higher Education Act, the National Program for Acquisitions and Cataloging.

As I stated before your Subcommittee last year, Title II-C of the Higher Education Act was proposed by the Association of Research Libraries and the American Library Association in 1965 as an extension of Federal aid to libraries. It provides for the transfer of funds to the Librarian of Congress by the Commissioner of Education for a centralized cataloging program. Prior to this Act, college and university libraries were unable to obtain cataloging copy from the Library of Congress promptly enough to serve their readers. The Act makes it possible for the Library of Congress to catalog the books promptly and make the catalog copy available to libraries, thus avoiding wasteful duplication in cataloging.

Congress saw the reasoning behind the proposal and the Committees in both Houses reported the bill with the amendment. This amendment and the technical amendments of 1968 had bipartisan support.

The centralized cataloging program--known as the National Program for Acquisitions and Cataloging--even though it has had limited funding, has been acclaimed by college and university libraries as one of the greatest innovations in library science in this century. It is a working solution to one of education's greatest library problems.

College and university libraries, which were not even in 1965 able to hire sufficient professional cataloging personnel, are now quite dependent upon the national cataloging program. They are, in fact, reporting savings in cataloging costs in excess of the amount of money appropriated by Congress for Title II-C.

To quote Frederick H. Wagman, Director of Libraries, University of Michigan: "It can be seen at a glance that strengthening the acquisitions and cataloging program at the Library of Congress is without a question a most significant way to assist the libraries of the United States engaged in supporting higher education and research." And, it might be added, under the present arrangement it is one of the least costly and one of the most effective aids to education beyond the secondary level.

The Office of Education has, as the Act states, funded this program since fiscal 1965. In late December 1970, however, the Library of Congress received word from the Department of Health, Education, and Welfare that the Office of Management and Budget had decided that the program should be removed from the HEW budget and funded directly as part of the Library of Congress appropriations. I subsequently included this item in the Library's appropriations requests for fiscal year 1972 in order that this important program could continue.

Because of this development I would like to suggest that Title II-C of the Higher Education Act be amended by striking the words "to enable the Commissioner to transfer funds" in the two places that these words appear. The authorization would then provide that the sums would be appropriated to the Librarian of Congress for carrying out the purposes of the act and funds for the program would hereafter be included in the budget of the Library of Congress. The Senate Committee on Appropriations suggested last year that it would be more logical for this program to be funded directly to the Library rather than through the Office of Education, HEW. I have discussed this matter with Senator Jordan, Vice Chairman of the Joint Committee on the Library, and he would have no objection to such an amendment.

I would be happy to provide your Subcommittee with additional information should it be desired.

Sincerely yours,

L. Quincy Mumford

L. Quincy Mumford
Librarian of Congress

The Honorable
Claiborne Pell
Chairman, Subcommittee on Education
Committee on Labor and Public Welfare
4228 New Senate Office Building
Washington, D. C.

LEHIGH VALLEY
ASSOCIATION
of
INDEPENDENT
COLLEGES, INC.

Coordinator: Mahlon H. Hellerich,

87 West Church Street, Bethlehem, Pa. 18018 • Telephone: (215) 691-6131

May 13, 1971

MAY 21 1971

The Honorable Claiborne Pell
United States Senate
325 Old Senate Office Building
Washington, D.C. 20510

Dear Senator Pell:

For the third year in a row, the Administration's budgetmakers have sought to reduce or eliminate library programs. Even when money is appropriated, it is not authorized for expenditure. This year the application forms for HEA Title IIA library resources grants stated that while $15.34 million was appropriated for this vital program for college library materials, the Office of Education decided to provide funds to only 700 institutions (instead of last year's 2,200) in the amount of $9.9 million.

This low budget for the HEA Title IIA program was explained at an HEW briefing as follows:

> "Assistance for college libraries will be reduced substantially in recognition of the marginal effect the wide distribution of these funds has had. Through administrative action and proposed legislation, the funds will be concentrated on the neediest colleges and universities."
> (American Libraries, March 1971, p. 276)

We believe the effects of Title IIA appropriations in developing library collections for the members of the Lehigh Valley Association of Independent Colleges challenge this statement. In Lehigh Valley college libraries Title IIA funds have developed:

- A black studies collection.
- An urban studies collection.
- A basic collection of music materials of scores and recordings.
- A research collection of periodical backruns where students previously had no access to titles published before 1960.
- Core collections to support ecological and environmental studies programs in two colleges.
- A theatre collection to support a new drama major program.
- Several microfilm collections of periodical and newspaper backruns.

These resources not only serve more than 10,500 students enrolled in the Lehigh Valley Association of Independent colleges but are available to adult residents (including high school students) in the Lehigh Valley through free circulation privileges extended by each LVAIC library.

The budget recommendation for the Higher Education Act cut the 1971 appropriation of $28,009,500 by 40% to $16,853,000. The Title IIA program to develop library resources was cut 68% from the 1971 appropriation of $15,325,000 to $5,000,000. These appropriations are distressingly low, and administrative guidelines for these programs are radically altering the objectives and focus of the program. Although the House-passed Education Appropriations Bill, HR 7016, has doubled the administration's request for $42,709,000 to $72,109,000, it is still 6.3 million below the 1971 level.

We urge that Title IIA of the Higher Education Act be extended through 1976, and support HR 32 and S. 659 which extend the act, with explicit provisions for:

(1) Annual authorization of $130,000,000 each year for Title IIA, Parts A and B, with 70% reserved for library grants under Part A, and 30% for training and research under Part B.

(2) 25% of the funds under Part A be reserved for Special Purpose grants. These grants are primarily important in assisting the development of interinstitutional library projects like the LVAIC consortium of libraries. The grants pave the way for participation in successful interinstitutional projects, and unite cooperating libraries into effective organization.

(3) Part B be allotted as 2/3 for training, 1/3 for research.

(4) Part C, Shared Cataloging, receive a new five year authorization of $15,000,000 each year.

Very truly yours,

James P. McCabe

Brother James McCabe, Librarian
Allentown College, St. Francis de Sales

Patricia Ann Sacks

Patricia Ann Sacks, Librarian
Cedar Crest College

Clyde L. Haselden

Clyde L. Haselden, Librarian
Lafayette College

James D. Mack, Director
Lehigh University Libraries

Henry L. Williams, Librarian
Moravian College

John S. Davidson, Librarian
Muhlenberg College

les

Enclosure: PLA Bulletin, Jan. 1970; March 1971.

Science and Technology Purchase Guide
The 1968 Supplement of *Science and Technology: A Purchase Guide for Branch and Small Public Libraries,* by Virginia L. Garland of the Carnegie Library of Pittsburgh's Science and Technology Department, is now available. The *Supplement* contains over 1000 titles which have been selected for the student and nonspecialist adult from books received in the Science and Technology Department during 1968. To facilitate ordering catalog cards, this supplement contains the Library of Congress card number. It continues to carry the name of the first author only, title, and bibliographic information including the paging and price. The cost is $3.00, which includes handling and postage. Prepayment is required. Orders should be sent to The Director's Office, Carnegie Library of Pittsburgh, 4400 Forbes Avenue, Pittsburgh, Pennsylvania 15213.

ACLCP Motorized Library Delivery Service
The Area College Library Cooperative Program has inaugurated a motorized Library Delivery Service which will speed service to the borrower who is using materials from ACLCP members and from a selected group of libraries in the Philadelphia area. Truck delivery service is now available to libraries in the central Pennsylvania area twice a week and to those in the Philadelphia area once a week. Books, photocopies, microfilm, pictures, records, and other types of library materials that would normally be sent by mail can now be delivered on a scheduled basis with less time and effort involved since the wrapping, insuring, and mailing of these items is eliminated.

This program, which is financed in part by a Federal grant and in part by the thirty-five participating libraries, is administered by Mr. Harold R. Jenkins of the Lancaster County Library. It includes the following libraries: Altoona Public Library, Bryn Mawr College, Bucknell University, Chester County Library, College of Physicians of Philadelphia, Coyle Public Library of Chambersburg, Crozer Theological Seminary, Dickinson College, Elizabethtown College, Franklin & Marshall College, The Free Library of Philadelphia, Gettysburg College, and the Harrisburg Area Community College.

Also included are the libraries of the city of Harrisburg, Haverford College, Juniata College, Lancaster County, Lancaster Theological Seminary, Lincoln University, Messiah College, Millersville State College, PMC Colleges, the Penn State campuses at University Park, Altoona, Harrisburg, and Mt. Alto, Rosemont College, Shippensburg State College, the State Library, Susquehanna University, Swarthmore College, University of Pennsylvania, Villanova University, Wilson College, and York College.

Lehigh Valley Consortium
Six Lehigh Valley academic libraries — those of Allentown College of St. Francis de Sales, Cedar Crest, Lafayette, Lehigh, Moravian, and Muhlenberg — have joined in a cooperative interlibrary loan project to provide fast and comprehensive exchange of materials for users in each institution.

The six libraries are linked by teletype, and daily pickup and delivery service by station wagon to each is provided five days a week. The project is designed to meet the everyday needs of students, in particular, by furnishing them with materials available in one library but not in another, or which may be in use locally at the time of the request. The total book resources of the six libraries is over one million volumes.

The project is one phase of a cooperative arrangement among the institutions themselves, which have incorporated as a consortium under the name of The Lehigh Valley Association of Independent Colleges. Funds for the library phase of the operation are being supplied by the member institutions.

NEWS

Workshop on Nonprint Materials

A Workshop on Nonprint Materials as Learning Resources for teachers, media specialists, A-V directors, and librarians will be held June 28-July 16, 1971, at Millersville State College. The workshop will provide participants with an opportunity to achieve familiarity with nonprint materials and the appropriate equipment needed to use them, in order to develop an expertise in this area. Workshop E.M. 501 is a 3-credit graduate course which can be taken for credit or noncredit. Enrollment will be limited. Details are available from Mrs. Minda Sanders, Director of Workshop, Department of Educational Media, Millersville State College, Millersville, Pennsylvania 17551.

LVAIC Union List

A Union List of Current Periodical Subscriptions has been published by the six academic libraries affiliated with the Lehigh Valley Association of Independent Colleges consortium. This computer-produced directory lists the locations of more than 4,000 periodical titles on the subscription lists of the libraries at Allentown College of St. Francis de Sales, Cedar Crest College, Lafayette College, Lehigh University, Moravian College, and Muhlenberg College.

Arranged alphabetically by periodical title, the directory identifies the library holding the longest file of each title and the beginning date of the file, and notes other libraries holding shorter runs. Title entries are accepted as submitted by each of the six participating libraries. Twice a year the list will be updated to record new titles and changes in holdings records.

The first phase of the union listing project was prepared by Lehigh University's computer facilities and is an extension of the Lehigh University Library's computerized serials records project under the direction of Library Director James D. Mack. The next phase will add LVAIC noncurrent serial holdings to the list. Continuations will be added in the future.

The LVAIC union list of current periodical subscriptions extends the facilities of the LVAIC libraries made available to more than 10,000 borrowers at these institutions through a cooperative interlibrary loan project initiated in September 1969. More than 1,500,000 volumes are available through a network which includes teletype communication and a daily delivery system.

In addition to utilizing the periodical collections within the LVAIC consortium, the union list will assist the LVAIC libraries to evaluate their periodical resources and develop collections which are mutually useful.

The librarians coordinating the LVAIC libraries network are Brother James P. McCabe, Allentown College; Patricia L. Sacks, Cedar Crest; Clyde L. Haselden, Lafayette; James D. Mack, Lehigh University; Henry L. Williams, Moravian College; and John S. Davidson, Muhlenberg College.

Copies of the 99-page Xerox list can be purchased for $10 each, without binders. Orders on institutional order forms should be addressed to the Mart Library, Lehigh University, Bethlehem, Pa. 18015.

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THE STATE HISTORICAL
SOCIETY OF WISCONSIN
816 STATE STREET / MADISON, WISCONSIN 53706 / JAMES MORTON SMITH, DIRECTOR

Office of the Director

May 12, 1971

Senator William Proxmire
Senate Office Building
Washington, D. C. 20510

Dear Senator Proxmire:

Under the language of the Higher Education Act of 1965, the State Historical Society of Wisconsin was ruled ineligible to receive library development grant money under Title II-A because we were not an educational institution with enrolled students.

There are now four bills before the Congress relating to the extension of the 1965 act, which is scheduled to expire on June 30, 1971. These bills are H. R. 32, H. R. 5191, S. 659, and S1123.

Except for H. R. 32, these bills continue the wording of the 1965 act in restricting funds to "institutions of higher education." H. R. 32, however, stipulates that Special Purpose Grants may be given to "institutions of higher education, and to other public and private nonprofit library institutions which provide library and information services to institutions of higher education on a formal, cooperative basis" (p. 32, lines 23 and 24, page 33, lines 1-5).

While this broader definition of institutional eligibility will be beneficial, we would like to see this wider definition of eligibility under Special Purpose Grants made applicable also to the Basic Grants section of the law so that the State Historical Society of Wisconsin, and other libraries whose main function is the support of instruction in institutions of higher education, might benefit from these types of grants that have in the past been given to individual academic libraries for the development of their book collections.

Although we have no students enrolled in the Historical Society, our library is charged by state law with the development of an American history collection for the students and faculty of the University of Wisconsin. The three largest users of our collection on interlibrary loan are

the Wisconsin State Universities at Stevens Point, LaCrosse, and Oshkosh, all of whom have received funds yearly under Title II-A.

For over 70 years there has been a very close relationship between the libraries of the University and the Historical Society. Until 1953 the University library was housed in the Historical Society building. When the University library occupied its present building in 1953, some 100,000 volumes were transferred from the Society's holdings to the present University library. At that time an agreement was entered into by the Society and the University defining the collecting scope of each institution to avoid unnecessary duplication in collecting library materials. Under the informal agreement the Historical Society was given the responsibility of continuing its development of a research collection in American history, thus relieving the University library of this responsibility. Probably 90 percent of the use of the Society's collection is from students and faculty in the Madison University community. This use is in several disciplines, including American history, journalism, political science, geography, and anthropology. We circulate over 100,000 items a year to University clientele. We have faculty and student carrels and study desks which are assigned by the Society to undergraduates, graduate students, and faculty of the University. There are many operational links between the University library and the Society library. Acquisitions are cross-checked to avoid gross duplications of holdings; the University library produces many of our catalog cards; we service the University library's newspaper collections, both in the original and on microfilm.

Despite this supportive role in providing research resources in American history for the University of Wisconsin and the state university system, the Society receives no funds from the University. As a state agency it is funded through state appropriations, along with a small measure of support from private endowments.

Since we perform all of the library services of an academic instructional library, we feel that we should be made eligible to receive federal grants for library resources development under any new legislation which may be enacted to continue the Higher Education Act of 1965.

Sincerely yours,

James Morton Smith

James Morton Smith

JMS:dk

THE SECRETARY OF HEALTH, EDUCATION, AND WELFARE
WASHINGTON, D. C. 20201

MAY 10 1971

Honorable Claiborne Pell, Chairman
Subcommittee on Education
Committee on Labor and Public Welfare
United States Senate
Washington, D.C.

Dear Senator Pell:

Please accept my apology for not responding sooner to your letter of March 11 requesting the legal authority and rationale for limiting the availability of basic grants under Title II-A (College Library Resources) of the Higher Education Act of 1965 to only new institutions of higher education and other institutions which qualify for supplemental grants. I assume you are referring to the change in policy reflected in the amendments to the regulations in 45 CFR Part 131 set forth in 35 F.R. 11875, particularly amendments 1 and 2 (see copy enclosed).

The purpose of the new policy, effective for the first time this fiscal year, is to concentrate Title II-A funds in those institutions of higher education with the most critical financial need. These include new institutions, developing institutions, junior and community colleges, and those institutions with a high proportion of disadvantaged students. The Administration requested $9.9 million for this program in Fiscal Year 1971, and believes that this amount is sufficient to achieve these purposes.

The legal rationale for this policy is that the authority of the Commissioner to award basic grants under Section 202 of the Higher Education Act is a discretionary one which can be made subject to such conditions, consistent with the purposes of the program, as he deems necessary and proper. While Section 202 specifies certain conditions which must be met before any basic grant may be made, there is nothing in this section or elsewhere in Title II-A of the Higher Education Act which mandates the Commissioner of Education to make basic grants to all applicants meeting these requirements.

Therefore, the Commissioner may, with the advice of the Advisory Council on College Library Resources established pursuant to Section 205 of the Act, establish criteria for determining priorities among applications for basic grants as well as those for supplementary and special purpose grants.

With kindest regards,

Sincerely,

Elliot L. Richardson
Secretary

Enclosure

[From the Federal Register, Vol. 35, No. 240, Rules and Regulations, p. 18875—Friday, December 11, 1970]

PART 131—COLLEGE LIBRARY RESOURCES PROGRAM UNDER TITLE II-A, HIGHER EDUCATION ACT OF 1965, AS AMENDED

MISCELLANEOUS AMENDMENTS

Part 131 of Title 45 CFR is hereby amended as follows:

1. Paragraph (a) of § 131.7 is amended to read as follows:

§ 131.7 Content of applications.

(a) *Applications for a basic grant.* All applications for a basic grant shall contain information sufficient to enable the Commissioner to determine—

(1) The eligibility of the applicant pursuant to § 131.5 and the Civil Rights Regulation in Part 80 of this title.

(2) That the applicant will expend during the fiscal year for which the grant is requested (from funds other than funds received under this part) for all library purposes an amount not less than the average annual amount it expended for such library purposes during the fiscal years 1964 and 1965 or during the 2 fiscal years preceding the fiscal year for which the grant is requested, whichever is the lesser:

(3) That the applicant will expend for all library purposes an amount (from funds other than funds received under this part) equal to not less than the amount of such grant;

(4) That the applicant will expend during the fiscal year for which the grant is requested (from funds other than funds received under this part) for library materials an amount not less than the average amount it expended for such materials during fiscal years 1964 and 1965 or during the 2 fiscal years preceding the fiscal year for which the grant is requested, whichever is the lesser;

(5) That the applicant will comply with the requirements in §§ 131.15, 131.16, and 131.17 relating to fiscal accounting and auditing procedures, retention of records and reports.

(6) That except for new institutions of higher education, the applicant will include in his application the information required in subparagraphs (4), (5), and (6) of paragraph (b) of this section.

(20 U.S.C. 1922)

2. Section 131.8 is amended to read as follows:

§ 131.8 Criteria for review of applications for supplemental grants.

Except for applications for basic grants to new institutions of higher education, the following criteria will be applied by the Commissioner in approving applications for basic and supplemental grants:

(a) Degree of deficiency in the number of volumes of the applicant's library in relation to the present and expected increase in, student enrollment and the type of institution or branch applying for a grant;

(b) Participation in other Federal programs aiding disadvantaged students;

(c) Degree of economic disadvantagement of students enrolled;

(d) Recency of the establishment of the library collection.

(20 U.S.C. 1023)

3. Section 131.9 is amended to read as follows:

§ 131.9 Criteria for review of applications for special purpose grants.

The following criteria will be applied by the Commissioner in approving applications for special purpose grants:

(a) *Type A grant.* (1) Location in a community characterized by significant social and economic deprivation;

(2) Location in a designated Model Cities area;

(3) Number of economically disadvantaged students;

(4) Other demonstrated special needs;

(5) Use of Federal funds to meet special needs.

(b) *Type B grant.* (1) Existence of a comprehensive collection which meets special needs of other institutions in communities characterized by social and economic deprivation;

(2) Availability of a published catalog of, or other guide to, such collection;

(3) Extent to which such collection will be made available;

(4) Use of Federal funds to meet special needs.

(c) *Type C grant.* (1) Number and type of member institutions in the combination;

(2) Availability of a published catalog of, or other guide to, the special collection;

(3) Adequacy of staff, equipment, and facilities;

(4) Capability to continue the program of the combination;

(5) Coordination with other Federal programs;

(6) Use of Federal funds to meet special needs.

(20 U.S.C. 1024)

Effective date. This regulation is effective 30 days after publication in the FEDERAL REGISTER.

Dated: October 22, 1970

T. H. BELL,
Acting U.S. Commissioner of Education.

Approved: November 5, 1970.

ELLIOTT L. RICHARDSON,
Secretary of Health, Education, and Welfare.

[F.R. Doc. 70-16075; Filed, Dec. 10, 1970; 8:47 a.m.]

Senator PELL. The next witness is President Glen Ferguson of Clark University.

Welcome, and I am glad to see that a man who has had the experience you had directing VISTA now has the responsibility of directing a university.

STATEMENT OF GLENN FERGUSON, PRESIDENT, CLARK UNIVERSITY, WORCESTER, MASS.

Senator PELL. Because of the time pressures, I was wondering if it would be agreeable to you if the full text of your statement, which I can see from here extends to considerable length, was put in the record at the end of your testimony?

Mr. FERGUSON. Certainly, Mr. Chairman.

In prior years, Federal funding of higher education has tended to endorse projects rather than institutions, fields of study rather than educational approaches, individual professors rather than outstanding institutional leadership, research rather than operating needs, and the growth of academic specialties rather than integrated academic programs.

As a nation, we are moving in the direction of endorsing the idea that financial circumstances should not be the pivotal factor in determining whether a student can pursue his education beyond high school. To make that concept a viable reality for our young people, we must also endorse the philosophy that higher education, in a variety of forms, will be available to each of them. The public university is prepared to cope with part of the problem, but the private university must also fulfill its responsibilities.

Because of financial realities, it is extremely difficult for State governments to allocate resources to private institutions. I suggest that the Federal Government review its priorities in an effort to sustain diverse elements of higher education.

The small, private university needs help. It needs help now to meet the current demands for change.

Traditionally, it has been the responsibility of the private school to innovate and to offer a broad range of academic programs. In recent years, both public and private colleges and universities have shared Federal dollars. Given current pressure, I am concerned that the Federal Government may minimize its commitment to the private institution.

If Federal financial support continues in the traditional format, the heterogeneity of American higher education will be in jeopardy. If the Federal Government does not provide a larger percentage of financial assistance to private institutions per se, rather than treating public and private colleges and universities in parity, the number and diversity of colleges will decline, the large will grow larger, and the remaining private colleges will become havens for the socially and financially elite.

Given financial strictures, the Federal Government must consider a combination of institutional grants and direct loans and grants to the individual student; however, unless national higher educational priorities are established, the status quo will be unaffected. A recommended priority incorporates Federal support for private rather than public institutions.

To obviate this development, the Federal Government might consider awarding a basic institutional grant to each accredited private college coupled with variable monetary increments reflecting national priorities. All colleges and universities were not created equal, even though the Federal Government has treated them equally. At the national level, we should exercise judgment and attempt to assign financial values to stipulated educational objectives. Several variables exist, and in each case hard decisions would have to be made.

Through the medium of private institutional financial grants to the private colleges and universities, the Federal Government can stimulate academic excellence, innovation, reform, and diversity.

Senator PELL. Thank you very much indeed. Your testimony which we have been through is good specific testimony about the problems of the small private colleges. President Hester of New York University, a representative of the larger private institution, and you cover the spectrum and I see how acute the problem is.

I have a couple specific questions.

NEED FOR SUPPORT

Why do you feel that private colleges have particular need of Federal support as opposed to the general publicly supported institutions?

Mr. FERGUSON. Mr. Chairman, as a result of recent problems in higher education, I feel that the States will tend to give almost exclusive support to State public institutions. This will be coupled with historic Federal support, roughly a 50–50 ratio, for public and private institutions. At the same time, some State legislatures are beginning to take approaches which preclude the kind of diversity which appears to be a hallmark in higher education.

For example, in the Midwest, some legislatures are restricting nonresidents to precise quotas. As this trend continues, inevitably more State dollars will support public institutions, and it will be more difficult for the large public institution to maintain the variety and quality of programs which are required in our pluralistic system.

Therefore, I think that the Federal Government must, at some point, begin to make judgments with regard to national higher educational objectives and support, to a greater extent, those private institutions that reflect innovation, a willingness to endorse high standards of academic excellence, and smallness per se, because that too appears to be an important ingredient as many State universities decentralize to avoid the relatively invidious aspects of the multiversity.

Senator PELL. If we enacted public support for the private universities and colleges, how do you get away from the old adage that "he who pays the piper calls the tune," as you become more and more affected by the Federal Government's views and restrictions?

Mr. FERGUSON. As I understand it, about 30 percent of the support for higher education comes from the Federal Government. Up to the 50-percent level, I do not think that control is a critical question either philosophically or in practice.

Senator PELL. Excuse me. I am not sure I would agree with you because the threat in that 30 percent on the board of trustees might cause you to move in a direction you might otherwise not want to take, whereas if it is only 10 percent you can thumb your nose at the Government. So I am not sure you would have to wait for the 50.01 percent figure.

Mr. FERGUSON. I would agree. The question of control, on which I was focusing, was the immediate effect of stipulated guidelines from the Federal Government.

Senator PELL. I am very concerned about getting the legislation through and getting help to you. I see some young people here today. I just hope to goodness that they do not have too much excitement on the campuses this spring as we try to get this bill through, because the more excitement there is and the more blown up it is, there is harm to the program. People remember last year as a year of violence when in fact there were 28 institutions of higher education where there was violence out of hundreds of institutions. People think they not only have to send their child to the university with a toothbrush and toothpaste but a gas mask as well.

Mr. FERGUSON. Mr. Chairman, I do have a comment on the question of Federal control or the threat thereof.

In the past, the Federal Government has tended to support specific projects. Grants were given to nurture a different project or approach. As we used to say in economic development, the best way to bankrupt a lesser-developed country was to build a university and a hospital and then depart. In many ways, what the Federal Government has done is to create appendages to higher education which require additional operating expenses and which put the colleges and universities in the position of not having the requisite flexibility. If we can move in the direction of institutional grants, as opposed to precise project support, this may in itself help to obviate the threat of Federal control because you are avoiding precise guidelines related to definitive projects.

Senator PELL. What kind of formula do you endorse for institutional grants? Are you familiar with President Hester's formula?

Mr. FERGUSON. Yes, I am.

Senator PELL. My formula is much more simple—$1,000 a student. I think his is more complicated. Maybe there is another formula which is better.

Mr. FERGUSON. Mr. Chairman, as you have stressed repeatedly in prior testimony before the subcommittee, this is a complex question. Generally, I accept the elements of the bill which you have submitted. For example, the institutional grant, as a concept, is not incorporated in the administration bill as it is in your bill. I think that it is naive to expect private capital to produce an additional $1 billion for the student loan market. Your bill continues direct Federal support for student loans. I think that these are profound distinctions. In your bill, I am worried, in only one respect, about the proposed $1,200 institutional grant, less the amount of tuition. In reality, under the provisions of your bill, most private institutions would not receive institutional support. Our tuition is now at the $2,600 level. Most private colleges and universities are way above the $1,200 tuition level.

With regard to a precise formula——

Senator PELL. Excuse me. I would agree with you on that, and I think it should be a simple institutional grant of a flat $1,000 without making the deduction.

Mr. FERGUSON. All right, sir. May I comment on the other half of the question, the formulas that have been discussed.

Most recently, Mrs. Green presented a bill in the House, which I think is comparable to Congressman Quie's previous bill, which attempts to give additional weight to the smaller college by authorizing a larger basic institutional grant and which provides declining support as enrollment increases. In addition to that approach, there are a variety of association proposals.

For example, the AAU, the distinguished group of graduate research universities in America, suggests that institutional grants should be based on existing Federal support in the form of research grants. Clearly, that plan would perpetuate the status quo. In contrast, the Quie and Green bills place the emphasis on the need for diversity.

I would suggest that your plan to give an institutional grant to each private or public college, where a student receiving Federal support is enrolled, will help greatly. At the same time, I do not think it will promote diversity or insure the survival of many smaller institions which are an important element in the higher educational equation.

PRIORITY OF SUPPORT

Senator PELL. What in your view is more important—aid to the student or grants to the college?

Mr. FERGUSON. As suggested in your bill, I think a combination is required. I am concerned that the student loan program will not suffice unless it is coupled with institutional support. Dr. Hester, and a variety of other witnesses, have endorsed this contention. Even with the generous amounts incorporated in your combination of student loans and grants, many private colleges will not be able to attract the student who needs full financial support. If you are considering a $2,500 base, or even $2,900 as proposed under the administration bill, this is inadequate when compared to the $5,000 average which is required for a student in a private college or university. Through the institutional grant mechanism, each college could make the decision whether additional funds should be allocated to student financial assistance or to other needs.

NATIONAL FOUNDATION

Senator PELL. Do you think the National Foundation of Higher Education should make grants to promote higher education?

Mr. FERGUSON. I endorse the concept, Mr. Chairman. My concern is that prior national efforts, including those of the National Science Foundation, have tended to reward projects rather than institutions. The National Foundation will have $100 million to spend. It is charged with responding to innovation. One hundred million dollars will not suffice to allow all private institutions to respond with new programs. Invariably, we will be competing for dollars based on comparative project analysis, new institutes for innovation and new projects for change. I would rather see the National Foundation award grants to reflect outstanding institutional leadership and to give maximum flexibility to colleges and universities which are recognized because they are good, because they are relevant, because they are making important strides, rather than awarding project grants for some precise innovational application.

PREFERENCE AS TO BILLS

Senator PELL. Right. I thank you very much for your testimony. It has been good, clear, and explicit. In conclusion, if you had to make a choice between the administration bill introduced by Senator Javits and the committee bill which of those two would you take?

Mr. FERGUSON. Mr. Chairman, for the reasons I have cited, I would endorse the philosophy of the bill presented by the chairman. I feel that the three elements in the administration bill, which have been discussed, leave a great deal to be desired.

If I may, I would like to suggest that the time has come to begin to focus on diversity in higher education and for the Federal Government to make some substantive judgments with regard to long-term national higher educational goals. We should not continue an exclusive per capita response. All institutions are not equal. The States will probably not make distinctions based on qualitative judgments. At some point, I hope the Federal Government will say, yes, it is important to place 12 million students in college by 1980; yes, it is important to insure that financial reality will not preclude admission. At the same time, we, the Federal Government, believe in diversity and believe that smaller institutions must survive. In order to insure that survival, we, the Federal Government, would like to make some distinctions to support small colleges as opposed to large, private colleges as opposed to public, and innovation as opposed to the status quo.

Senator PELL. Senator Javits.

Senator JAVITS. Mr. Chairman, I shall not delay the proceedings. I am very interested in your evaluation of the respective approaches. If there is going to be any alternative, other things being equal, my first choice is always Senator Pell.

I have only one question. We do have a program for developing institutions. We thought we were going to try to reach for that program at the very small institutions for innovations and so forth. I thoroughly agree. I do not think there is anything holy about this.

Get the summer off—the 4-year course—undergraduate before you go to law and medical school. Nothing is holy. It is probably most obsolescent. I thoroughly agree with you. But why have not you small institutions been able to dip into these funds we have made available to the developing institutions?

Mr. FERGUSON. That is an excellent question. First, it is my understanding that grants pertaining to the developing institutions program have been awarded to predominantly black institutions which are experimenting in a very critical field.

Second, there are so many of us. There are only 70 public institutions in America which enroll approximately 60 percent of the students. In contrast, there are 1,400 private colleges and universities, and in the next 10 years, the percentage of students in public institutions will rise to 70 percent. These 1,400 private institutions are competing, in a declining market, for funds. Literally, we are walking the halls of the foundations looking for a rubric, or the appropriate language, to support special projects. With most of the prior higher education bills, the tendency has been to endorse pieces rather than endorsing leadership and institutions. I would hope that the concept of assisting developing institutions would mean precisely that we support the institution per se rather than elements of the higher educational package.

SUGGESTION FOR TASK FORCE

Senator JAVITS. I was going to suggest to our chairman, perhaps, we could get together a task force of a handful of people in the smaller college and university field to come up with some really creative concept of what we can do for that 30 percent that comprises so-called private institutions.

I don't consider the private institution to be juxtaposed to the public institution in terms of the weight of numbers. But I do think that we have to get something out of the private institutions which is as much in the public interest and which is much less oriented to the established pattern. In other words, I think every young person who can undertake it is entitled to a college education, but that does not necessarily mean he has to be a doctor or a lawyer or a minister. He might also be a quasi-professional in one of a hundred fields. He might have only 2 years instead of 4 years. I think we ought to deemphasize these big institutions with enormous student bodies, but I think we ought to put as much into enabling you to stay private as we put into enabling them to maintain the load in the public sector.

Senator PELL. The longest part is just thinking it out. I think this witness today is as specific and articulate as we have had and of course we were very impressed with president Hester of New York University.

Do you know president Hester?

Mr. FERGUSON. Yes, I do.

Senator PELL. I wonder if the two of you might sit down and have a cup of coffee and discuss this matter along the same vein as Senator Javits suggested?

Senator JAVITS. Could we pick somebody up from the Midwest and and the far east and the South and make it five? Could you put yourself in charge of that project?

Mr. FERGUSON. I would be glad to do that, Senator.

Senator JAVITS. We hereby delegate you.

Mr. FERGUSON. In America, today, we have a great variety of higher education associations. On Monday, I will be attending an AAU meeting in North Carolina with Dr. Hester and 46 other university presidents representing the leading research-oriented universities. Each association has a different approach. For example, the land-grant colleges and State universities differ with the AAU in terms of what specific formula should be applied.

Senator JAVITS. You are missing our point. We will take care of the land-grant colleges and the public institutions. Senator Pell and I are interested in the pinpointing what you gave us which I liked very much. You pick up a task force and put it together for us of five fairly representative members, especially geographically of the private institutions which have this problem. What can be their unique contribution to higher education? Let us know and we will see what we can do about it.

Mr. FERGUSON. All right.

Senator PELL. And include Dr. Hester in it.

Mr. FERGUSON. Yes, sir.

Senator PELL. Thank you very much indeed. It was excellent testimony.

(The prepared statement of Mr. Ferguson follows:)

Statement by Glenn W. Ferguson, President, Clark University Before Subcommittee on Education - Committee on Labor and Public Welfare - United States Senate
April 22, 1971, 10:00 a.m., Room 4232

President Nixon has suggested that the United States must provide "post secondary education for all who aspire to it". This is a commendable objective. The American people are supporting a higher level of education for more people than any society in history, and the projected requirement to place twelve million "aspiring" students in college, by 1980, has become one of our basic national goals.

At the same time, twelve million Americans will not desire the same kind or level of higher education. The hallmark of American higher education has been diversity. As we realize the quantitative goal, we must nurture the qualitative attributes which are produced by pluralism and diversity.

Today, approximately one-third of our 2,200 colleges and universities are public institutions. They enroll more than sixty per cent of the college students, and in

another decade, they will enroll more than seventy per cent. Each of seventy universities in America, predominantly public institutions, enrolls in excess of 20,000 students. Clearly, the trend is toward the large, public university, and current financial realities enhance the growth potential of the large and public combination.

While public universities are increasing enrollments, the multi-versity is under attack. Many contemporary students are "turned off" by the relatively de-humanized large university, and some are "searching for relevance" in smaller colleges or outside of the educational system. Of equal importance, a significant percentage of faculty members are beginning to recognize that the multi-versity has failed generally to produce the cross-fertilization of ideas, the inter-disciplinary programs, and the academic innovation and reform which were anticipated.

The Secretary of Health, Education and Welfare, Mr. Richardson, has stated that colleges and universities are "among the most inefficient institutions in the country". As a student of business and public administration, I challenge that statement. At the same time, I recognize

that a degree of inefficiency, poor communication, and lack of relevance, which are associated with the multi-versity, has been made more acute by the nature of existing Federal aid programs.

In prior years, Federal funding of higher education has tended to endorse projects rather than institutions, fields of study rather than educational approaches, individual professors rather than outstanding institutional leadership, research rather than operating needs, and the growth of academic specialties rather than integrated academic programs.

When Federal funds were available to launch a new institute or academic unit, the multi-versity was prepared to add another academic feather. The results are manifest: academic excellence in narrow substantive fields, faculty withdrawal from student contact, and high-cost individual programs which cannot be maintained without extensive public subsidy.

To meet these criticisms, including the inefficiency which results from isolation, the multi-versity is attempting to decentralize without losing administrative control. In virtually every state, branches of the

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When Federal funds were available to launch a new institute or academic unit, the multi-versity was prepared to add another academic feather. The results are manifest: academic excellence in narrow substantive fields, faculty withdrawal from student contact, and high-cost individual programs which cannot be maintained without extensive public subsidy.

To meet these criticisms, including the inefficiency which results from isolation, the multi-versity is attempting to decentralize without losing administrative control. In virtually every state, branches of the

public universities are being established. In many cases, the branch units incorporate the alleged anachronisms of the multi-versity. There is only limited opportunity for innovation, curricular reform or close interaction between students and faculty. With low tuition levels and excessive enrollment pressures, the purposes of decentralization are being diffused.

As a nation, we are moving in the direction of endorsing the idea that financial circumstances should not be the pivotal factor in determining whether a student can pursue his education beyond high school. To make that concept a viable reality for our young people, we must also endorse the philosophy that higher education, in a variety of forms, will be available to each of them. The public university is prepared to cope with part of the problem, but the private university must also fulfill its responsibilities.

We are aware of the pressures placed on State legislatures to fund public higher education. We respect their efforts to respond, and we realize that because of financial realities, it is extremely difficult for state

governments to allocate resources to private institutions. I suggest that the Federal Government review its priorities in an effort to sustain diverse elements of higher education.

The small, private university needs help. It needs help now to meet the current demands for change. As qualified students have the opportunity, through financial support, to broaden their choice of schools, the private institution must be able to respond.

Traditionally, it has been the responsibility of the private school to innovate and to offer a broad range of academic programs. In recent years, both public and private colleges and universities have shared Federal dollars. Given current pressures, I am concerned that the Federal Government may minimize its commitment to the private institution.

If minimal diversity is to be maintained; if education, in its broadest sense is to be encouraged; if a significant percentage of the projected twelve million college students are to be educated, as well as trained, and if academic standards of excellence are to be supported, the Federal Government must assume the leadership.

If Federal financial support continues, in the traditional format, the heterogeneity of American higher education will be in jeopardy. If the Federal Government does not provide a larger percentage of financial assistance to private institutions per se, rather than treating public and private colleges and universities in parity, the number and diversity of colleges will decline, the large will grow larger, and the remaining private colleges will become havens for the socially and financially elite.

Currently, most private colleges reflect curious mixtures of students from very affluent or from very impoverished circumstances. Unless institutional grants are awarded by the Federal Government, tuition will continue to rise, and students from middle-income families will disappear from private colleges. As costs increase, the private colleges will be unable to maintain the requisite student financial assistance levels for minority and other low income students. If this occurs, the private sphere will no longer offer the wide range of sizes, fields, standards, philosophies and reforms which must be preserved.

Given financial strictures, the Federal Government must consider a combination of institutional grants and direct loans and grants to the individual student; however, unless national higher educational priorities are established, the status quo will be unaffected. A recommended priority incorporates Federal support for private rather than public institutions. If aid were still based on total enrollment, the large private colleges would grow larger and the smaller private colleges would atrophy.

To obviate this development, the Federal Government might consider awarding a basic institutional grant to each accredited private college or university coupled with variable monetary increments reflecting national priorities. In the United States, all colleges and universities were not created equal, even though the Federal Government has treated them equally. At the national level, we should exercise judgment and attempt to assign financial values to stipulated educational objectives. For example, if we feel that the Ph.D. recipient will continue to experience placement difficulties,

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we may wish to award a financial bonus to those private institutions which introduce innovational professional programs, doctorates in more "relevant" fields, or unique terminal degrees stressing the teaching dimension. Several variables exist, and in each case, hard decisions would have to be made concerning the future objectives of higher education. Historically, the Federal Government has been reluctant to discharge this function.

Through the medium of private institutional financial grants, the Federal Government can stimulate academic excellence, innovation, reform, and diversity. In addition to reflecting present values, American higher education should continue to prepare some students for an unknown future.

Senator PELL. Finally, there are two people in the audience who have indicated a desire to come before us. I would like them to limit themselves to 5 minutes. They are two veterans, Robert Tolmer and David Tucker.

You are the end products of this legislation—the ultimate users. Identify yourselves, you home area, and degree of education you have had.

Mr. TOLMER. My name is Robert Tolmer, a junior at Temple University in Philadelphia and a veteran of the U.S. Navy.

Mr. TUCKER. I am David Tucker. I am also a junior at Temple University and a veteran of the U.S. Navy.

STATEMENT OF ROBERT TOLMER, STUDENT, TEMPLE UNIVERSITY, PHILADELPHIA, PA., VETERAN OF U.S. NAVY

Mr. TOLMER. We would like to call to your attention to the need for a college education. You called it a right, we have heard of it as a privilege or a right. It's contended that way one way or the other. Is it a right or a privilege? I would say that today it's a necessity. The average man to raise a family needs a college education. Well, for many of us who have served during the 18th, 19th, and 20th years of our life when we have been in the service, when we get out we depend very much on the GI bill to further our education. But as the costs of education go up, as the cost of books go up, as the cost of living expenses go up, the GI bill has not risen greatly. We feel that we need first an increase in the GI bill and possibly maybe a study or reevaluation of what educational aid the veterans can accomplish for the Nation and for the individual veterans.

That is pretty much what I had to talk about.

STATEMENT OF DAVID TUCKER, STUDENT, TEMPLE UNIVERSITY, PHILADELPHIA, PA., VETERAN OF U.S. NAVY

Mr. TUCKER. Mr. Chairman, we have done a little bit of investigating and we have found out that the World War II, and Korean GI bill paid for full tuition plus $70 a month for a single veteran. Under the present plan we get $175 a month. This, as the gentleman before us said, in the time the average private institution charges $2,600 a year. They are just after paying tuition $800 in the red. I don't know why this group of veterans is so discriminated against. We have had to put up with an unpopular war, we are more unpopular ourselves in many places and have to come back and find we are getting offered less than our fathers were offered before us. Nobody is patting us on the back for what we are doing. I lost a lot of money. I could have been out of the Navy. I lost something. I was getting paid something like $80 a month until awhile back you gentlemen raised our salaries. It comes down to this—why don't we deserve what our fathers got? What didn't we do to put us in this position?

Senator PELL. Thank you very much.

Senator JAVITS. Mr. Chairman, can I just say a word.

It almost breaks my heart to hear you say you are unpopular because it is an unpopular war. Do not feel that way. I do not feel it is true. Whatever may have been your experience, I think every Ameri-

can no matter how bitterly he is opposed to this war has the greatest and most reverend regard for the young people who serve. It is not you. We asked you to do something and we insisted you do it because the discipline of doing it is essential to our future even though this is a bad and wrong war.

You know I am a very much older man than you and in a high office. I think I know your hearts and minds. Please do not feel you are unpopular because it is an unpopular war.

Senator PELL. I think my colleague has expressed very well the views of most of us, who like him have long opposed this war. But I realize what you are facing.

I would also congratulate you for coming down here as veterans. I think this is a most useful exercise. Years ago when some us in the Senate Foreign Relations Committee set forth recommendations to make peace, peace was almost a dirty word, and now it has at least become respectable. The veterans have the cutting edge of public opinion to really impress the Congress. I do not think the President will stop the war so you must impress the Congress to stop this war. Again, thank you, gentlemen. We will see to it that your views are heard in the right quarter.

At this point I order printed all statements of those who could not attend the hearing and other pertinent material submitted for the record.

(The information referred to follows:)

RHODE ISLAND JUNIOR COLLEGE
199 Promenade Street Providence, Rhode Island 02908

March 11, 1971

Rec'd MAR 13 1971
Ans'd.....

Senator Claiborne Pell
United States Senate
Committee on Labor and
Public Welfare
Washington, D. C. 20510

Dear Senator Pell:

Thank you for your answer of March 3 to my inquiries concerning S. 659, "Education Amendments of 1971", and specifically Section 161 and 162, which deals with the extension of authorization of appropriations for the Higher Education Facilities Act of 1963.

I am extremely pleased to find that the bill does extend the program for a five-year period. The Higher Education Facilities Act of 1963 and its amendments have been an extremely important factor in the development of Rhode Island Junior College and the permanent facilities to house the exploding enrollment demands being placed upon us. We at Rhode Island Junior College feel that this portion of the bill is vital in the continued development of the Rhode Island Junior College State System.

I would also like to extend my full support of S. 659 and especially Section 142, which pertains to your new Educational Opportunity Grant Program. I feel that your work towards greater financial assistance to students desiring to enter higher education deserves every acclamation and support. As you no doubt are aware, we at Rhode Island Junior College feel that public higher education should provide an opportunity for open door education at the junior college level. Eliminating the financial barrier is a very important part of this educational plan.

Thank you again for the information regarding the proposed higher education legislation and also for your continued support and goodwill toward Rhode Island Junior College.

Respectfully yours,

R. G. Henderson

Robert G. Henderson
Dean of Administration
and Development Officer

RGH/lm

March 26, 1971

The Honorable Claibourne Pell
United States Senate
Washington, D.C. 20036

Dear Senator Pell

When I was in Washington March 1-3 for the American Association of Junior Colleges conference, I had the privilege of talking with Mr. Stephen Wexler and Mr. Richard Smith concerning the important provisions for student and institutional financial aid in your Bill. I expressed deep appreciation for the increased level of support you propose for higher education and vocational education. Your Bill combined with Senator Harrison Williams' will mark a turning point in our nation's addressing itself effectively to goals and priorities for universal opportunity, improved quality of life, and educational alternatives beyond high school. This is in contrast to the administration's proposed reliance on loan programs and reduction of vocational funding.

On their part, I believe that Messers. Wexler and Smith were deeply impressed with the record and commitment of Alice Lloyd College at Pippa Passes, Kentucky. This rural Appalachian college for nearly fifty years has responded to the needs of its communities for leadership.

'he Commitment and Record of Alice Lloyd College

Since 1923, based primarily on private gift income, Alice Lloyd College has been providing an unusually effective educational program for the first two years of college and has assisted graduates with scholarships or grants in senior and professional colleges so that most of the civic leaders, school administrators, teachers, engineers, doctors, social workers, and business people of our eastern Kentucky mountain area are products of this college. More than 90% have returned to serve the Appalachian region for a significant span of time as citizens and leaders. This is against a tide of out-migration of 60% of the population to urban centers during the last twenty years.

Through the years and currently, 95% of Alice Lloyd College graduates continue in senior college, and 90% complete the baccalaureate degree. This is in spite of an average family income for our total enrollment of $2,200 in 1964 and still under $4,000 in 1970. Half of our college students are the first in their family to finish high school.

Striking sociological benefits show in the larger number of fifth graders completing ninth and twelfth grades, and in the larger number of high school graduates entering colleges in our immediate area than in surrounding Appalachian counties. Alice Lloyd College operates a fine Upward Bound program and special services for the disadvantaged, along with our central leadership education program.

In fifty years Alice Lloyd College has learned a secret - that culture-based disadvantage is no bar to leadership and effective citizenship. Many people throughout the country do not know that leaders and the society grow together and that a leadership of either native or external elitism cannot be arbitrarily imposed. Alice Lloyd College's program and commitment is geared to the cross-section of our society's fabric, and has produced a leadership that is a part of the community and not elitest. This leadership can cope with the severe change, extensions, and inter-relationships of the regional Appalachian community growing into full partnership in the larger America community.

At Alice Lloyd College all students work. Students have dormitory responsibility as house parents and house councils, serve with faculty in institutional governance, engage in forum discussions of goals for leadership and service.

Study exchanges and cooperative work-education programs provide horizons beyond the region. A strong emphasis on the Appalachian community as a laboratory (Sociology of Appalachia, EPDA Institute, crafts, drama, "Voices from Appalachia" choir, NEH oral history and heritage, and community outreach in service) creates a life involvement in the Appalachian region on curricular, co-curricular activities and community service levels.

Alice Lloyd College's rural outreach program, ALCOR, expanded in 1971 to six Appalachian colleges serving 22 counties. It has reached 10,000

children and adults in the most disconnected families of 48 isolated communities in our region, utilizing indigenous college students as bridges of friendship and confidence so that horizons are expanded and professional persons and agencies are having access to those who most greatly need their services. ALCOR is based on years of educating not just individuals - but persons who are community members and leaders.

Investment in Leadership Education Costlier than Students' Classroom "Teaching"

Leadership education of students with culturally-based disadvantage is not a cheap program. Heavier investments in personal contact of teachers and students, guidance, counseling, language laboratory, learning center, cultural programs, special services, staff relating to dormitory governance and community involvement activities, is needed to accomplish the program results described above. These are not luxuries. If Alice Lloyd College were to reduce expenditures to a mere classroom experience with perhaps a heavier student/teacher ratio, it could provide a skimped program at approximately one-half the cost per student. However, it would not thereby serve our society with an effective leadership result.

In measuring of society's need, it is not clear that low cost institutions are always the most useful. Some more costly programs are extremely useful to our society. Perhaps Alice Lloyd College should be encouraged in its investment in strong leadership education beyond classroom experiences,and other colleges should be encouraged also to make these investments.

Accountability

In terms of accountability it has been suggested that institutions should demonstrate their societal contribution in an educational program audit, and that funding should be responsive to such contributions. (See the recommendation of the Carnegie Report, A Chance To Learn, Page 28: "Insofar as higher educational institutions will incur increased costs as they develop the special programs recommended in this report, these costs can be met through reallocation of existing resources and through the cost-of-education supplements recommended in our first report, Quality and Equality. These supplements should be provided to the institutions for each student who qualifies for a student grant. The grants are intended for students from low-income families, and the supplements are designed to enable the institutions to meet the additional costs associated with remedial education and other special efforts to overcome handicaps.")

A Note On Private Junior Colleges

Senator Pell, I serve as Chairman of the Commission on Legislation of the American Association of Junior Colleges this year, and am strongly aware of the public service performance of the large public community colleges which have undertaken commitments, without adequate recognition or support, to meet career and citizenship needs for extremely large enrollments of people in their communities in a wide variety of open programs.

I am also strongly aware of the important public service performance of many independent junior colleges, with enrollments generally limited by financial resources, which extend and commit the total resources they have to programs that respond to particular citizenship and leadership education needs of their communities. In Alice Lloyd College's immediate region, Lees Junior College at Jackson, Kentucky, is a fine example of this public service commitment by a private two-year college, and there are many others.

It is alarming that private two-year colleges have heretofore been neglected in government and foundation funding compared with the private four-year institutions, and the publicly-supported two-year colleges. It is important that this imbalance be corrected for the sake of the valuable community responsiveness and service of these institutions. In common with other private institutions in America, their preservation needs our attention at this time.

The flexibility and creativity that many private colleges provide in our dual system has important synergistic values in the public institutions as well. However, serious weaknesses are resulting from a tuition gap which makes the private colleges noncompetitive. Further widening of this gap would very soon eliminate the viability of the private colleges.

Values of creativity and flexibility will be lost which should have synergistic effect in higher education. Students would be added to public college

enrollments as an additional financial cost to the taxpayer. The remedy for this tuition gap is in the cost of instruction allowances and student assistance grants which will take program cost into account.

Student Financial Aid Funding Levels and Formulae

Senator Pell, all who seek to provide education for the financially needy will deeply appreciate your proposal to increase funding to meaningful levels. Without this increased level of funding, all priorities and formulae break down. May I list four priorities:

1. Support for the most needy is an important recommendation of the Commission on Legislation of the American Association of Junior Colleges. Students in states or regions and especially in institutions of high concentration of low income students, have received federal student aid allocations as little as 25% of amounts they qualify for according to guidelines. Recent administration directives to meet the needs of the most needy first, have improved the situation for the most needy students in institutions of greatest need concentrations, but full funding is the only means whereby the Congress and the administration can make good its purpose for the right of citizens to career and citizenship education.

2. Financial assistance as a matter of right for individuals with financial need who desire to embark on postsecondary educational programs, will only be effectuated by full funding.

3. The first two years of college should be a priority, as compared with upperclass, graduate, or professional programs, since the first goal is an opportunity for every student, young or old, to enroll in the post-secondary personal and career development program of his choice.

4. Availability of student aid to part-time students is a top priority of the American Association of Junior Colleges, extended on a full time equivalent basis, for their continuing entry into the educational system. One million part-time students have already dared to enter postsecondary education, with family and job responsibilities, without the help of federal student assistance. It may be confidentally expected that an additional two or three million part-time students may be encouraged to better themselves in citizenship and career education when appropriate assistance is made available.

Recognizing your real concern for these priorities and for their full funding, I would respectfully urge the following concept: The student's need properly consists of (a) his personal or family financial situation; and (b) the cost of the educational program of his choice. Actually, the formula of student aid developed from the Higher Education Act of 1965 is based on these two factors, (a) and (b). It is sensitive to the variety of family circumstances and educational and personal costs which students have. If fully funded, this formula would best meet the needs

of students attending a variety of institutions of their choice and it can readily be adapted to meet the priorities of the most needy and the part-time student.

Alice Lloyd College's experience with the Higher Education Act of 1965 has been basic. In a time of growing costs, our continued commitment to leadership education for valuable young people of Appalachia who cannot themselves pay the cost, would have forced our particular college out of existence, in spite of our valuable contributions to society, except for these programs of student financial aid.

Our experience has been extensive with 80% of our students having a family income of less than $7,500, and the whole enrollment averaging less than $4,000 as indicated above. If financial aid allocations were made according to the students' financial situation only, with no consideration of program cost in Alice Lloyd College as compared with a tax supported institution, we would be unable to continue.

For a future in which Alice Lloyd College preserves open admissions to students regardless of ability to pay, for a leadership education program of unstinted quality -- your proposed basic and supplemental Education Opportunity Grants at adequate level and the Cost of Instruction Allowances are indispensable.

Cost of Instruction Allowances to Relieve Institutions' Financial Strain

Senator Pell, I strongly support the Cost of Instruction Allowances you describe in Section 40[illegible] of your Bill as I understand their purpose: to relieve the financial strain of the institutions which exists between actual educational program cost, and the student aid grants and other institutional resources available.

A maintenance of local, state, and private efforts can be built in, with corrections where institutions' existing financial strains are too severe. The concept of supplementary grants and cost of instruction allowances based on eligibility of students with financial need is certainly in tune with the Carnegie Commission's recommendations to help institutions meet the special needs of low income students.

However, as I mentioned to Messrs. Wexler and Smith, I am not sure that this formula for Cost of Instruction Allowances as stated will accomplish the purpose you intend. The definition of "tuition charged" needs to be examined.

Our institution would qualify for needed Cost of Instruction Allowances by reason of low income students served, and by reason of the institution's cost in providing a leadership education program overcoming educational and cultural disadvantages. However, the $1,000 less tuition "charged" could eliminate support for colleges with greatest strain, namely those with highest cost of programs available to low income enrollment.

In Alice Lloyd College where a $1600 "tuition" is charged, only five or six students pay the total amount. Many more pay zero and the average tuition paid by students was $251. By far the greater amount of "tuition" was paid by the institution itself on behalf of students who could not pay it themselves. This, plus the additional underwriting of educational program beyond "tuition", results in a tremendous financial strain.

Illustration of Financial Strain

Alice Lloyd College enrollment doubled, 1960-1970, and will double again by 1980 to an optimum of 600. Compared with a $900 cost per student in 1960 when Alice Lloyd College offered a fine program with no cash charges, volunteers as faculty, no plumbing "conveniences" in faculty and student housing - our updating a modern day program for students in a changing society has tripled the cost per student. The larger amount of underwriting comes from private contributions, which is a tremendous strain.

Unlike many institutions, all of our gift income including unrestricted bequests has to be devoted to the underwriting of program costs for a student body which can not pay this. This is not preferred. Unrestricted bequest income, at least, should be available to reduce indebtedness, provide needed facilities, or even a small margin of reserve for the future.

Alice Lloyd College should properly produce $300,000-$400,000 in private funds, annually, to underwrite educational program cost, but as you will see, the amounts required have skyrocketed beyond the larger figure.

Underwriting Educational & General from Private Sources
(Excluding Sponsored Programs)

1960	$ 110,000
1963	134,000
1965	302,000
1967	421,000
1968	456,000
1969	552,000
1970	617,000

Per-student cost will level off, as enrollment of 600 is reached.

To see this institutional underwriting of educational cost in relation to the amounts paid by students and by the federal student assistance programs, a breakdown for 1970 follows:

Institutional Underwriting of Educational Cost As Compared With Student and Federal Payments

		Total Amounts	Per Student
Educational & General Cost Excluding sponsored programs: Title III, Upward Bound, co-op education (federal); community outreach (private)		$ 760,690	$ 2,766
"Tuition" Paid By:			
a. EOG	$ 74,234		$ 269
b. Student Payments (assisted by work & loan programs)	69,141		251
c. ALC Tuition Grants & Scholarships	302,288		1,096
ALC Underwriting E & G Costs Beyond "Tuition"	315,027		1,150
	$ 760,690		$ 2,766

Combining the ALC Tuition Grants and Scholarships and additional institutional underwriting shows the total financial strain in Alice Lloyd College's educational cost not paid by students or federal assistance

ALC Tuition Grants & Scholarships	$ 302,288
ALC Underwriting E & G Costs Beyond "Tuition"	315,027
Total Institutional Underwriting	$ 617,315

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This is an actual financial strain greater than in many colleges with low program cost and low tuition charges.

A Cost of Instruction Allowance that takes into consideration the institutions' commitment and record in serving societal needs, investment in quality program, and underwriting of costs for low income students -- such a program will identify and relieve the financial strain of providing worthy educational opportunity for students.

I am enclosing copies of this letter for Messrs. Wexler and Smith and would like to discuss this further with them if you permit. I will also ask the views of Senator Cooper and Senator Cook of Kentucky on these issues.

Very sincerely yours,

William S. Hayes

William S. Hayes
President

VERMONT COLLEGE
A two-year college for women
MONTPELIER, VERMONT 05602

OFFICE OF THE PRESIDENT

"TO DEVELOP THAT STRENGTH OF CHARACTER AND RUGGED CITIZENSHIP WHICH HAVE BEEN TYPICAL OF VERMONT"

April 28, 1971

The Honorable Claiborne Pell
The United States Senate
Washington, D. C. 20501

Dear Senator Pell:

As president of the newly organized (1969) National Council of Independent Junior Colleges, I want to congratulate and thank you for putting in the printed hearing record the statement you received from president William S. Hayes of Alice Lloyd College in Pippa Passes, Kentucky, dated March 26, 1971.

I, too, want to express my appreciation to you for including the essential provision for student and institutional financial aid in your bill. I am also a member of the Commission on Legislation of the American Association of Junior Colleges. President Hayes is currently serving very ably as the chairman of this commission.

There is an impressive concensus of concern on the part of the Commission members for both independent and public two-year colleges. It is my conviction today that all effective two-year college presidents, public and independent, believe that we should strive for the full utilization of our educational resources while we insist on the greatest possible management efficiency.

The achievement of these two goals can be realized only when sufficient support from the Federal Government is authorized and appropriated. We are confident that you and most of your colleagues in the Senate realize the importance of the awesome growth of the American community-junior college.

Thank you for your interest in and support of the junior college movement.

Cordially,

William L. Irvine

William L. Irvine

Lees Junior College JACKSON, KENTUCKY 41339
TELEPHONE 606 666-7521

April 26, 1971

The Honorable Claiborne Pell
United States Senate
Washington, D.C.

Dear Senator Pell:

The testimony which I hereby submit is the personal testimony of one man. I am Troy R. Eslinger, president of Lees Junior College, Jackson, Kentucky. However, I also speak as a member of the Executive Committee of the National Council of Independent Junior Colleges, and expressly at the request of the President of that Council, Dr. William Irvine, president of Vermont College, Montpelier, Vermont. There are now over 100 private junior colleges enrolled as members of this Council, and while I do not speak as the charged representative of these colleges, I do nevertheless speak on the behalf of these and all other private junior colleges throughout the United States, who play a very important role in higher education in this land.

These private junior colleges, spread throughout the

country, but mainly concentrated in the central, northeast and southeast sections of the country, have performed yeoman service throughout many years. Many, like Lees Junior College, have been meeting the needs of young people for from 75 to 100 years. Frequently predating the advent of public schools, especially in isolated regions of the country, many have been in the position of offering virtually the sole opportunity for educational experience to a given region. Institutions such as Alice Lloyd College, Sue Bennett College, and Lees, here in the Appalachian region of eastern Kentucky, have provided otherwise unavailable opportunities for development and leadership to vast numbers of people from this relatively isolated region.

Others have been developed and have continued down through the decades, under special and unique mandates for the accomplishment of specifically designed purposes and objectives which add immeasurably to the total spectrum of higher education.

One of the great values of institutions such as these lies in their flexibility, and in the high degree of responsiveness which they show to the special needs of the communities in which they operate. My own institution -- and I am sure there are many others -- was serving the role of the community college, providing stepping stones from poverty to autonomy and financial independence for hundreds

of citizens young and old, long before the term "community college" became popular. It is very important to the nation, and to higher education in particular, that the concept and practice of pluralism in education be maintained. There surely must always be, in a country such as ours, the need for institutions which have the flexibility to be innovative, person-oriented, with agility to change directions when such needs seem indicated by the changing times.

I have read the testimony which was submitted by the American Council on Education, the American Association of Junior Colleges, et al., and I shall therefore not concern myself to repeat the various urgings which they entered, except to say that I concur in them. Thus, adding my voice to their urgings. They have stated the case well, and I hope that the members of Congress will give serious heed to their statements.

But since institutions, like people, have distinctive personalities, it may help for me to say something of the distinct personality of Lees Junior College, as illustrative of the overall value of the private institution in the context of the higher educational effort. This institution, with a history stretching back to 1883, has throughout that history served a geographically-isolated and culturally-different area in the mountains of eastern Kentucky. A predominance of the students in any given year represent

first generation college effort from their families. Through the years, literally millions of dollars from private individuals, church groups, corporations, and foundations have been channeled through this college into the lives of the people of the area bringing educational opportunities that were not being provided by the tax supported institutions.

But as the costs of instruction have mounted higher and higher, the level or private support has become a declining percentage of the total operating budgets. Lees College, from the very beginning of the Higher Education Act of 1965, Title III For Strengthening Developing Institutions, has demonstrated that the teamwork of private and federal support has tremendous potential. With aggressiveness and imaginativeness, the college has moved courageously into such programs as Cooperative Education, the Special Services to Disadvantaged Students, as well as the full gamut of student financial aid under NDSL, College Work Study, and Educational Opportunity Grants. Indeed, at least 75% of our students could not attend college at all without such assistance.

Lees and Alice Lloyd College, both serving the Appalachian area of eastern Kentucky, and members of the Kentucky Junior College Consortium for Title III Programs, have provided exemplary leadership in both the private and public community college sectors of the state of Kentucky. More

recently, Lees College has been awarded a major curriculum grant from the National Endowment For The Humanities, as a result of many years of planning and reaching out for ideas that would enable the institution to serve more effectively the region in which it is located. This grant, in the amount of $250,000 initially, (with a possible supplemental grant of an additional $100,000), will enable the college to restructure its entire curriculum around the theme "Man And His Total Environment, Focus On Southern Appalachia." The presence on campus, within the faculty, of young, creative, aggressive teachers -- a number of whom during the past four or five years have been National Teaching Fellows, under the Title III programs -- has been one of the most significant dimensions of these developments.

Another program, of community service and outreach known as ALCOR, is one that is jointly financed by private and federal funds. Alice Lloyd College, the initiating and leading institution for this program, has expanded it to include not only Lees Junior College, but two of the regional state community colleges and two four-year private colleges in the area. Over two hundred students will be involved during the summer ahead, working in as many as 75 to 80 centers in isolated parts of the hill country, bringing a variety of services to these isolated communities. There will be recreational activities, community development activities,

health screening activities (through the services of SAMA -- Student American Medical Association representatives, and student nurses from all over the country). This program is funded by private foundation and corporation support, as well as the Appalachian Regional Commission. Another evidence of teamwork between federal and private sources.

The point that I am seeking to make is that these institutions could not possibly carry on the level of work which they are doing without the support of federal funds. By the same token, their flexibility as private institutions, having the type of dedicated faculty and staff which they are able to attract by virtue of their uniqueness, puts them in a separate class from the purely public institution. American altruism is thus provided a very distinctive channel through which to flow, in institutions such as those I have been describing. But the magnitude of the task which we have set for ourselves is such that the joining of federal support can dramatically augument the services which these institutions offer.

It seems unquestionably important, therefore, that in the federal legislation which is under consideration at this time, provisions be made not only to continue the well established components of federal aid to education -- such as construction funds, library funds, instructional equipment funds, Developing Institutions funds -- but that the newer

concepts of direct assistance to institutions, both private and public, be added to the effort. It is the people of our country at large who stand to profit most from a stepped-up program of educational opportunities. The federal government surely plays a key role in seeing that multiple options in higher education are available to our citizens and that the means shall exist for each member of society to follow the option best suited to meet his individual needs, and thus to serve more effectively our country itself.

None of the private institutions expect to relent in their efforts to generate continuing private support. We do not presume to turn over to the federal government our private responsibilities. Nor do I see any conflict of interest here, whatsoever -- rather an enhancement of the effort will surely continue to result as federal and private sources join hands.

The Junior College, both private and public, stand at the grassroots level in the spectrum of higher education. Rather than diminishing, their role is increasing in importance especially in the years immediately ahead. I therefore have no hesitancy in urging the members of Congress to take a bold step forward in the funding of expanded educational programs. To falter at this point is almost to deny the efficacy of the expressed philosophy that the American citizen should be given the opportunity to rise to his highest level of achievement.

Thank you for allowing me this privilege of expressing my views on these vital issues.

Sincerely yours,

Troy R. Eslinger

Troy R. Eslinger
President

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City of Cleveland

CARL B. STOKES
MAYOR

April 1, 1971

My Dear Senator Pell:

It has come to my attention that hearings on Senate Bill 1033, introduced by Senator Harrison A. Williams, Jr., are currently underway before the U. S. Senate Subcommittee on Education. I strongly urge passage of this bill, as I have observed in Cleveland the benefits which accrue to the citizens and communities touched by the comprehensive community college and have read of the impact of these institutions in hundreds of cities throughout the nation. I would like to share some of my observations on the comprehensive community college which have placed me firmly behind this important piece of legislation.

First, and most important, this uniquely American, 20th century concept in higher education extends educational opportunities to a "new breed" of student. This "new" student represents the American goal of universal higher education. His is attracted to the community college with its "open door" admission policy, low or non-existent tuition, proximity, community attunement, flexible yet comprehensive programs of instruction, and adult programs providing the opportunity for continuing education. The "new" student comes from every strata of society. Millions of these "new" students of all ages, representing all racial and ethnic groups, have responded to the concept that the college door should be open to everyone.

The comprehensive community college also plays a critical role in bridging the gap between manpower shortages in nearly all the professions and individuals qualified to fill them. The availability of career offerings in step with our rapidly changing world and the rapidly changing technological and occupational needs of business and industry helps to solve not only the problem of unemployment but also the frustration of underemployment. Cleveland's Cuyahoga Community College, for example, offers 34 two-year programs in the Business, Engineering, Health and Public Service Technologies,

in addition to its traditional arts and sciences offerings. These offerings have enriched the lives of tens of thousands of Greater Clevelanders, enabled many to begin rewarding careers and provided many others with a solid foundation for continuance of their academic endeavors.

In addition to helping solve problems of employment, the comprehensive community college addresses itself to the specific needs of the communities it serves. Among the community service offerings at Cuyahoga Community College are educational and occupational counseling services for adult women, a comprehensive educational counseling center located in Cleveland's inner-city and training programs for the hard-core unemployed.

I regard the community college movement as one of the most hopeful and promising developments on the national scene today -- especially for our complex, troubled urban centers. I believe that the nurturing and expansion of this movement is one of the most important factors in America's quest to find solutions to the many ills which constitute the urban crisis.

Sincerely,

Carl B. Stokes

Honorable Claiborne Pell
Chairman of the Subcommittee on Education
United States Senate
Washington, D.C. 20514

cc: Honorable Harrison A. Williams, Jr.
Mr. Frank Mensel, American Assoc. of Junior Colleges
Dr. Charles Chapman, Cuyahoga Community College

Office of the Academic Dean
Telephone 901 / 989-4611

Freed-Hardeman College Henderson, Tennessee 38340

March 16, 1971

The Honorable Claiborne Pell
United States Senate
Washington, D. C.

Dear Senator Pell

I wish to express for Freed-Hardeman College our appreciation for S. 659, your bill to amend the Higher Education Act of 1965, the Vocational Educational Act of 1963, and related Acts. Freed-Hardeman College has benefited greatly from provisions of the Higher Education Act, and especially from grants under Title III--the developing institutions program. Grants under this program have made possible renewal of the college's accreditation, the introduction of occupational programs, and better services for educationally deprived students.

I note that Sec. 302. (a) (3) would make two significant changes in the present program. First, it would broaden eligibility to include new community colleges. Support for the establishment of new public community colleges is certainly desirable and deserving of federal assistance. Their needs for faculty and curriculum development are, however, so comprehensive and overwhelming that there is the danger that the bulk of the available funds would be diverted to these new institutions, so that the established but struggling institutions now serving many educationally deprived students would not be rescued and strengthened. We would suggest, therefore, that consideration be given either to supporting new community colleges under legislation especially designed for them or to increasing the appropriations for Title III and the percentage of the appropriations designated for community or junior colleges to reflect the change in purpose and broadened scope of the program.

The section mentioned above would also have the effect of making ineligible for assistance two-year colleges which might find it desirable or necessary to make the transition to a four-year program. Testimony before Congressional committees has indicated that this is a relatively infrequent occurrence, especially in the case of public institutions. Some non-public institutions, however, have found that with the establishment of new public community colleges in their immediate area they could best serve their clientele and community by adding at least some bachelor's degree programs. Indeed, this may be the only way for them to enroll enough students to utilize their faculty,

facilities, and libraries developed over many decades of existence. Such a decision, of course, must be made by the institution on the basis of its individual situation Sec. 302 (a) (3) would exclude such an institution from assistance for a period of five years. It would be unfortunate if the same provision made eligible institutions beginning to offer the associate degree and made ineligible those beginning to offer the bachelor's degree. Some of the latter would, of course, continue to offer two-year associate degree programs.

We would urge, therefore, that consideration be given to striking the clause "in the case of an institution awarding a bachelor's degree." I should be happy to discuss this with you with your staff or the committee staff.

Sincerely

J. D. Thomas
Academic Dean

JDT/rm

Change

1971

American Association of Junior Colleges
1970 Annual Report

Quade

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One Dupont Circle, N.W.
Washington, D.C. 20036
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A Time of Change

We are pleased to present in the following pages the 1970 annual report of the American Association of Junior Colleges. As the report will indicate, the year was one which emphasized the need for change to meet new challenges, both in American society and beyond the borders of this country.

A report of this nature can only hope to cover the highlights, the more notable achievements — those things that make headlines. It concentrates on the collective actions and efforts of officers, commissions, staff, and member institutions, rather than the contributions of individuals. That would require another book, one which would have to list two and one-half million students, one hundred thousand faculty and staff, and legions of citizens who have supported the community junior college movement during the year. For they, in the final analysis, constitute the junior college movement.

We do want to single out members of the Board of Directors of this organization who set policies and provided direction. And we would be remiss if we did not commend the members of the five Commissions for their participation in planning and development. At a time of tremendous stress and strain on college campuses, they donated time and energy to the task of leadership.

Whatever was finally accomplished during this fiftieth anniversary year we owe to member colleges. Their cooperation and support made it possible.

Charles E. Chapman
President

William G. Shannon
Acting Executive Director

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50th Anniversary is Observed

Nineteen hundred and seventy was the year in which the American Association of Junior Colleges experienced its "golden anniversary." The national organization had reached the age of fifty. Attention was called to this fact in speeches, in publications, and at meetings. And the annual convention was labeled the "fiftieth anniversary meeting."

There was not a celebration in the usual sense. Though many achievements could be marked, using the normal measuring sticks of growth, expansion of programs, and involvement of greater numbers of people, 1970 was not a year for complacent contemplation of past and present progress. National events and issues, unrest and resistance, left little room or time for reflection on what had gone before.

If there was any celebration, it was in terms of renewed attempts to make the work and services of the American Association of Junior Colleges more relevant to grave national issues and concerns. In short, staff, officers, and members probed deeply into ways in which the community junior college could do its part in alleviating some of the problems which faced the country. The problems were reflected in single words and phrases that filled newspapers and air waves during the year. War. Unemployment. Recession. Polarity. Pollution. Campus unrest. International confrontations. Inflation. Strikes. And others.

The program of the Association for 1970 took these issues and concerns into account, therefore, rather than concentrating on an observance of its fiftieth anniversary. Policies and organization were reviewed and brought into step with changing times and needs. The annual convention in March of 1970 set the tone for the year by focusing on "change." Certainly no organization representing educational interests could have ignored the cries for change on the part of students at all levels; community junior colleges were no exception. Thus, the program of the annual convention reflected their concerns. By the end of 1970, the voices of the students on two-year college campuses had totaled nearly two and one-half million; the number of colleges had reached 1,070.

So, if the fiftieth anniversary year could be characterized by anything, it would be that of concern on the part of the national organization with constructive change.

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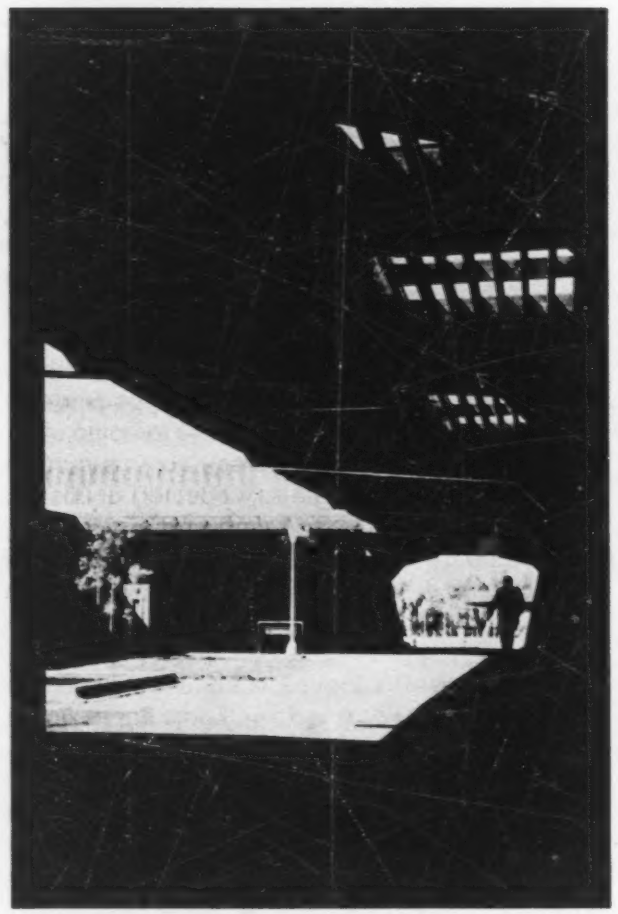

Diversity is Key to Change Efforts

The membership of the American Association of Junior Colleges is marked by diversity. The institutions are diverse in size, in the kinds of programs offered, in location, in people served, in financial support. Big city. Suburban. Rural. Public and private. Large and small in terms of enrollments and physical facilities.

Thus, the Association, in the pursuit of desirable change, takes into account the diversity of the institutions it represents. In earlier years, AAJC gave considerable attention to insuring that both private and public institutions were fully represented on boards, commissions, and other arms of the organization. There was concern with proper geographic representation.

These continue to be important considerations for national planning and policy making. At the same time, AAJC has sought to express the diversity of its membership through insuring greater participation in the affairs of the organization by members of minority groups.

Social and economic needs of minorities have long been a concern of the Association, and were spelled out clearly in a policy statement issued in 1968. While there had been concentration on minority problems through publications, articles in the *Junior College Journal,* and in meetings prior to that time, the statement served to provide a more clear-cut guide to the commitment of the

Association in this area. AAJC had early helped to launch outreach projects funded by the Office of Economic Opportunity in several large cities. With support of the Ford Foundation, it conducted a demographic study to determine college-going interests and attitudes of Blacks. A technical report of the study, *People Who Need Colleges,* as well as a summary "reader's version," *Black Student Potential,* were published in 1970.

The Association sought to strengthen its commissions by increasing the numbers of minority representatives—Blacks, Mexican-Americans, and Indians. The president of a predominantly Negro college in Chicago was elected to the Board of Directors of the Association.

An office of Minority Group Programs was established in late 1969. Through workshops, a publications program, and staff contacts with individual colleges, the office has sought to bring about greater awareness of minority needs and to implement that awareness by encouraging solid program innovations at community colleges. Typical of the work was a workshop held in Washington, D. C., which concentrated on bringing about better understanding of ethnic differences as a part of the educational process.

The Association has committed itself to working closely with the staff of Navajo Community College on the Navajo Reservation in Arizona. AAJC will attempt to open national resources, provide consultation, and in every way possible lend encouragement to the development of the institution—the first of its kind. AAJC's Program with Developing Institutions, supported by the U. S. Office of Education, initiated a consortium of border colleges in Texas that serve large numbers of Mexican-American students. The consortium provides opportunity for interaction on curriculum development, staffing, and other aspects of the colleges' programs.

Towards the close of 1970, the Ford Foundation, after consultation and discussions with AAJC staff, launched a $2 million scholarship program to aid associate degree graduates of community and junior colleges in further educational endeavors at four-year colleges and universities. The program is open to Black Americans, Puerto Ricans, Mexican-Americans, and American Indians.

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Varied Programs Meet Special Problems

Monticello College in 1970 announced it would cease to exist as an independent, privately supported two-year college. The 135-year-old institution referred in its announcement to continuing difficulty in obtaining the necessary financial support to enable continuance of the college as a private institutior. Significantly, the campus and facilities were immediately acquired by a public junior college district, the Lewis and Clark Community College District.

The story has meaning for the work during 1970 of the American Association of Junior Colleges. There are some 240 privately supported colleges in the membership of AAJC, and the institutions have figured prominently in the 50-year history of the organization.

AAJC's commitment to diversity in types of institutions led to encouragement by the national organization of the establishment, by the institutions themselves, of a council of independently supported two-year colleges. Thus was born in 1969 the National Council of Independent Two-Year Colleges, with an office opened in AAJC headquarters in the spring of 1970.

The Council is engaged in plotting a course for private junior colleges during the 1970's and beyond. The member colleges will seek to open new channels of support, chart new program areas, and study ways in which the institutions

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can combine resources in strengthening educational efforts. Issues and concerns have been pinpointed in conferences and workshops that have been held in 1970.

Many of the independent junior colleges, along with a number of public institutions, are also benefiting from the Program with Developing Institutions referred to previously in this report. Coordinated nationally by AAJC, the program is financed by funds from grants to colleges under Title III of the Federal Higher Education Act. The program consists of two main parts, one concerned with general planning and development and the other with faculty and instructional development, with 36 and 40 institutions respectively funded by the U. S. Office of Education. The program also involves several special groups—a Mexican-American border consortium, a Puerto Rican group, and National Teaching Fellow projects at 11 colleges.

Behind this important national program is a concern for providing colleges with unrealized potential the resources to improve their services and instructional programs, to innovate in programming and teaching, and to engage in long-range planning efforts. The national coordinators last year arranged for consultants, published a newsletter and several monographs, and helped to organize workshops and conferences where strategies for change could be worked out.

Again, the emphasis in this program, as with other AAJC efforts in 1970, was on the process of change that would help institutions involved in the program to solve their own problems. A similar but more diversified program is planned for 1971-72, if approved by the Division of College Support of the U. S. Office of Education. A side benefit of the program is that over 350 junior colleges have asked for "associate status" in the program, which brings such fringe benefits as publications and invitations to attend workshops.

AAJC engaged in a specialized program of assistance to still a third category of institutions in 1970: new institutions. Actually, work in 1970 was a continuation of a project started three years ago with support from the Danforth Foundation. The new institutions project was established in recognition of the fact that AAJC could bring national resources to bear on the problems of starting up new colleges. Public institutions were being established at the rate of from 40 to 60 per year. In 1970, 44 opened.

Through the New Institutions Project, AAJC during the year was able to provide written guidelines dealing with various aspects of planning, consulting, and other services to individual colleges, governmental bodies, and citizens groups engaged in planning new colleges. The director

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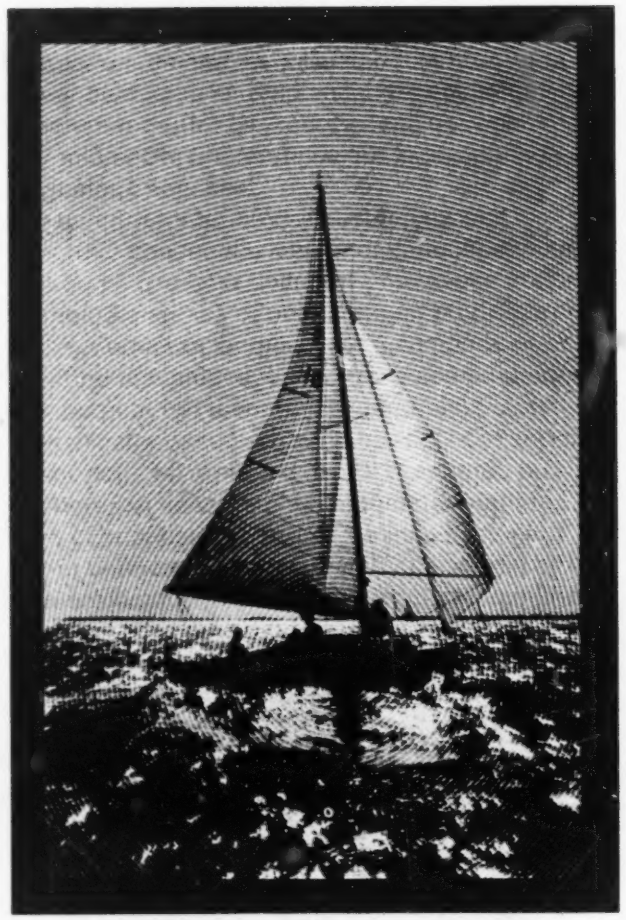
worked closely with some 60 institutions and met with governmental officials in two states considering enabling legislation for development of statewide systems of junior colleges.

Workshops have been conducted for in-service personnel. An experimental conference was held to consider various aspects of operating new colleges, in planning facilities, and in management. The project also gave considerable attention to orientation programs and development of materials to guide college trustees in policy making and planning. The interests and concerns of trustees were reflected in a number of sessions conducted by the project at the Association's annual meeting, and at other meetings in which the director cooperated.



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Veterans, Community Needs, Jobs are AAJC Concerns

Veterans figured significantly in the Association's program during 1970—and Vietnam. Jobs, or more accurately, job education, was on the list of priorities. And overall, the Association was concerned with the expansion of community and junior college service to greater numbers of people and in more diverse ways.

Three programs of the Association concentrate in these areas: the Occupational Education Project, the Program for Veterans and Servicemen, and the Community Services Project. These foundation-supported programs recognize special needs in the three areas.

The fiftieth anniversary year marked the conclusion of a wide-ranging five-year-old project to stimulate expansion of occupational education and training programs in two-year colleges. Concentrating on health, industry-engineering, public service, and business-related occupations, the program has succeeded in focusing attention and programming on the community college as a resource for new manpower development by government agencies, trade and professional agencies, city planners, and major industries. At the same time, there is considerable evidence that the project has stimulated community and junior colleges to give occupational education a high priority in meeting institutional objectives.

Typical of the importance attached to the community college as a resource for manpower development is a statement made by the Institute for Local Self-Government: "Projections are that by 1974, state and local governments' manpower requirements will rise 50 per cent above the 1965 level. . . . Where these people will be educated and trained is seldom discussed. The community college is a prime resource in this regard and one which must now be developed."

As the project neared its end in 1970, the staff, with assistance from the field, completed a number of publications. A sampling of subjects covered in publications during the final year were cooperative education, the computer and the junior college, urban planning, recreation programs, careers and the two-year college, agriculture and natural resources, health technology program planning, and resources in health education. A variety of studies were also under way, including a survey of occupational programs offered by two-year colleges, humanities courses offered in connection with occupational education, and health-related programs in junior and community colleges.

A number of conferences and workshops were conducted during the year to consider new developments in various occupational fields and to work out guidelines for additional programs. While the W. K. Kellogg Foundation-supported

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project completed its course in 1970, AAJC will continue to give attention to occupational programming as a part of its overall planning activities.

At the 1970 convention of the American Association of Junior Colleges, delegates were urged to consider the two-year college as a community resource, a center for interaction among the people to be served. The concept of the community as the college was introduced as another way of viewing this kind of educational enterprise.

The concept is evident in the program of the Community Services Project at AAJC. Also supported by the Kellogg Foundation, the three-year-old effort has sought to build a solid foundation for expanding the community service dimension of the community junior college. During 1970, the project concentrated on mobilizing those responsible for coordinating and supervising community service programs at two-year colleges into an identifiable national force. The vehicle, growing out of the project, has been the National Council on Community Services. By 1970, the Council membership had grown to 300 from within and outside the junior college movement. National meetings were held at the annual convention of AAJC, where forums on community service were also conducted.

The project staff maintains contact with the field through a newsletter, *Community Service Forum,* which has a circulation exceeding 4,000. The publication concentrates on in-service exchange. Other publications have been developed to provide professional assistance and direction in this growing field. Typical of these are working papers dealing with *Effective Organization and Administrative Practices* and *Mobilizing College and Community Resources.* A basic guide, *Community Service in the Community College* by Gunder Myran, has been issued. *A Directory of Community Services Leadership,* to be updated periodically, has also been published.

The staff is conducting community service workshops and cooperating with other projects and offices of AAJC in meetings and conferences.

During 1970, AAJC implemented a program for veterans and military service personnel begun late in 1969. The program, supported by the Carnegie Corporation of New York, sought (1) to assist and counsel service personnel in regard to career and educational needs prior to separation from the military; (2) to explore the possibility of offering community college type educational programs to personnel while they are still in the services; and (3) to assist community and junior colleges in providing appropriate avenues to needed training and education at the community college level after separation.

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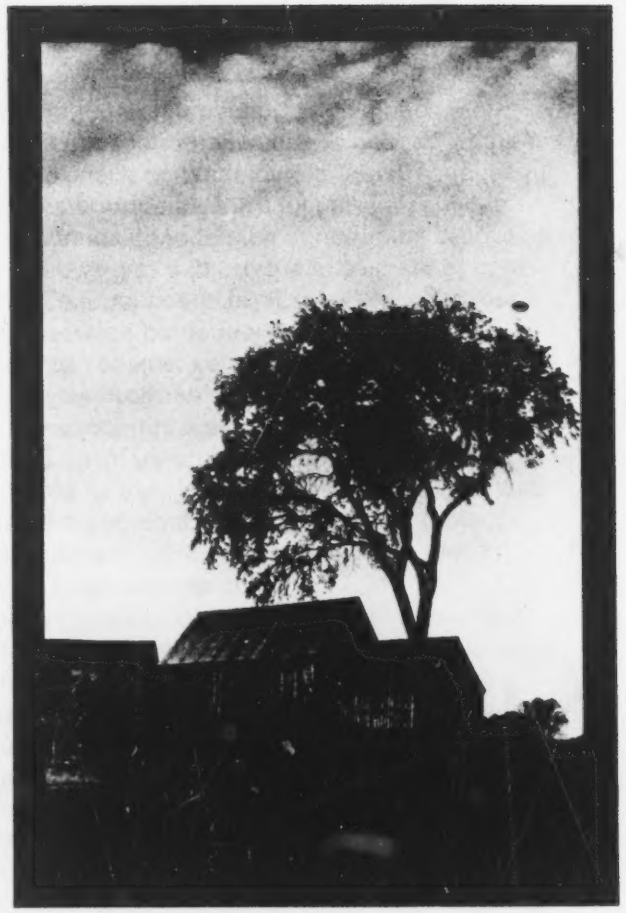
During 1970, the project brought about establishment of regional field services throughout the country to bring college personnel together with military separation personnel and Veterans Administration officers in an effort to build better bridges to educational opportunities. In addition, the director worked with national government officers to create a necessary climate of awareness, understanding, and liaison for further development of the AAJC veterans program. The program concentrates particularly on service personnel with limited preservice educational backgrounds and those from minority groups.

In 1970 the project staff went as far as Vietnam to advance the cause of military men and women. At the invitation of General Creighton Abrams, Commander of the U. S. Military Assistance Command in South Vietnam, a junior college team went to the Far East to gather information on educational needs of service people, their interests and concerns, which should be represented in two-year college program planning.



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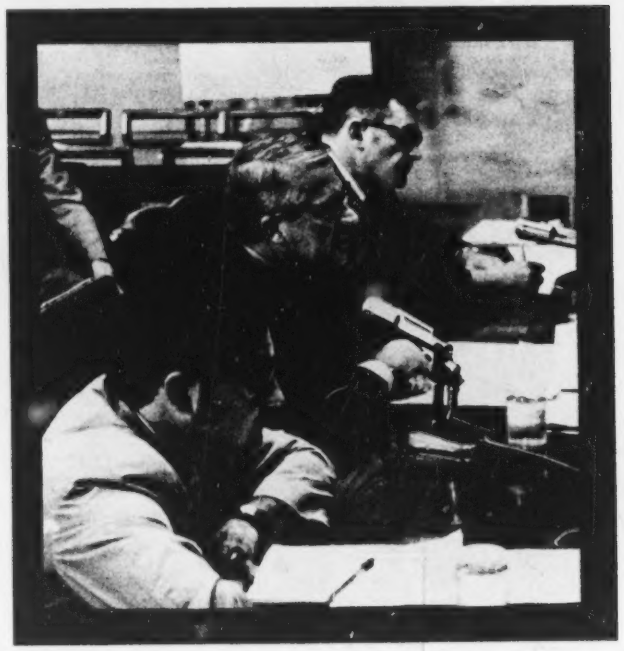
Hearings are Held on Williams Bill

Last fall Senate Bill 1033 was brought up for hearings on Capitol Hill. More commonly known as the Williams Bill, so named because its author is Senator Harrison Williams of New Jersey, this piece of proposed legislation, if enacted into law, would provide federal support across the board for two-year colleges. Major stress would be on the guarantee of comprehensiveness in programming and community service expansion.

The bill now is moving through the Congressional process. But the significance of S. 1033 in regard to the work of AAJC during 1970 is that for the first time in history the mission of the community and junior college is clearly on the record in the halls of Congress. Hearings on the bill, which brought a number of two-year college leaders to Washington to provide testimony, also illustrate another aspect of the program of the Association—its work in federal and other levels of government affairs. The staff of the AAJC Federal Affairs Office provided necessary information upon request of Senator Williams' office, and suggested witnesses for the hearings.

Architects of another important piece of legislation which was signed into law in 1970 also drew on AAJC for information and support. Known as G. I. Bill, Public Law 91-219, the new law made possible for the first time a national, systematically organized effort to involve two-year colleges, other educational institutions, federal agencies, and the military services in advancing education of veterans and servicemen. (Programs under the bill will also relate closely to the AAJC veterans program described earlier in this report.)

In an "extra effort" for the fiftieth anniversary year, the Federal Affairs Office planned fifteen



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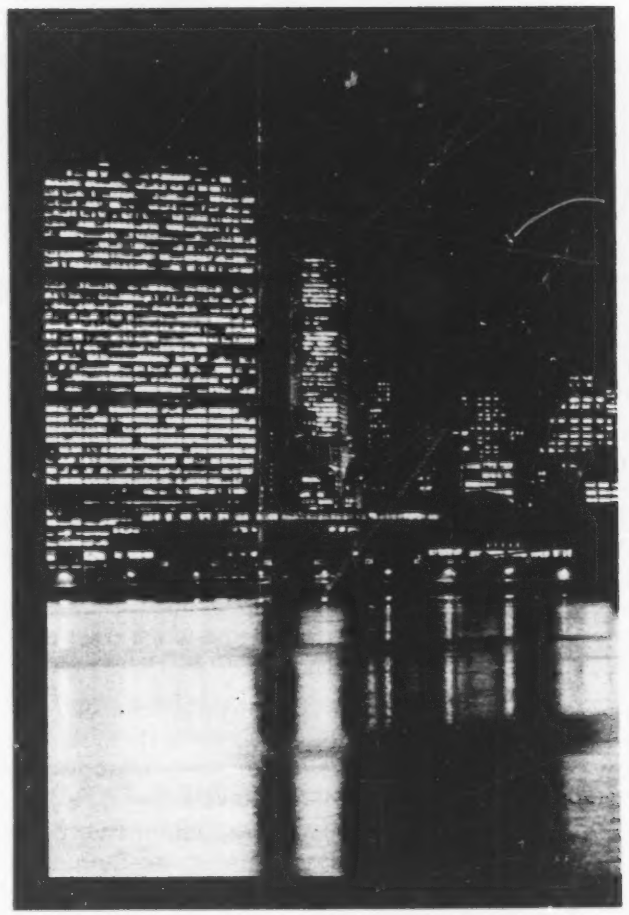
regional workshops to acquaint junior college leaders with government educational aid programs and to assist them in planning and drafting proposals for support. Some 700 two-year college representatives took part in the workshops. In a related effort, the Association's Commission on Legislation in December conducted a national workshop on federal programs, with attendance surpassing 400. A wide range of topics and programs was considered, with input from government, college, and private organization experts. Some 40 agencies of government brought information to the conference on scores of educational aid programs.

AAJC continued to cooperate with other educational associations in the successful campaign for increased funding of federal programs on the books but for which necessary monies had not been made available. The director of the Federal Affairs Office served on the steering committee for the Emergency Committee for the Full Funding of Education Programs. The Association also cooperated with the American Vocational Association in a spring meeting to consider mutual concerns and interests.



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Change Beyond U.S. Gets Attention

Educational and social changes beyond the U.S. boundaries have long been of deep interest to the American Association of Junior Colleges. Over recent years, a bank of information and a roster of contacts in many other countries have been organized by staff and member colleges. Endeavors to find ways to interact internationally on the community junior college idea culminated in 1970 with plans to establish an office of international affairs.

Perhaps the greatest stimulus for creation of such an office and program came earlier in 1970 when the first International Assembly on the Junior College and Manpower Development was held in Honolulu. The meeting, which brought together education and government leaders from 18 Far and Middle Eastern countries with U.S. and Canadian representatives, concentrated on international exchange of ideas and information among the participating countries. There was general agreement among the representatives that the aspect of American junior college programming of most interest was that of middle-level manpower development.

Participants in the Assembly unanimously urged AAJC to establish a clearinghouse for the distribution of information relating to junior and community college-type education. A resolution stated: "A measure of the success of the

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Assembly is the desire for some form of continuing collaboration between the participants from all the countries and AAJC to facilitate exchange of information on matters related to the community/junior college concept and education for manpower development."

A second resolution provided a more specific charge for the proposed new office:

To develop correspondence between and among participants of this International Assembly and additional persons and agencies in other countries interested in such an exchange

To circulate to participants and others papers of interest concerning junior colleges and other educational matters

To encourage various approaches to strengthening communications, including visits to the interested countries, exchanges of curricular development materials, the facilitation of joint planning of regional or international projects, and the convening of future assemblies which may assist in the furtherance of the objectives of the 1970 meeting.

Countries represented at the meeting, in addition to Canada and the U.S., included Australia, Ceylon, Republic of China, Hong Kong, India, Indonesia, Iran, Japan, Korea, Lebanon, Pakistan, Philippines, Samoa, Singapore, Thailand, and South Vietnam.

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Communications is Key to Change Efforts

In 1970, the American Association of Junior Colleges had a membership of more than 800 institutions. The colleges are located in big cities, in suburbs, in rural areas in every state of the Union. Two-way communication with its far-flung constituents, therefore, was a major emphasis of the national office during the past year. Effective programming for change required additional information about college programs and activities. Thus, it was important to provide opportunity for input from the members on the shape of the AAJC's pursuit of its national objectives. In addition, the Association sought to maintain contact and to create better understanding of the two-year college purpose among many audiences outside the periphery of the membership itself.

Among instrumentalities for communication were workshops and conferences, surveys and studies, a comprehensive publications program, research, cooperation with private and government agencies in the collection and analysis of pertinent data, and continued stress on a public information program. Most importantly, in terms of internal communication, AAJC sought to strengthen the roles of its five Commissions: Legislation, Student Personnel, Administration, Curriculum, and Instruction. The deliberations and considerations of the Commissions are reflected in all aspects of AAJC's programs.

AAJC continued a major research project to determine the student acceptability and learning effectiveness of microform collections in community junior colleges. The project is supported by the U.S. Office of Education. Under a grant from the Esso Education Foundation, AAJC toward the end of the year participated in a survey of student personnel programs in two-year colleges to determine effective models. The program builds on earlier efforts to provide guidelines and direction for student personnel work in two-year institutions of higher education.

With a number of refinements and the collection of new information, AAJC completed work on the 1971 *Junior College Directory*. The Association also cooperated with the American Council on Education in gathering information for the eighth edition of *American Junior Colleges*. And the Association cooperated with the Clearinghouse for Junior College Information at the University of California, Los Angeles, on various research and publication projects.

AAJC engaged in two surveys dealing with occupational education. Under a U.S. Public Health Service grant, the Association surveyed health-related curriculum offerings in junior and community colleges. Results, now being analyzed, will assist in measuring gaps and in stimulating

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support for technical education programs in the health fields at the two-year college level. Another survey, conducted in cooperation with Western Illinois University, resulted in a collection of information on all occupational curriculums offered by two-year colleges.

The Facilities Information Service of AAJC, supported by Educational Facilities Laboratories, Inc., brought together representatives of junior and community colleges with facilities planners for communication on various aspects of design and planning. Workshops were held in various parts of the country, and advice and counsel were provided to individual colleges. By the end of the year, plans were being developed for conferences on facilities planning for state directors of two-year college education.

In operation since 1965, the Facilities Information Service was phased out at the end of 1970. The very successful program drew on leading architects and planners for advice and counsel that has been of benefit to scores of two-year colleges. AAJC will continue to cover facilities needs and problems through other programs and services.

AAJC engaged in an ambitious publication program during 1970. Scores of booklets, brochures, and handbooks were published — with curriculum development and planning heading the list of topics. The circulation of the Association magazine, the *Junior College Journal*, reached 50,000 copies per issue. Scores of experts in junior college education and in other areas conveyed ideas and information, facts and figures, to readers of the magazine.

Through its public information office, AAJC gathered and disseminated information on developments in the two-year college field. Articles were prepared for various publications, and information was supplied to national media seeking to cover the junior college story. The information office processed inquiries from hundreds of citizens, researchers, government offices, and high school students and parents of students.

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Financial Review for 1970

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AAJC carries on its program of service through support of member colleges and assistance from foundations, corporations, and government agencies. Contributors to the 1970 program included:

W. K. Kellogg Foundation
United States Steel Foundation, Inc.
Carnegie Corporation of New York
Esso Education Foundation
Danforth Foundation
Shell Companies Foundation Incorporated
Educational Facilities Laboratories, Inc.
Ford Foundation
General Motors Corporation
International Business Machines Corporation
Ford Motor Company Fund
Cities Service Foundation
The JDR 3rd Fund
American Telephone & Telegraph Company
U.S. Office of Education
U.S. Public Health Service
Gulf Oil Corporation
Olin Corporation
Asia Foundation
National Science Foundation

Here is a review of the Association's finances for 1970. Figures were projected prior to the close of the fiscal year. An audited financial report will be available at the 1971 annual convention.

INCOME FOR 1970	
Membership Dues	$ 380,235
Unrestricted Contributions & Grants	45,500
Publications	374,012
Other Income	139,410
Total	$ 939,157
DISBURSEMENTS	
General Fund	$ 524,402
Publications Fund	369,145
Total	$ 893,547
SPECIAL PROJECTS DISBURSEMENT (Restricted Funds)	$1,196,383

Project Focus: Strategies for Change

Perhaps the most significant "change" event that occurred in 1970 was the launching of a national study which cannot help but have far-reaching impact on the state and the future of the American Association of Junior Colleges. The study is called Project Focus: Strategies for Change. It is being led by Edmund J. Gleazer, Jr., executive director of AAJC, who commenced a one-year leave October 1 to direct Project Focus. Also on the study team are David Bushnell, former director of comprehensive and vocational education research for the U.S. Office of Education, and Francis Pray, a management and educational consultant.

Put simply and succinctly, the purpose of Project Focus is to provide a clearer sense of direction — a clearer sense of mission — for the Association in the years immediately ahead. That direction, the architects of the effort believe, can only come out of a better perception of the needs of the field served by AAJC. Where the burgeoning community junior college program in the United States is headed and what student populations it will serve is already being shaped by social and economic forces now in motion.

By probing the views of students, trustees, community leaders, faculty members, and administrators; by assessing population and economic trends; and by synthesizing recent research studies, the Project Focus staff will better understand the interplay of forces influencing the present and future direction of the movement and draw what empirically valid conclusions are warranted. The study was launched in the hope that it will aid those responsible for directing the nation's effort in achieving the unique purposes of this sector of postsecondary education. The extent to which community colleges reach out and involve a broad cross section of students through their open door policies, technical education programs, career guidance procedures, college transfer programs, and community service efforts will be carefully appraised so that desired changes will have been achieved ten years hence.

The project staff will make a first report on the findings of the study in September 1971, concentrating on long-range goals of community and junior colleges. It will suggest alternate strategies for meeting the objectives. And, at the same time, the report will deal with ways in which the American Association of Junior Colleges might alter its programs, services, and operations to better accommodate needs and concerns of the membership. Following the first report, approaches to implementing findings will be explored with a comprehensive plan to be announced in the summer of 1972. While it is

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impossible to predict the outcome of the study at this point, there is little question but that the study will bring into clearer focus the picture for the American junior college in the months and years ahead.

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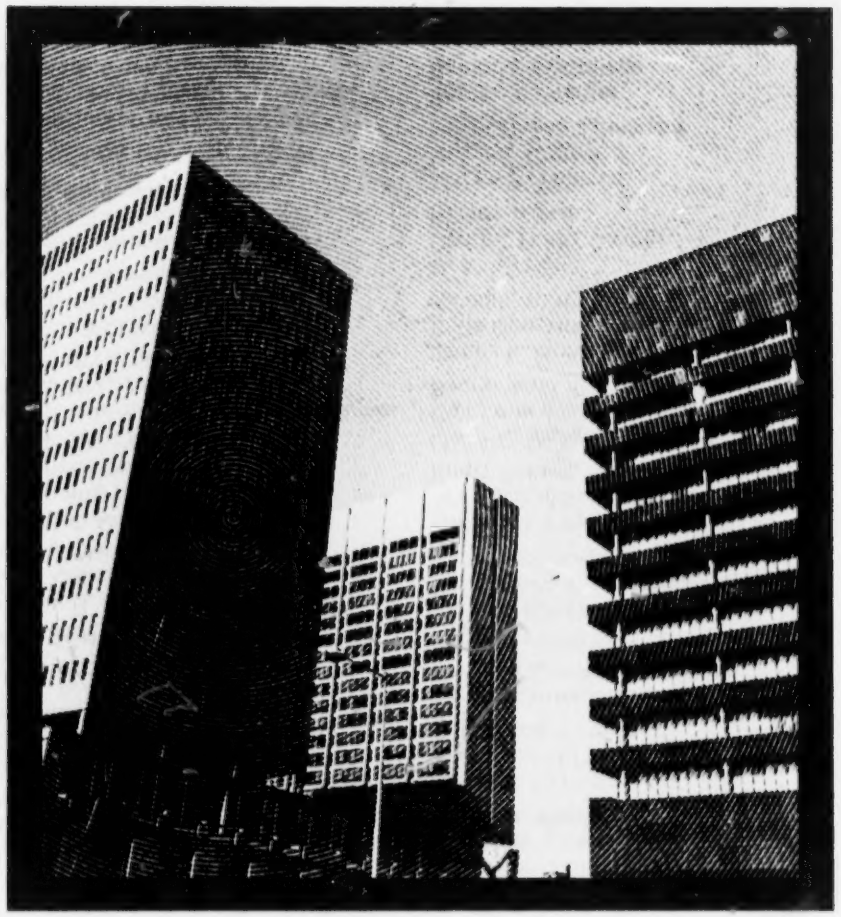

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URBAN AWARENESS

A TOTAL SERVICE EDUCATIONAL
APPROACH TOWARD PREPARING THE
URBAN COMMUNITY COLLEGE DISTRICT
FOR ITS ROLE IN THE NATION'S FUTURE

AN EDUCATIONAL SERVICES PROPOSAL
PREPARED BY
MARICOPA COUNTY JUNIOR COLLEGE DISTRICT

Education

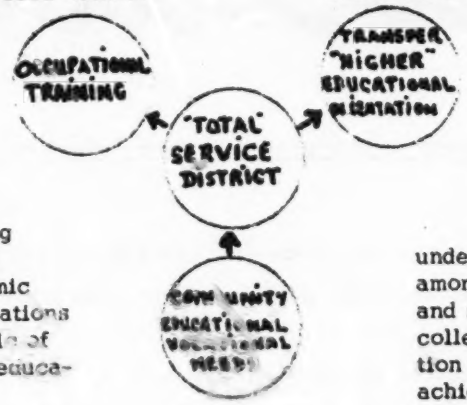
A constant theme today is that "Education is the answer to our social ills". And yet, education must admit to failure in keeping in step with the needs of all students in an ever-changing technological society. The gap between the cultural and economic disadvantaged, the Nation's Industrial needs, and the higher education process must be re-examined and narrowed.

Might this not be the moment to evaluate the total service educational delivery system of the Community College District and its role in the national future?

PREAMBLE

INTRODUCTION

Today when the national urban crisis demands that more and more minority and disadvantaged persons enter into the educational process of the community college, it is mandatory that the college seek better methods to insure that more students succeed without lowering educational standards necessary to maintain relevant learning experiences for effective work and citizenship.



And yet, the increasing demands of urbanized populations for academic and occupational educations have strained the fabric of the traditional higher education system.

Nowhere is this strain more crucial than in the community college system which must reconcile demands for university parallel programs, vocational-technical, and adult retraining programs for an ever expanding population, which by reason of finances, educational backgrounds, and real or culturally induced aptitudinal deficiencies is unable to meet university standards.

Certainly, the potential of education as a source of positive change cannot be denied. Nevertheless, education must admit to this failure to meet the needs of <u>all</u> students in an ever-changing society.

Part of this failure resides in the lack of close communication - of common understanding - existing among administrators, faculty, and students in our community colleges. There is no question that colleges will not achieve improvement while these three goups remain isolated within the educational system.

It is the purpose of this proposal, therefore, to create a Center for Special Educational Services, which will develop and operate a program of Educational and Urban Awareness.

PRESENT EDUCATIONAL PROBLEM

The present problem in urban areas is caused by a communications breakdown between the three essentials of change - the innovators (education, research units); the coordinators (government, business); and the motivators (local community, urban leaders).

While meetings take place continuously to examine the emerging role of the community college, what has actually been accomplished in moving these colleges away from their traditional university oriented role?

The community college faculty are university trained, and often look to their alma mater as the standard for comparison.

The community college may initiate an "open-door" policy, but as long as the students are selectively retained on a real or imagined university standard, the policy is but a ploy.

How often have faculty with traditional view-points toward the entering students shown a willingness to eliminate those with cultural, social, or economic differences and hang-ups at the first possible opportunity - all in the name of quality education?

Perhaps the problem lies within the apparent inability of the community college to fully define its role, while maintaining the attitudes of the secondary school, with all of the university remoteness that attend it.

This is especially destructive in that meaningful projects are too often implemented without having been "fitted" into the operational philosophy of the total educational program. The obvious result is that there is no necessary "next step" to allow the best opportunity for success.

Therefore, if the pattern of initiating detached projects, each for its own sake, occurs often enough rather than for the impact on the total evaluation of the system, eventually the merit of very meaningful programs is reduced by the hesitation of educators to become involved in another project with

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the obvious question: "What good did the last one do?"

Specifically, community college needs are to:

A. More fully understand the needs and direction of the community in relation to National Urban Needs, and relate these to the college's capabilities.

B. Develop the "missing link" concept of the community college district as related to:

   a. the junior-senior graduate role of the university, and,

   b. the career skill orientation of agencies such as OEO, HEW, labor, local industry, etc.

C. Make the community college faculty and administration conscious of the urban student's needs and create an atmosphere conducive to meeting these needs.

D. Develop a total-scope "educational delivery system" to maintain close contact with all students through the entire educational process from recruitment to placement, follow-up, and analysis.

E. Involve community and human resource agencies in:

   a. recruiting the "new" student to the community college.

   b. provide the "human" support to the students necessary to increase their opporunity for success.

c. assisting the "new" students in overcoming emotional, cultural, and educational-placement problems.

d. aiding in placement procedure.

e. maintaining adequate follow-up with graduates on the job, and

f. assisting in evolving newer and better methods of instruction.

F. Utilize commercial-industrial-union assistance in:

a. making adequate positions available.

b. counseling prospective employees.

c. making necessary resources, finances, and personnel available to prepare new employees, and

d. planning for future employment needs with corresponding curriculum changes.

G. Develop a greater cooperative effort with the university structure to enable community college transfer students to make a smoother educational transition, and to assist in the identification and direction of "new" students with latent university potential.

H. Develop success-oriented learning opportunities for all potential "new" students in the community.

CENTER

for

SPECIAL EDUCATIONAL SERVICES

While major programs are endeavoring to examine the educational needs of the urban minorities and disadvantaged, little, if anything, has been done to motivate faculty to the changing role of the community college in the Nation's future.

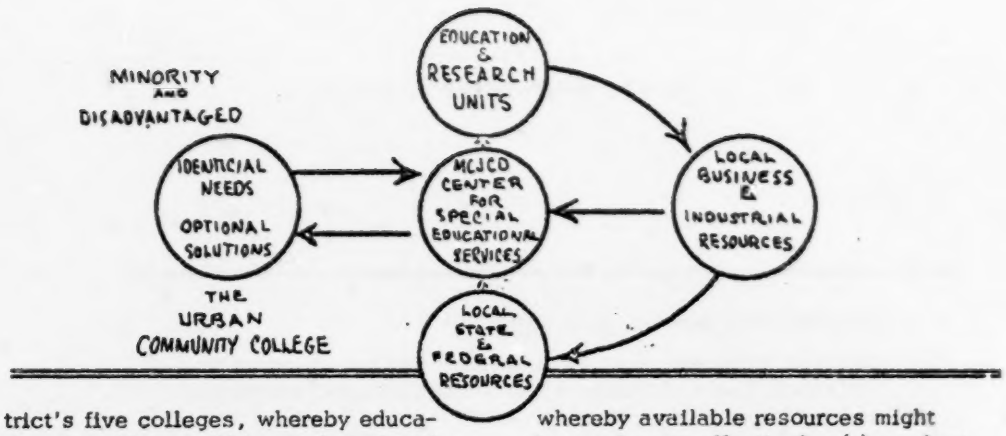
All too often change is not planned but follows the path of least resistance. The human element is ignored in favor of studies examining the material resources.

Community colleges often find their planning efforts focusing upon physical expansion, bond issues, and equipment development. Believing that attitudes and concerns for developing patterns around total educational opportunities for students are equally important to the healthy fulfillment of the community college, this project outlines (as a companion to physical planning) the dimensions for academic and social planning.

The framework for this development within the Maricopa County Junior College District (MCJCD) is the Center for Special Educational Services, which will design and operate an Urban Awareness concept. (See Section "Program Under Preparation").

One major thrust of the Center will be to establish a source for coordinating the educational problems and occupational needs of the community with the three facets of urban change now present, but ineffective: (1) the units of education and research; (2) the business and industrial resources; and (3) local, state, and federal government.

As an action component of the Maricopa County Junior College District's Division of Educational Services, the Center will conduct a multi-phase motivational operation, including; (a) consultative services to the Dis-



trict's five colleges, whereby educational problems will be examined with options and priorities assigned; (b) liaison with the human resource agencies in recruiting and pre-enrollment orientation; (c) coordination of projects with local business and industrial resources; (d) grant design assistance if no local resources are available; (e) changing of faculty-student attitudes and communications through in-service training services and urban awareness workshops; and (f) development of a total-service educational delivery system with individual, inter-locking projects designed to increase success ratios for "new" students.

As an action program, therefore, the Center for Special Educational Services will act at Innovator, Coordinator, and Motivator, as illustrated in the above diagram.

As a research program, the Center will: (a) analyze the educational needs and problems facing the minority and educationally disadvantaged, with the setting of appropriate goals; (b) review alternative ways whereby available resources might be used most effectively; (c) conduct or sponsor pre- and post-evaluations; (d) monitor program activities to determine whether the adopted plan is being followed, whether it is producing the expected results, and whether there is a need to revise the plan and various programs to meet the unforeseen circumstances; (e) up-date and modify plans and programs to keep them in conformance with the realities of constantly emerging problems and opportunities; (f) evaluate the efforts to involve local resources and people, as well as the student-faculty response to the various projects; (g) log the success and failures of the attempts to solve problems and stimulate attitudes and educational change utilizing questionnaires, interviews, data processing equipment, etc.

Hopefully, the final results will include a Manual for Change, which will examine various methods for stimulating the urban community college in its emerging role in the national scene.

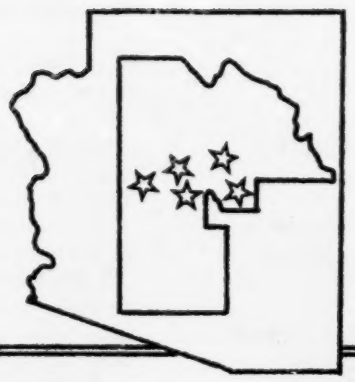
CENTER

for

SPECIAL EDUCATIONAL SERVICES

1. To coordinate research with action.
2. Examine economic, social, or cultural problems ranging from individual needs to those of the communities and the region, as they apply to the community college.
3. Act as a vehicle for receiving, polishing, and testing ideas and concepts.
4. Act as a channeling unit to direct people to educational business, or governmental organizations that can assist them with their needs.
5. Act as a grantsman to assist educational units of the District in governmental assistance.
6. Assist with promotional efforts to elevate the image of the community college as a "people's institution".
7. Plan and carry out "people orientated" research in the community college - such as exploring social, cultural, and economic attitudes.
8. Examine the impact of disadvantaged or minority peoples on the community college and the best possible total educational system to insure the greatest success.
9. Act as a sub-level funding agency to "farm-out" its educational program needs to the District's colleges, who would fit their operations into the over-all research and action program of the Center.
10. Conduct forums and symposiums to discuss urban needs and develop ideas for change among the faculty, administration and student body.

MCJCD



A MODEL DISTRICT

Maricopa County, Arizona, and the Maricopa County Junior College District (MCJCD) are relatively unique in their human and physical make-ups - a feature which enhances the District's value in the evaluation and implementation of campus-to-community awareness.

Maricopa County with a population of approximately one million, has within its borders many of the problem areas faced elsewhere in the United States. The county contains a tremenduously expanding population with a projected growth rate of 89,000 per year for the next fifteen years, an Indian Reservation, an emerging inner-city ghetto, a sizable Mexican-American community, an increasing Black population, an impressive number of low-income Caucasians, and approximately 22,000 chronic unemployed.

Likewise the county has the beginnings of over crowding, smog and pollution problems, transportation congestion, drug abuse, etc.

Anticipating these growing problems, The Maricopa County Junior College District has been established in the best possible manner to address itself to these areas as follows:

1. Phoenix College - Total student population of 10,134 - located near the Phoenix inner-city.

2. Scottsdale Community College - Currently being built on the Pima Indian Reservation.

3. Glendale Community College - Total student population of 6,127 - situated in approximation to a Mexican-American residential area.

4. Mesa Community College - Total student population of 6,511 - enrollment of transfer students and ethnically-mixed

vocational trainees.

5. Maricopa Technical College - Total student population of 3,432 - located in the inner-city.

6. District Skill Center - Cooperative inner-city effort with the Employment Security, Bureau of Work, etc.

7. Additional future community colleges in South Phoenix, the Litchfield Industrial area, and the inner-city have been advocated by the Phoenix Forward Task Force on Education to further meet the area's needs.

Physcially, therefore, the Junior College District is ideally situated to apply itself to an examination of the evolving role of a community college district as a full-service, people oriented operation.

Philosophically, the District is already committed to the emerging role of the community college as a primary source of career educational aid for the disadvantaged.

Educationally, the efforts are already concentrated on modifying the attitudes of the 613 faculty and administration from the traditional concept of the junior college as a mini-university interested primarily in the transfer student, toward a total academic-vocational review of the learning process which will include all student areas.

PROGRAM UNDER PREPARATION

A major thrust of the Center will be the following conceptual orchestration of educational delivery services entitled URBAN AWARENESS based upon five (5) major areas of effort:

A. Institutional Preparation:
   1. Faculty Capability Profile
   2. Community Educational Needs Analysis
   3. Secondary School Survey of Minority Disadvantaged Youth

B. Educational Attitude Preparation (In-Reach):
   1. Pre-test Institutional Evaluation: "The Community College & the 'New' Students"
   2. Teacher Attitude Change Techniques (TACT) Program:
      a. Identify and train college change agents
   3. Urban Awareness Forum:
      a. Total faculty examination of the changing urban scene
   4. Ethnic Cultures Seminar for Faculty
   5. Counselor In-Service Training

C. Community Involvement (Out-Reach):
   1. Family Development Center
   2. Inner-City Educational Workshops
   3. Inter-Agency Recruitment Coordination Program
   4. Community Placement Planning Orientation
      a. Cooperative effort with Labor, Industry, Education, Employment Security

D. Institutional Assistance Program (In-House):
   1. Community orientation to college with neighborhood registration
   2. Career Planning Center
   3. Day Care Centers for enrolled parents
   4. Adequate financial assistance
   5. Student Counselor Aides
      a. Secondary School and College
   6. Pre-Enrollment Preparation (PEP) Program
   7. Para-professional Tutoring
   8. Student Transportation Centers in low-income areas
   9. Innovative curricula

E. Graduate Placement, Evaluation and Educational Program Upgrading:
   1. Higher Education Transfer Assistance
   2. Job Placement Assistance
   3. Student follow-up
   4. Educational Program Efficiency Evaluation
   5. Review of Successes and Failures followed by a Manual for Change examining future role of community college in a multicultural society

CHANGE

"In the last analysis the good life can only be realized as men change their minds ... Total commitment to a point of view has been always the way of greatness. There is nothing in our history to contradict this proposition ... The time would seem to be right for significant mutational change ..."*

We firmly believe that this project will produce invaluable insights into the present and future aspects of the community college and will be important to those currently working for growth of the community college from within, as well as those examining the role of the community college in the Nation's future.

*"Leadership and Community Formation", Roy C. Buck, Associate Director of Social Sciences. Center for Continuing Liberal Education, Pennsylvania State University.

CONCLUSION

Senator PELL. This hearing is in recess until 10 a.m., tomorrow.

(Thereupon, at 11 a.m., the hearing recessed to reconvene at 10 a.m., Friday, April 23, 1971.)

EDUCATION AMENDMENTS OF 1971

FRIDAY, APRIL 23, 1971

U.S. SENATE,
SUBCOMMITTEE ON EDUCATION OF THE
COMMITTEE ON LABOR AND PUBLIC WELFARE,
Washington, D.C.

The subcommittee met, pursuant to recess, at 10 a.m., in room 4232, New Senate Office Building, Senator Claiborne Pell (chairman of the subcommittee) presiding.

Present: Senators Pell and Mondale.

Committee staff members present: Stephen J. Wexler, subcommittee counsel; and Richard D. Smith, associate counsel.

Senator PELL. The Subcommittee on Education hearings on the Education Amendments of 1971 will come to order.

There are two subjects to be discussed today. First a panel of witnesses from Minnesota will discuss higher education about which the Senator from Minnesota is particularly interested. Then we are going to have panels of witnesses testifying on vocational education.

Because both Senator Mondale and I have to be on the floor at 11:35, we must ask everybody to be as brief as possible.

I would like of this very distinguished panel, if possible, to limit itself to 30 or 35 minutes.

Would the Minnesota panel please come forward; Mr. Carlson, Mr. Van Tries, Mr. Hawk, Mr. Helland, Mr. Mitau, and Mr. Smith.

We welcome you here. Before proceeding further, Senator Mondale has a comment.

Senator MONDALE. Mr. Chairman, first of all I wish to thank you for making it possible to have this distinguished panel of Minnesota educators testify before the Education Subcommittee.

I would like to particularly welcome each of you to this committee to help us better understand the problems which higher education faces and the relationship of those problems to the pending legislation.

I am delighted that we have with us Richard Hawk, from the Minnesota Higher Education Coordinating Commission; Robert Van Tries, assistant commissioner of education; Mr. Donald Smith, vice president for administration, University of Minnesota; Phillip Helland, chancellor, State Junior College Board; Theodore Mitau, chancellor of State College Board—and retired professor of political science, who gave up after trying to teach me—and Dr. Edgar Carlson, executive director, Minnesota Private College Council.

I think this hearing and the testimony we will receive will be extremely useful, and I think unique. First, this panel like many panels will provide us with suggestions and recommendations concerning the higher education legislation before us; second, it will give us an

opportunity in one hearing to see how the different segments of our post secondary education structure fit together. It will, in short, give us a chance to see the extent to which the needs of junior colleges, vocational education, State colleges, private colleges, and the major State university are similar and consistent; and finally, by providing a case study of higher education in the State of Minnesota, this hearing will give the committee an opportunity to see how these different segments of higher education structure work together and relate in a single State.

I think this would be unique testimony from that standpoint for this committee to hear.

For the reasons I have mentioned, this hearing will be extremely helpful to our committee, as we consider the higher education legislation before us, and I am deeply grateful to the chairman for making it possible.

Let me also say that Senator Humphrey wishes to express his welcome as well. Unfortunately he is chairing a hearing of the Rural Development Subcommittee this morning and could not be with us.

Senator PELL. Thank you.

May I add that if you gentlemen contribute half as much to the testimony as your Senator contributes to the work of this subcommittee on the broad field of education over the United States, it will be a very generous contribution on your part.

I think he is the most active and strongest Senator on this subject, and he really helps carry the whole load of the work of the subcommittee.

Please proceed as you will.

STATEMENT OF RICHARD C. HAWK, EXECUTIVE DIRECTOR, MINNESOTA HIGHER EDUCATION COORDINATING COMMISSION, ST. PAUL, MINN.; ACCOMPANIED BY EDGAR M. CARLSON, EXECUTIVE DIRECTOR, MINNESOTA PRIVATE COLLEGE COUNCIL, ST. PAUL, MINN.; ROBERT P. VAN TRIES, ASSISTANT COMMISSIONER, DIVISION OF VOCATIONAL-TECHNICAL EDUCATION, MINNESOTA STATE DEPARTMENT OF EDUCATION; PHILLIP C. HELLAND, CHANCELLOR, STATE JUNIOR COLLEGE BOARD; G. THEODORE MITAU, CHANCELLOR, STATE COLLEGE BOARD; AND DONALD K. SMITH, VICE PRESIDENT FOR ADMINISTRATION, UNIVERSITY OF MINNESOTA, MINNEAPOLIS, MINN.

Dr. HAWK. If I may lead off, Mr. Chairman.

Senator PELL. All of the statements will be printed in full in the record at the end of your testimony.

Dr. HAWK. I want to express appreciation, Chairman Pell, and Senator Mondale, for this opportunity to express our views and to suggest that we too are indeed proud to be represented by Senator Mondale and we particularly appreciate his efforts in the area of education.

I would like to say a few words about Minnesota higher education and the implications of the problems which we face for Federal legislation. Each of my colleagues, who represent the several com-

ponents of postsecondary education in Minnesota, will talk about some of these in more detail.

I would like to point out to you, if I may, Mr. Chairman, that Minnesota is a State that attaches high value to higher education. The commitment of the State of Minnesota to postsecondary education is a long one, beginning with the establishment of the University of Minnesota and several of our private institutions prior to the time that Minnesota actually became a State.

Minnesota has four very strong public systems of postsecondary education at the present time, and we are richly endowed with a variety of private institutions, some of the most distinguished in the Nation.

I would be remiss, Mr. Chairman and Senator Mondale, if I did not report that the expansion of postsecondary education in Minnesota to meet the demands for new opportunities has been difficult. It has placed a serious burden on the taxpayer, the capacity of many of our institutions has been seriously strained, and often we have had to sacrifice improvement of quality in the interest of expanding quantitatively.

There is a variety of problems which face postsecondary education in Minnesota as well as the Nation during the next decade. I shall mention just a few.

First of all, we have to make postsecondary education more financially accessible to the residents of our State, if we are to continue the progress in meeting needs.

Second, we need to extend the benefits of postsecondary education more effectively to members of the disadvantaged segments of the Minnesota population.

Third, we need to continue with the expansion of postsecondary education capacity in order that we can accommodate a 43-percent increase in enrollments during the balance of this decade.

Fourth, we need to take steps to utilize more effectively the potential contributions of private colleges and universities.

Fifth, we need to increase the production of professional and paraprofessional personnel in critical areas of short supply, such as medicine and health.

Sixth, we need to improve the quality of postsecondary education and to make up for some of the deficiencies which have occurred during the past decade in which we have been so heavily concerned with quantitative expansion of postsecondary education.

Seventh, we need desperately to engage in a massive effort to improve educational practices, including the testing and implementation of new approaches to providing educational experiences.

In view of the time limitations, Mr. Chairman, I think I shall, with your permission, turn to Dr. Smith, who is vice president of the University of Minnesota.

Dr. SMITH. Mr. Chairman and Senator Mondale, we do appreciate the opportunity to appear before this committee. Let me concentrate my attention on two areas relating to the types of needs that Mr. Hawk has discussed, and do so specifically in relationship to the University of Minnesota.

The university enrolls more than 50,000 students in the entire system. I want to say something about the condition of those students.

About 75 percent of them work in order to finance higher education. Last year we spent about—or we provided about $5½ million in student assistance. I want to emphasize that of that sum, 80 percent took the form of self-help. That is to say it was financing through work, work-study, or loan programs.

Now, the educational opportunities of several thousand Minnesotians, both those who are in school at the present time, and those who wish to enter the higher education stream, is clearly hazarded unless we have a major expansion of our capabilities for providing student assistance. Specifically this means the requirement that we must have additional funding for educational opportunity grants-in-aid, work-study, and improvements in the loan program.

We have a commitment in Minnesota to equal educational opportunity, and we think this is a long-standing national commitment. We think there is no higher item on the national agenda than providing the funding which will make that commitment possible.

We believe that the legislation which you are considering does address itself to this question. We think there are important principles in the legislation that increased funding in educational opportunity grants-in-aid should be provided. There should be provision for reciprocal grants to institutions in relationship to the grant-in-aid program, because part of the problem of providing opportunity is increasing the capability of institutions to bring disadvantaged students into the educational mainstream.

I think there should be attention to the differential costs for students in attending public and private institutions so that the opportunity of the student to choose is increased. Also attention should be paid to the balance of the program, that is to the relationships between grants-in-aid, work-study and loan programs.

Now, the university is also the major center of postbaccalaureate professional and graduate education in Minnesota. It is clear that the great centers of postbaccalaureate education are a national resource. And the developments of these centers was made possible only by the strong commitment of the Federal Government to graduate education and research. I think it is demonstrable that no investment by the National Government in the last two decades for the future of this Nation has paid off more clearly and dramatically than the development of postbaccalaureate educational activities, both in graduate programs and professional areas.

It would be tragic if this investment were not continued and expanded. A move at this time to place a greater burden on the States for the provision of this kind of educational resource has overtones of disaster. It simply is the case that this takes a national resource and attempts to segment it in terms of an already overburdened tax economy.

I think the broad and well conceived rededication which is present in Senator Pell's bill S. 659 recognizes the role of the Federal Government in building postbaccalaureate education and the research capability of this Nation.

I want to say that it does involve things ranging from graduate facility support, research library support, institutional support in critical areas, such as international programs and language studies, and fellowship support linked to institutional support to make the capability of the institution expand also.

I think Senator Mondale's bill 1161, which extends the principal of the opportunity grant, the educational opportunity grants, to post-baccalaureate education is well conceived. Because the entire system of higher education, I think, must be conceived of as a unity.

Now, in my written testimony I have commented on a number of other aspects of the legislation specifically, but because of the limitations of time, I think we should continue on with the next statement.

(The prepared statements of Dr. Hawk and Dr. Smith follow:)

STATEMENT BY RICHARD C. HAWK, EXECUTIVE DIRECTOR
MINNESOTA HIGHER EDUCATION COORDINATING COMMISSION

PREPARED FOR THE UNITED STATES SENATE EDUCATION SUBCOMMITTEE

April 23, 1971

That Minnesota post-secondary education must become more efficient in meeting the state's needs is evident. Even with improved efficiency, it is becoming painfully apparent that the state will have great difficulty increasing its investment in post-secondary education at a rate sufficient to keep pace with expanding needs and rising costs.

Accordingly, I am especially pleased to appear before you at this time. As I understand the purpose of this session, my colleagues and I are to (1) provide you with a kind of "case study" of one state (Minnesota) including an assessment of the status, problems, and current and projected needs of post-secondary education in our state and (2) offer our views on Federal legislation as it may affect post-secondary education in our state.

Since anticipating the future requires understanding of the past and present, I shall begin with a brief description of Minnesota's progress in meeting post-secondary education needs. This will be followed by an enumeration of some of the problems to be faced in the future. Finally, I propose to relate the present status and future needs to issues concerning the role of the Federal government, particularly Federal legislation.

Past Progress

Minnesota has participated fully in the nation's rapid expansion of post-secondary education. During the past decade, student enrollment in Minnesota post-secondary education institutions has more than doubled. While 18 states exceed Minnesota in total population, only 15 states report larger post-secondary enrollments than Minnesota.

The marked expansion of post-secondary education enrollments in Minnesota reflects the rising aspirations of Minnesota residents for advanced education. It also reflects a strong commitment by the state to provide it's residents with adequate post-secondary opportunities.

Minnesota's commitment to post-secondary education has been continuous. The University of Minnesota, which has achieved prominence as one of the nation's outstanding universities, and the first of Minnesota's private colleges were founded before Minnesota became a state. State normal schools, which now have become comprehensive state colleges, were established early in the history of the state. Local junior colleges, which subsequently were integrated into a state junior college system, came next beginning in 1914, and the most recent arrival on the scene, the area vocational-technical school has rounded out the total pattern of post-secondary institutions designed to serve a variety of students and to meet a variety of state needs.

At present, responsibility for post-secondary education is shared by four public systems, private colleges and universities, and private vocational and technical schools. The Twin Cities' campus of the University of Minnesota, which combines great strength in graduate education and research with the service traditions of a land-grant university, has grown to an enrollment of 43,545, and the University system now includes two additional four-year

institutions and two two-year technical colleges, which accommodate an additional 7,702 students. The state college system now includes six comprehensive four-year teaching institutions, which also offer graduate programs leading to master's and specialist's degrees, with a combined enrollment of 39,746. The state junior college system now includes 18 institutions providing convenient initial entry of both terminal and transfer programs for commuting students with a combined enrollment of 19,949. Minnesota's private colleges and universities, which include some of the nation's most distinguished private institutions accommodate 30,089 students. Fall (1970) enrollment in the 28 area vocational-technical schools was 15,969, an increase over the previous year of almost 16 per cent. Thus, a total of 87 post-secondary institutions, of which 54 are public, and 33 are private, accommodate a combined enrollment of 157,000. An additional 4,629 students attend private vocational and trade schools in Minnesota bringing the total of post-secondary enrollments to 161,629.

Of equal significance to the total number of institutions is the rapid rate at which Minnesota has established new institutions in order to meet growing needs. During the last decade, 25 new public post-secondary institutions and one private college opened their doors. Nine additional public post-secondary institutions which already have been authorized will open during the next two years.

The rapid expansion of Minnesota post-secondary education has not been easily accomplished. State appropriations for post-secondary education have more than tripled in ten years.

While part of the necessary growth in state appropriations for post-secondary education is the result of rising costs, much of the increase is

directly attributable to the need for increasing the quantity and variety of post-secondary education opportunities. At one time, the bulk of the state's appropriation for higher education went to the University of Minnesota. As the need for a larger number and greater variety of institutions became apparent, an increasingly higher percentage of the higher education appropriation has gone to the other three public systems.

The problem of providing funds necessary to develop strong systems of state colleges, state junior colleges, and area vocational-technical schools, while attempting to provide an increasing investment necessary to maintain a strong state university, has been difficult. In addition, an increasingly larger proportion of total post-secondary enrollments has had to be accommodated in public institutions. While private colleges and universities have experienced some increase in enrollment, the proportion of total post-secondary enrollments accommodated by private colleges and universities has declined steadily to less than 20 per cent in the fall of 1970.

Increasing the state's investment in post-secondary education has placed a heavy burden on the taxpayer. Moreover, the capacities of some institutions have been severely strained and improvement in quality often has been curtailed in order to provide increased quantity of service.

Rapid expansion in numbers of students accommodated during the past decade has coincided with increased effort to meet the needs of the state and nation for expansion of the research and public service functions of higher education. It is little wonder that higher education has been susceptible to the charge of not devoting enough effort to changing curriculum and improving methods of instruction.

In summary, Minnesota entered the decade of the 1970's with a long history

of commitment to and support for a strong system of post-secondary education and with a rich variety of both public and private institutions. Although continuous improvement has been apparent, the strains of rapid expansion to meet growing needs are visible. That two of Mienesota's most prestigious institutions (University of Minnesota and Carleton College) were cited in the recent Carnegie Commission report titled 'The New Depression in Higher Education" as being headed for financial difficulties reflects the increasing difficulties of providing the investment necessary for quality post-secondary education in Minnesota.

Future Problems and Needs

Among the many complex problems and needs to which larger efforts should be devoted during the remainder of the 1970's are the following:

1. Making post-secondary education financially more accessible to Minnesota residents. Although we take some pride in the fact that 70 per cent of Minnesota high school graduates enter some form of post-secondary education, we are concerned about the 30 per cent who do not receive education beyond the high school. In order to achieve continuing progress toward universal post-secondary education, we have established a goal of increasing the number of students being educated at a rate sufficient that post-secondary enrollments will equal 85 per cent of high school graduates in the 18-21 age group. This is not to suggest that we view post-secondary education as serving only students under 22 years of age. Quite the contrary, we see an increasing need for continuing post-secondary education for adults. Relating post-secondary enrollments to high school graduates in the 18-21 age group simply provides a convenient reference for assessing progress in extending the benefits of post-secondary education to a larger proportion of Minnesota's

population.

Many factors will contribute to our success or failure in achieving the above goal, but making post-secondary education financially more accessible to Minnesota residents is essential to achieving the goal. To this end, the Higher Education Coordinating Commission has requested an appropriation for state scholarships and state grants-in-aid of $11.3 million for next biennium, an increase of more than 400 per cent over the appropriation for the present biennium. I am happy to report that Governor Anderson included the full $11.3 million in the budget recommendations which he presented to the 1971 Legislature and that legislators have been receptive to the proposal in spite of great pressure to hold the line on taxes.

Even with the substantial increase in appropriation for state scholarships and grants-in-aid, we will fall far short of the needs of Minnesota residents for financial assistance to pursue post-secondary education. We conservatively calculate the need of each new high school graduating class to be $24 million per year of attendance in an institution of post-secondary education. The fact that student costs of attending post-secondary institutions continue to rise, having increased 20 per cent during the past two years, probably makes $24 million a definite underestimation.

2. Extending the Benefits of Post-Secondary Education to Minnesota's Disadvantaged Population. Extending post-secondary education to a larger proportion of Minnesota's population represents a significant challenge, since doing so requires that the disadvantaged segments of Minnesota's

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population be reached and served effectively. While the urban disadvantaged are most easily identified because of their concentration, we are equally concerned about the rural disadvantaged. While disadvantaged students of minority races are most easily identified, we are fully aware that Minnesota's disadvantaged populations includes families from all racial and ethnic origins.

Adequate student financial aid is a prime requisite for meeting the needs of disadvantaged students. Of equal importance, however, is the need for (1) sufficient programs of recruitment and counseling which can stimulate and direct disadvantaged students to the right kinds of institutions and programs, and (2) compensatory and supporting efforts in post-secondary institutions adequate to assure that opportunities for disadvantaged students are opportunities to succeed rather than opportunities to fail. Effectively meeting the needs of Minnesota's disadvantaged population will be a difficult and costly undertaking.

3. Expanding the Capacity of Post-Secondary Education. The above discussion of the numbers of new institutions which have been established during the past decade could lead to the erroneous impression that the job of expanding post-secondary education capacity has been completed. If the need for expansion had been fully met, all efforts could now be focused on improving effectiveness. Such is not the case. Reaching Minnesota's goal of extending the benefits of post-secondary education to an increasingly larger proportion of the population will require the accommodation of 70,000 more students than the 161,629 being educated this year by 1985; an increase of more than 43 per cent. The nine new institutions which

already have been authorized to open their doors during the next two years represents partial, but not complete, response to the need for expanding the capacity of post-secondary education in Minnesota. The Higher Education Coordinating Commission has recommendations before the 1971 Legislature in favor of legislative authorization for four additional state junior colleges and two senior institutions. In addition, we are faced with the need for continuing improvement in the physical plants of existing institutions. While we can anticipate relief from the pressure of increasing enrollments during the 1980's, no such relief will occur during the 1970's.

4. Achieving Greater Utilization of Private Colleges: As indicated above, the proportion of total enrollments which are accommodated in private colleges and universities has declined steadily in recent years and now represents less than 20 per cent of total post-secondary education enrollments in Minnesota. Through a comprehensive study of private higher education in Minnesota conducted during the past year, we have determined that private institutions of higher education have both the capacity and the willingness to accommodate larger numbers of Minnesota residents. We also have determined that financial difficulties comprise the greatest barrier to increased service from private colleges and universities. Accordingly, the Higher Education Coordinating Commission has placed several recommendations for changes in state policy on private colleges before the 1971 Legislature. Perhaps the most significant of these proposals is the one which would authorize the Commission to make payments of $500 per student for each additional Minnesota resident educated by a private college over the number being educated by the college in the autumn of 1970. I am pleased to be able to report that the Minnesota State

House of Representatives Higher Education Committee has passed the bill implementing this recommendation without a dissenting vote and that the State Senate Higher Education Committee will consider the Commission's bill in the near future.

5. Increasing Production of Professional and Para-Professional Personnel in Critical Areas of Short Supply. While the needs of Minnesota residents for improved health care at reasonable cost will require progress on several fronts, increasing the supply of physicians and other health workers is essential. As you may know, the availability of Federal funds facilitated a beginning class of 227 at the University of Minnesota medical school - an increase of about 40 per cent over last year. While this expansion represents a major step toward increasing the production of physicians, it will not be sufficient to meet the needs of Minnesota, the surrounding region and the nation. The projected need for health care services provided the basis for the Higher Education Coordinating Commission's recommendation to the 1971 Legislature for developing sufficient capacity for 315 beginning medical students in the state by 1976. Preliminary steps already have been taken for establishing a new two-year medical school at the Duluth campus of the University of Minnesota with the hope that this school ultimately may be extended to provide a complete program leading to the M.D. degree. In addition, the Commission has recommended that the legislature provide partial support for a new private undergraduate medical school to be operated by the Mayo Clinic and Foundation in Rochester. Proposed legislation, which would provide $8,000 for each

Minnesota resident enrolled in the Mayo medical school, is pending in the 1971 Legislature. Increasing the capacity for medical students will require a corresponding increase in capacity for clinical experience in affiliated hospitals. Increases in the rate of production of physicians will require corresponding increases in production of other health personnel.

6. Improving the Quality of Post-Secondary Education. Although the quality of post-secondary education in Minnesota generally has improved, improvement of quality lags well behind the need. As indicated above, quantitative increases in post-secondary education often has demanded priority over improvement in the quality of post-secondary education services. Continuing deference of qualitative improvement can lead to serious shortcomings and a general weakening of Minnesota post-secondary education.

7. Re-Tooling to Provide Better Approaches to the Instructional Processes. That Minnesota post-secondary education needs to re-tool or gear-up for changes in educational practices, is not to be disputed. However, testing and implementing innovative practices is a costly endeavor for any institution including higher education. There is general acceptance of the proposition that large expenditures by industry for re-tooling to obtain a more favorable cost-benefit ratio through either reduction of production costs or improvement of the product represents a sound investment. Post-secondary education seriously needs a similar kind of massive investment for implementing improved educational practices.

The Federal Role

In keeping with its continuing commitment to meeting post-secondary education needs, the State of Minnesota can be expected to make a concerted effort to provide the resources necessary for effectively addressing attention to the problems enumerated above and to a variety of additional problems. Several significant new steps which the state is taking have been indicated.

Unfortunately, practical considerations severely limit the effort which the state can devote to post-secondary education. Rising costs in other areas of state government services, together with growing resistance to additional state tax increases, are combining to constrict the states ability to increase its investment in post-secondary education rapidly enough to meet needs. The magnitude of post-secondary needs to be met, the complexity of the problems to be resolved and the limitations to be overcome in generating additional tax revenue at the state level indicate critical difficulties for post-secondary education during the remainder of the 1970's.

All relevant projections suggest that federal assistance for post-secondary education has never been more important to continuing progress than it is now. Positive legislation in this committee extending and increasing authorization for federal assistance for post-secondary education is a source of encouragement for us at the state level, and we urge you to continue your efforts to achieve the best possible legislation in this area.

From my perspective federal assistance can be most effective and will have the greatest impact when the following conditions prevail:

1. Continuity and Reasonable Stability. While continuous modification to improve federal programs is necessary, losses in both efficiency and effectiveness occur with frequent abrupt changes in federal policies. Serious dislocations result from shifting federal emphasis among support areas.

2. Sustained Commitment and Advanced Funding. Late funding and fluctuating funding of federal programs create uncertainities at the state and institutional levels of operation and reduce the impact of federal assistance.

3. Flexibility. Federal programs should recognize variations in the patterns of post-secondary education among the states. Program structure designed to fit the organizational pattern of post-secondary education in one state may not be compatible with the pattern of organization in another state. Similarly, the strengths and weaknesses of post-secondary education will vary from one state to another.

4. Coordination With State Planning. Attempting to engage in systematic planning of post-secondary education at the state level without knowing the nature, magnitude, and conditions of federal funds which will be available or to which institutions they will be awarded is something like attempting to put together a jig-saw puzzle in which the shape of a few key pieces is unknown. Lack of coordinated planning at the state and federal levels inhibits the accomplishment of goals of both, and reduces economy of effort. You may wish to seek advice on coordinating federal and state planning for post-secondary education from the Education Commission of the States. Since the states assume the major share of responsibility and funding for post-secondary education, the simplest means of coordinating federal and state planning may be found in contructing federal programs in such a manner as to delegate considerable responsibility for implementation to the states with broad federal guidelines.

5. Balance. Although there are sound reasons for giving special emphasis to student assistance in order to equalize opportunities and to provide acess to post-secondary education for the total population, a reasonable share of federal assistance should be allocated to strengthening post-secondary institutions and programs. Physical plants need to be improved and expanded; the supply of

library resources and instructional equipment must be continuously increased and improved. Support for testing and implementing new educational practices on a broad scale is desperately needed. The potential benefits of continuing adult education and community service activities are far from being achieved. The critical function of extending knowledge through research is expensive, but essential to continuing progress in all areas of human endeavor.

6. Responsibility for National Needs. Generally, the states must assume primary responsibility for planning, conducting, and financing post-secondary education with assistance from the federal government. However, some areas of need are so pervasive and so costly to meet as to require that the federal government assume a larger than usual share of the responsibility. Medical education is a good example. About half of the physicians produced by the University of Minnesota medical school have entered practice in states other than Minnesota during recent years. Minnesota's plans for a second state medical school and state assistance for a new private medical school at the Mayo Clinic and Foundation are discussed above. These efforts will represent a substantial and costly contribution to necessary increases in the supply of physicians regionally and nationally. Hopefully, an increasingly larger share of the responsibility for this contribution can be assumed by the federal government in keeping with the critical national interest in improving health care.

BACKGROUND INFORMATION ON THE

MINNESOTA HIGHER EDUCATION COORDINATING COMMISSION

Richard C. Hawk
Executive Director

Purpose and Primary Responsibility.- The Minnesota Higher Education Coordinating Commission, which was established by the 1965 Minnesota State Legislature, has general responsibility for planning and coordination of post-secondary education, both public and private, in Minnesota. The Commission reports to both the Governor and the Legislature and is concerned primarily with advising the Governor and the Legislature on matters of public policy on higher education and state action necessary for meeting the needs of Minnesota residents for post-secondary education with reasonable economy of effort. Accordingly, the Commission is conducting a systematic program of long-range comprehensive planning. As part of its coordinating function, the Commission reviews proposals for new instructional programs to be established in Minnesota post-secondary institutions and makes a recommendation as to whether or not each proposed program is consistent with the Commission's guidelines for establishing new programs. The Commission also exercises statutory authority for entering into higher education reciprocity agreements with neighboring states.

Secondary Responsibility.- In addition to the primary responsibility for planning and coordination, the Commission has been assigned responsibility for administration of some statewide higher education programs, including (1) a state scholarship program, (2) a state program of grants-in-aid, (3) a state interinstitutional television program, (4) the Federal facilities program under Title I of P.L. 88-204, (5) the Federal Community Services and Continuing Education Program under Title I of P.L. 89-329, and (6) the Federal Instructional Equipment Program under Title VI, Part A, of P.L. 89-329.

Commission Membership. - The Commission consists of 18 members appointed by the Governor: one from each Congressional District, two from each of the four boards which govern public post-secondary institutions, and two private college presidents.

Commission Staff. - The Commission has a professional staff of 14 and an equal number of secretarial and clerical personnel.

Commission Budget. - The Commission's budget for the current fiscal year is $571,744, of which $333,000 was appropriated by the State Legislature, $111,000 was provided by the U. S. Office of Education for administration of Federal programs, and $127,744 came from grants from private foundations and other sources for support of special projects.

Remarks by Donald K. Smith, Vice President, Administration, University of Minnesota

Prepared for the Senate Education Subcommittee, April 23, 1971

Mr. Chairman and Members of the Committee:

Thank you for this opportunity to appear before you this morning. I particularly value the opportunity to discuss briefly some urgent national goals in higher education which could be realized through the various bills before your committee, I shall try to avoid dwelling on the simple but obvious fact that institutions of higher learning are in serious financial straits and that we badly need a massive renewal and extension of federal participation in our problems if we are to keep faith with our students and with this nation's commitment to educational opportunity. Our situation is bleak; the situation of our students is bleak; and the general situation is likely to remain bleak without significant new legislation from Congress.

But I think this general fact is well known, and I want to confine my testimony today to a series of propositions about some national goals which I think should be sought through new legislation. In doing this I shall limit myself primarily to the following topics: student financial assistance, institutional aid related to such assistance; the special problem faced by private institutions with high student costs; and the special concerns of graduate education. I would also like to make a few comments on the importance of the proposals for a National Foundation for Higher Education.

These limitations in my comments do not imply lack of interest in or importance to other provisions of the several bills before you. For example, I think the proposals in Senator Pell's bill, S. 659, for facility construction assistance is of urgent importance, and his Graduate Facility Grant proposal is a serious effort to reaffirm by the Congress the long term national interest in maintaining centers of graduate education and research. Expanded aid for

library development as recommended in his bill also responds to a need to which every college or university administrator or faculty member could testify. But limitations of time suggest that I should focus my comments today on certain urgent new directions charted in the legislation you are considering.

Let me organize my remarks by asserting some six principles which I think should underlie new legislation, and then commenting on the relationship of these principles to our situation in Minnesota, and to certain features of the legislation you are considering.

The first principle is that this nation ought to make good on its long standing commitment to see to it that no student is blocked from access to post high school education, appropriate to his capacities and interests, by reason of economic or educational disadvantage. It should be unthinkable for this nation to continue to impose an economic barrier to higher education for the poor -- or increasingly for students of modest means. It should be equally unthinkable to deny access to those who have accumulated an educational disadvantage by reason of the circumstances to which they were born, and in which they grew up and received their early education.

Removing the economic barrier should be an urgent national goal, but achieving that goal requires a strong infusion of educational opportunity grants-in-aid by the Federal government, joined to improved work-study, and loan programs.

Let me describe very briefly the massive nature of the problem we face at the University of Minnesota. We have more than 50,000 students attending the University. For the most part they do not have available family support sufficient to pay for the costs of their education. Last year, approximately 75% of our students were employed, either on or off campus, in any given quarter.

We provided for these students approximately 5½ million dollars in financial assistance through loans, work-study, and scholarships and grant-in-aid. Of the aid we have provided in the last three years, some 80% has taken the form of self-help by the student -- that is, loans, work, and work-study. Only 20% has been available in the form of grants or scholarships. The average indebtedness of our students has been increasing steadily. We are looking at students carrying heavy and increasing debt loads, seeking self-help through work in the face of inadequate resources for such programs, facing increasing costs for tuition, books, and board and room. And we see no real way of keeping opportunity open for these students without quick and generous participation by the federal government.

We have initiated in recent years a broad spectrum of outreach programs designed to identify and bring into a successful experience in higher education many talented and motivated students facing economic and educational barriers. Our early identification programs, our work with area schools and agencies, and the special guidance and tutorial programs which have been developed have succeeded. Students for whom a university education was once wholly beyond possibility are moving successfully in our programs. But at this moment we face the desperate problem of knowing that simply to maintain our programs for the disadvantaged at their present levels will require an additional 3½ million dollars in the next biennium, the sources of which are not apparent. Maintenance is the lowest goal to which we should aspire, but even this is hazarded unless there is strong federal expansion of educational opportunity grant programs, and work-study programs.

The most important piece of unfinished business before higher education and this nation seems to me that of opening fully the door of equal educational

opportunity to our people, and this I take to be a central emphasis in Senator Mondale's Bill, S. 1161, and a section of Senator Pell's bill, S. 659.

The second principle I would propose is that expanded programs of student assistance should be accompanied by a forthright recognition of the institutional costs associated with efforts to expand educational opportunity. Student tuition and fees do not pay fully the costs of providing education, and if students are to be given assistance in meeting their costs, institutions also need assistance in meeting fully their obligations to their students. The problem of institutional costs becomes particularly acute as more students facing economic and educational disadvantage are brought to our campuses. At the University of Minnesota our work with such students has involved developing additional guidance and tutorial programs, some new curricula, and a new appreciation of the fact that by properly marshalling our resources we could open the door of educational opportunity to students for whom such opportunity was previously unavailable.

Both Senator Pell's bill, and Senator Mondale's bill address the question of institutional aid as a reciprocal of student assistance, and this approach seems to me an enormously important recognition of the expanding costs faced by institutions with a commitment to opening the doors of opportunity. I was also impressed by the principle in Senator Mondale's bill that the proportion of institutional aid should increase in terms of the level of the student's education. This is a significant recognition of the fact that educational costs rise as students progress to more advanced levels of study. The recognition would give healthy impetus to the efforts of colleges and universities to secure better information on the full costs of education at various levels, and in various programs.

A third principle which seems important to me is that of providing aid to students in a form which will broaden the student's capacity to choose among several institutions which might be available to him. Across the board limitations on the aid packages which can be provided for students tend to force students into public institutions where tuition levels are comparatively low. This, in turn, simply increases pressure on these institutions to seek expanded tax support at the State level to meet costs resulting from increasing numbers. Senator Mondale's bill has an interesting and useful approach to this problem by providing a sliding scale of grants related to student costs at a given institution. The formula balances nicely the goal of providing greater support to students who choose higher cost institutions, but providing a decreasing percentage of total cost as the cost of the institution rises. This balance would have the effect, I believe, of increasing the opportunity of students to choose higher cost institutions, while at the same time discouraging a sharp or sudden tendency on the part of students uniformly to prefer high cost institutions.

A fourth principle which should be recognized is that of maintaining a proper balance among grant-in-aid programs, work-study programs, and loan programs in the total approach to student aid.

We do not believe at the University of Minnesota that students should receive the full cost of their education through grants-in-aid. As I indicated earlier, some 80% of the aid now being received by our students is in the form of self-help--work, work-study, or loans. Under optimal conditions of funding we would want that percentage to decline, but we would continue to expect and insist that economically disadvantaged students carry the major share of the costs of their education through self-help.

The best approach to the problem of aid is that of preparing aid packages

for individual students based on a candid appraisal of the package most likely to help the student succeed in his educational objectives, and most likely to motivate him to assume personally as much of the burden of aid as is possible. In general we follow the practice of seeking full aid assistance without loan indebtedness for disadvantaged students starting their educational careers. The student's risk of failure is highest at this point; the psychological commitment he must make is highest; his need to give full and undivided attention to his studies is highest. As the student experiences success, and as the probability that he will fulfill his educational objectives increases, it is appropriate that he carry increasing levels of self-help, through loans, and employment, while grant-in-aid resources are husbanded to help new students enter the educational stream successfully.

At the moment our major problem in maintaining an aid program which is psychologically and educationally wise is hazarded by the absolute shortage of adequate funds for grant-in-aid, and for work-study. Infusions are needed here. But we do not expect these infusions to be so massive as to eliminate the importance of expanding loan programs.

I am intrigued by the possibility that federal legislation dealing fully with the problem of student assistance could recognize the interaction of grant-in-aid, work study, and loan funds, perhaps possibly by specifying the maximum percentage of total support that could be provided through grants-in-aid by the end of the student's second year, or fourth year of undergraduate instruction. Most institutions are managing their aid packages in this way, but recognition of the principle would assure general use of the principle. I should also like to call your attention to a specific section in S. 1123, introduced by Senator Prouty. Section 414 of his bill lifts the 80% limit on federal contribution to work-study programs in the presence of a finding that the limit will block a desirable program. This change is important.

If we are to use the work-study system imaginatively (and our students seek work-study opportunities well beyond our available resources), the 80% will have to be more flexible. The off campus public service jobs which students are seeking, will only be in plentiful enough supply if the 80% ceiling limit is lifted. The University of Minnesota was involved in the early development of the Urban Corps program in Minneapolis and had there been no 80% limit, the city of Minneapolis could have absorbed three times the number of Urban Corps students who in fact worked for the city. There are exciting possibilities for community service work using the work-study mechanism, and I urge you favorable consideration for this change.

A fifth principle I should like to address is that of making adequate provision for maintaining and expanding the strength of our great national centers of graduate education, research, and post baccalaureate professional study. The current fiscal woes of higher education, and the nation, should not be permitted to become the occasion for dismantling the capability of our graduate universities to maintain and expand the supply of highly educated men and women available to this nation. The costs of graduate and post baccalaureate professional education are high. The cost to the nation of depressing the capability and productivity of these institutions would be enormously higher. No one giving serious thought to the matter could assume that this nation will need fewer, rather than more graduate scholars, scientists, and professionals in the next few decades. Yet we shall have fewer, rather than more unless the programs which support students and support the teaching and research capability of our universities are enacted and funded.

Much has been made in the last year of the alleged oversupply of doctoral students in certain academic disciplines, and the plight of highly educated professionals who have found themselves unemployed through dislocations or changes

in priorities in the nation's economy. The larger truth is that unemployment among Ph.D.s in this nation is largely a myth if it is implied that such unemployment is of major proportions, or is general to all fields. For example, the unemployment rate for 1969 doctorates in the natural and social sciences, engineering and mathematics, was 1.1% as compared with 3.5% for the nation's work force generally. The range was from 0.6% in biochemistry, to 1.8% in engineering. The rate undoubtedly increased in 1970 as general unemployment levels went to 6.2% in December, and remained at 6.0% in January of 1971. The point is not that unemployment is non-existent, but that all studies show that today, as in the past, unemployment is lowest for the most highly educated, and least likely to persist for this same group. Moreover, gloomy forecasts concerning the employability of the highly educated typically take no accounting of the rapid expansion of demand for qualified people in the health sciences, and in the multitude of professionals needed for national efforts concerning evironmental defense and improvement.

Support for graduate education and research obviously involves a wide spectrum of federal legislation, agencies, and programs. But in relation to the legislation before this Committee, I was pleased to see the extension of the availability of student opportunity grants, in Senator Mondale's bill, to post baccalaureate students, and the provisions both for graduate fellowships and for institutional costs of instruction grants related to those fellowships. I also noted the far reaching attention given to graduate programs in Senator Pell's bill. This included, support for research libraries, for graduate academic facilities, for continuation of the education professions development authorization, for institutional support in developing stronger and better graduate programs, for graduate fellowships, and for extension of Titles IV and VI of the National Defense Education Act of 1958 and of the International

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in priorities in the nation's economy. The larger truth is that unemployment among Ph.D.s in this nation is largely a myth if it is implied that such unemployment is of major proportions, or is general to all fields. For example, the unemployment rate for 1969 doctorates in the natural and social sciences, engineering and mathematics, was 1.1% as compared with 3.5% for the nation's work force generally. The range was from 0.6% in biochemistry, to 1.8% in engineering. The rate undoubtedly increased in 1970 as general unemployment levels went to 6.2% in December, and remained at 6.0% in January of 1971. The point is not that unemployment is non-existent, but that all studies show that today, as in the past, unemployment is lowest for the most highly educated, and least likely to persist for this same group. Moreover, gloomy forecasts concerning the employability of the highly educated typically take no accounting of the rapid expansion of demand for qualified people in the health sciences, and in the multitude of professionals needed for national efforts concerning environmental defense and improvement.

I do not wish to minimize the reality of marketplace changes for many of the traditional areas of doctoral study. Allan Cartter's studies indicate the probability that oversupply for some fields may be more than a transient phenomenon. What I am saying is that this phenomenon does not argue for curtailment rather than expansion of post baccalaureate professional and graduate education. The phenomenon does argue the constraint in certain fields, expansion in others, and development of new areas of specialization and competence tuned to the requirements of our society.

Support for graduate education and research obviously involves a wide spectrum of federal legislation, agencies, and programs. But in relation to the legislation before this Committee, I was pleased to see the extension of the availability of student opportunity grants, in Senator Mondale's bill, to post-baccalaureate students, and the provisions both for graduate fellowships and for

institutional costs of instruction grants related to those fellowships. I also noted the far reaching attention given to graduate programs in Senator Pell's bill. This included, support for research libraries, for graduate academic facilities, for continuation of the education professions development authorization, for institutional support in devel oping stronger and better graduate programs, for graduate fellowships, and for extension of Titles IV and VI of the National Defense Education Act of 1958 and of the International

Education Act. This broad spectrum of programs would help ensure continued health for an enterprise which is so clearly national in its purposes and its contributions as to require a focused and judicious concern in federal legislation.

The sixth, and final principle I should like to present is that as we seek to meet the costs of expanding opportunity for students, and maintaining health for our institutions, we should also be adventuresome in our search for new and better ways of providing higher education. Innovations are needed, in curricula, in instructional practice, and in the governance and management of the higher education enterprise. A significant fraction of our effort, therefore, should be in the area of educational research and development for post secondary school education.

The proposals by Senator Pell and Senator Javits for establishing a National Foundation for Higher Education should be confirmed. We face awesome tasks as we seek to reconstruct our educational systems, to bring the fruits of knowledge about learning systems to bear, to extend appropriate opportunity to men and women of all ages and occupations, and to improve our understanding of the costs and consequences of our learning systems with resultant improvements in the efficiency of our work. These tasks will not be performed well or quickly by faculties wholly caught up in the task of maintaining present programs, nor by institutions caught up in a desperate struggle for survival. They will not be performed simply through reliance on the private sector of our economy, despite its important and substantial contributions. We need to build a commitment to educational research and development into the fabric of the federal support system, and this I take to be the objective of the proposed National Foundation.

In this connection you may be interested in the fact that the faculty of the University of Minneosta last year committed itself to investing up to 3% of its instructional budget to educational development projects managed at the departmental and collegiate level. Initiation of this massive program of

self help cannot be quickly achieved with current budgets scarcely adequate to meet current teaching obligations. However, a National Foundation could well provide our institution, and others, with the seed money to build our capability for creative innovation. I mention the action of our faculty only to emphasize that there is a willingness to change, indeed an eagerness to change,now observable in our institutions. We need a national commitment to support the tasks we want to undertake.

UNIVERSITY OF *Minnesota*

OFFICE OF THE VICE PRESIDENT FOR ADMINISTRATION
MORRILL HALL · MINNEAPOLIS, MINNESOTA 55455

April 19, 1971

Witness;

Donald K. Smith, Vice President, Administration
University of Minnesota, 200 Morrill Hall
Minneapolis, Minnesota, 55455
(612) 373-4911

The University of Minnesota is located on five campuses offering a full range of post secondary educational offerings for undergraduate to PhD study.

Its principal campus - the Twin City Campus - is home for 41,000 students and is the largest single campus site in the nation. The University also has a campus in Duluth which is moving towards a full graduate program in addition to its undergraduate offerings. At Morris, the University has a small undergraduate campus which we are building as a model of public undergraduate liberal arts institution.

At Crookston and Waseca we house two year Agricultural Technical Schools preparing people for careers in various agriculturally related professions.

Dr. HAWK. Mr. Chairman and Senator Mondale, with your permission, we would like to turn to Chancellor Mitau of the State College Board.

Dr. MITAU. First of all I would like to be permitted a word of personal tribute to the distinguished senior Senator from Minnesota, Mr. Mondale, a former student of mine who succeeded well and is making a significant contribution to the cause of higher education and the many other areas in which he has shown such competence and imagination.

I would also like to add that I have an additional sense of pride in that the junior Senator from Minnesota was also a colleague of mine at Macalester——

Senator PELL. We call him the senior junior Senator.

Dr. MITAU. Briefly, Mr. Chairman, there is no need for me to go over all the aspects of the testimony so far given on behalf of higher education, but I would like to emphasize a few particular areas.

First, a word about the system that I represent. The Minnesota State College system comprises six institutions, ranging in size from approximately 3,000 students to 15,000 students.

The system originally was a State normal school system. In 1921 it became State teachers colleges and in 1957 our colleges became multipurpose institutions.

Today these institutions with their 40,000 students comprise a very significant aspect of the posthigh school education spectrum in our State.

Nearly 60 percent of the teachers of Minnesota are the products of our institutions. Minnesota, which has the lowest dropout rate in the Nation for its students in the elementary and secondary system, takes some pride in that particular statistic.

I should also indicate that Minnesota, as you already have heard, continues to make a great contribution in terms of its fiscal resources to the cause of higher education; the State ranks 19th in terms of per capita income, but ranks 13th in the Nation in terms of spending for its colleges and universities.

First of all, we wish to stress the need for Federal assistance for our students.

You might be interested to know that 44 percent of the freshmen in our system in 1969 came from families with an annual income of less than $7,500. Sixty-seven percent of our students came from families with an annual income of less than $10,000.

Senator PELL. I think those are wonderful figures. Where do you rank in the United States?

Dr. MITAU. I do not know. Except, Mr. Chairman, let me emphasize that although we may rank comparatively well, our students find it very difficult to continue their education in the face of rising costs for textbooks and tuition and housing.

The feature that I would like to emphasize for the moment is the second major need in our State for Federal assistance, and that is money for innovation improvements in teaching and learning. For all too long education has been somewhat provincial and has tended to ignore the needs of the larger community; also we have often been attacked for not being more innovative and more relevant. Frankly, the financial resources required for such a posture were simply not

available. In State appropriations funds for education and money for innovation for new programs is often given a very low priority. Budgets are based on that which exists rather than upon that which is new.

This leads me to a request to emphasize the need for institutional grants. All too frequently grants grew out of proposals that required an inordinate amount of staff time devoted to their preparation of proposals for a variety of often unrelated projects.

Proposal writers sometimes are unduly influenced by the projects which are popular at a given moment, sometimes actually to the detriment of institutions and even departmental goals and objectives. All too often programs have been oriented to research institutions, and funds have been given for important, but narrow faculty research specialties that neither benefited the teaching nor learning process, and neither were they particularly suitable nor effective to bring about needed educational change.

Indeed the effect has been to reinforce at times the traditional research-oriented academic values of the university at the expense of student oriented and student centered teaching innovations. Moreover, the project approach to Federal funding actually militates against comprehensive institutional planning.

A college is not really free to adapt and change as an institution, because resources are obtained in a fragmented manner without regard to a coordinated plan. Thus, for the purpose of stimulating change and innovation, Mr. Chairman, grants might be more appropriately made to an institution or to a system, not in terms of highly specialized projects, but in response to ideas for a more general and far-reaching dramatic innovation.

In this connection perhaps let me indicate that very often we also find that Federal programs of financial aids to students have a tendency to be excessively rigid. We would like to emphasize the need to provide maximum flexibility to financial aid officers which would enable them to combine various program ingredients—economic opportunity grants, loans, and work study programs—in a way that would best meet the needs of particular students.

A peculiar, and we think very significant innovation in our State colleges has been what we call our Minnesota State College common market approach. In a State which has to be very careful in allocating its fiscal resources under increasingly competitive demands, we have developed a program that will stimulate the sharing of scarce resources. The common market program that we are supporting has three major components. One is a student exchange program where students can avail themselves of the educational opportunities of the entire six-college system.

Second, a program that will heighten the opportunity for student internship opportunities in industry, hospitals, law offices, legislatures, social service agencies, and other private and Public settings of an educational nature.

Third, within our common market program we constantly are seeking new ways of providing opportunities in the metropolitan area for our out-State college students to tap urban and core-city teaching opportunities which colleges in rural Minnesota could not otherwise make available to them.

These types of innovative and stimulating programs, Mr. Chairman, require the kind of funding that is simply not presently available from regular State sources.

To conclude, and time is short, I should reemphasize that higher education at this moment faces a critical phase in its development and history. Much Federal assistance is required if we are to move from the educational needs of an earlier age to meet the challenge of the present and of the future. Money alone will not accomplish the objectives that we must set. Vision, creativity, and imaginative leadership are necessary prerequisites.

The bills before the Senate Committee on Labor and Public Welfare, however, could contribute greatly to assist students to attend college and to make possible new and exciting patterns of education.

This, Mr. Chairman, is absolutely essential as our colleges find themselves presently in a most serious financial squeeze.

Thank you, sir.

(The prepared statement of Dr. Mitau follows:)

1496

Statement by

G. Theodore Mitau
Chancellor
Minnesota State College System

for

The Senate Committee on Labor and Public Welfare

April 23, 1971

1509

As Chancellor of the Minnesota State College System, I welcome the opportunity to share some comments about our system, a few of its programs, and some of its needs.

The Minnesota State College System is composed of six regional colleges ranging in size from 3,100 to 12,488 and located at Bemidji, Mankato, Moorhead, St. Cloud, Winona, and Marshall; total on-campus enrollment in the fall, 1970, was 39,405. The first five colleges (Winona, 1860; Mankato, 1868; St. Cloud, 1869; Moorhead, 1888; and Bemidji, 1919) were created as two-year Normal Schools to prepare elementary school teachers. By 1921 the institutions had become state teachers colleges, authorized to grant the baccalaureate degree in Education, and in 1953 received legislative authorization to offer a fifth year of teacher education leading to a Master of Science degree. The student demand in Minnesota for programs in addition to teacher preparation led, in 1957, to the state colleges becoming multi-purpose institutions. Since that time strong liberal arts programs and additional professional programs – including graduate studies leading to the M.A., M.S., and, in one college, the Specialist degrees – have been developed. In 1967, the newest of the colleges, Southwest State College at Marshall, accepted its first class.

Each college operates, with considerable autonomy, under the supervision of a nine-member Board. The Chancellor serves as the chief executive officer of the System and has the responsibility of leadership and coordination in such areas as curriculum development, campus planning and development, and budget allocations and management systems.

A unique characteristic of the Minnesota State College System is the Common Market Program that seeks to offer students the full resources of all the colleges and to facilitate various educational experiences which can be handled more effectively through cooperative arrangements.

Coordinated in the Office of the Chancellor, the Common Market Program is currently divided into four areas. A Student Exchange Program enables a student to move easily from his home campus to one that might offer a program otherwise unavailable to him or unjustifiably expensive to duplicate at his college. The Internship Program is designed to supplement the classroom by permitting the students to be involved in a work experience related to their academic interests and for which they earn credit. The Urban Clinical Experiences Program supplements the teacher education experience by permitting fifty students per quarter to spend a term in a metropolitan school, thus

affording students from rural areas an opportunity to receive training in an urban setting. The Community Resources for Higher Education Program, developed in cooperation with the St. Paul Council of Arts and Sciences, makes the personnel and resources of theatre companies, art museums, and musical ensembles available to state college students through performances, displays, and short-term workshops. A faculty member, an administrator, and a student from each of the six colleges and two members of the Chancellor's staff comprise an Advisory Council with responsibility for making policy recommendations on the various programs and for maintaining a communications network among the various program directors on each campus, faculty and student senates, the college administrations, the Chancellor's Office, and the Board.

This model for cooperative programs among the colleges and between the colleges and organizations and agencies within government, business, the arts, and the social services is, we feel, the way of the future in higher education. The time is quickly passing – if not already passed – when single institutions can provide, effectively and economically, the variety of learning experiences necessary for the kind of education required by our society.

My remarks will be limited to the two areas which seem most in need of federal assistance – student financial assistance and resources to stimulate and to implement significant innovations in teaching and learning.

Student Financial Assistance

There is a pressing need for financial assistance for students. Within the Minnesota State College System, 44% of the freshmen in the fall of 1969 came from families with an annual income of less than $7,500; 67% were from families with an annual income of less than $10,000. Rising costs, coupled with the difficulty students have in finding jobs, have combined to create a situation where families formerly considered financially comfortable are now having a difficult time providing educational funds for their children. While there must be more aid provided for minorities and the economically disadvantaged, assistance must also be increased for those considered middle-class.

Loan programs are good, but in these times of inflation questions might be raised about requiring students – particularly those from lower economic backgrounds – to borrow large amounts of money with which they are burdened for years after graduation. Grant programs must be available to students in sufficient amounts so they can attend college with a small loan plus that which can be earned during the summer and from part-time jobs during the academic year.

In making funds available, two major revisions in existing programs would be helpful. First, the work-study program, while sound, has limitations that make it less effective than it might be. Income level requirements are so low that many students in need of assistance in these times of inflation cannot qualify. Furthermore, restrictions placed on the type of jobs for which a work-study student is eligible limits the opportunities available and creates a shortage of positions.

Secondly, a forgiveness clause, similar to that for NSDL recipients who go into teaching, might be considered for other occupations. The result would perhaps be to encourage students to enter those areas where there is currently a shortage.

Funds continue to be needed for the purpose of identifying and then preparing talented but disadvantaged students for meaningful education. Furthermore, funds must be available to provide on-going programs. A great injustice is done when students are granted enough assistance to enter college but are then left alone to adjust to a new and alien culture.

Forward funding would immeasureably assist the equitable distribution of aid. For the last few years the financial aid officers in the colleges have not had any idea how much money would be available to them until after the school year had started. If this information could be known six months earlier, colleges would be able to inform students at the time of application whether or not money would be available. Undoubtedly students with great financial need do not even apply when financial aid officers cannot give them any indication about the likely availability of funds.

Resources for Innovations in Teaching and Learning

The second major need of perhaps most educational institutions, and certainly those of the Minnesota State College System, is for money for innovative improvements in teaching and learning. These terms are used in the broadest sense; I am speaking not simply about new ways of teaching traditional material but of a new kind of learning process. For too long all of education has been overly provincial and has tended to ignore both the needs of the larger community as well as its resources. There are unlimited opportunities for partnerships between institutions of higher education and other agencies of society such as business, industry, government, and the arts which could result in more meaningful education and in new services to society.

On the other hand, while education has frequently been attacked for not being more innovative and relevant, the financial resources required are not available. In the

appropriation of funds for education, money for innovation and for new programs has the lowest priority. Budgets are based on that which exists rather than upon what is new. This is particularly true in times of fiscal austerity; state legislatures fund the known and those programs viewed as the "essentials" while cutting requests for the innovative, the different, and the untried.

It is in this area that federal government, through financial assistance and agencies such as the proposed National Foundation for Higher Education, could act to stimulate change and to encourage innovation. It is virtually impossible for a college to make major innovative changes without funds. Often the amount of money required is not substantial, but is beyond that which has been appropriated by the state for operating expenditures. The federal government, through grants for certain kinds of programs, can expand the resources necessary for change.

Care must be taken, however, that federal money is appropriated in a manner that accomplishes this desired end. In the past, federal programs have been created with the best of intentions, but effectiveness has occasionally been lessened because of particular features or because of the manner in which money was allocated. For purposes of illustration, I will comment upon two areas of concern.

Money has most often been appropriated to a particular project in response to a specific application. The problems inherent in this approach are multiple. The new academic activity known as "grantsmanship" has resulted in a variety of difficulties: proposals of questionable value have appeared in voluminous number as a result of the prestige value of obtaining a grant; inordinate amounts of staff time are devoted to preparing proposals for a variety of unrelated projects; proposal writers are sometimes unduly influenced by projects popular at the time, often to the detriment of institutional and even departmental goals and objectives. All too often programs have been oriented to research institutions and funds have been given for important but narrow faculty research specialities and have neither benefited the teaching-learning process nor stimulated change. Indeed, the effect has been to re-enforce the traditional, research-oriented academic values of the university at the expense of student-centered teaching. Moreover, the project approach to federal funding militates against comprehensive institutional planning; a college is not really free to adapt and change as an institution because resources are obtained in a fragmented manner without regard to a coordinated plan. The problem is magnified on a system basis such as in Minnesota. In an effort to avoid duplication and to encourage

cooperative programs a system plan might envision the development of a particular program on only two campuses, but a project is funded on a third. Thus, for the purpose of stimulating change and innovation, grants might more appropriately be made to an institution or to a system, not for a highly specialized project but in response to ideas for more general, far-reaching programmatic innovations. An institution should then be periodically evaluated to determine if resources are being used effectively and in a manner designed to accomplish the stated objectives.

A related concern is that some grants are given only to certain types of institutions without enough consideration to the fact that programs for which the appropriation is intended are not limited to that particular type of school or college. For example, in Minnesota vocational programs are not exclusively found in the area vocational-technical schools. In some geographic areas a state college serves the role of a junior college or a vocational school. Even in some regions where there are vocational schools a state college, through agreement between the two institutions, develops a vocational-technical program. Therefore, I would urge that grants for vocational education be given not by type of institution but according to specific programmatic needs. Thus, funds might be made available for a program located in a vocational-technical school in one area of the state, a junior college in another area, and a state college in a third region. In this manner students in vocational-technical programs are not penalized for attending a particular kind of institution. State plans or agencies – for example, the Minnesota Higher Education Coordinating Commission – can assure that federal funds not be granted for identical vocational programs in the same immediate area, thus avoiding the subsidization of unnecessary duplication.

Assuming that grants for the improvement of teaching and learning could be made to institutions or systems rather than for specific projects, I offer, for purpose of illustration, some examples of programs that could benefit students, institutions of higher education, and, in many cases, the region in which the college is located.

In the fall, 1970, the institutions of higher education in Minnesota and Wisconsin were invited, through the Minnesota State College Common Market Program, to participate in an interstate ecology conference concerning needs and problems related to areas along the boundary waters. Out of this conference there emerged a steering committee charged with the responsibility for identifying needs and proposing studies that could be used

by public agencies in making policy decisions. Funding, however, will be needed to undertake these studies.

This is but one example of the kind of program that has broad and significant implications for education and society. Each of the Minnesota state colleges serves a particular region of the state. While needs and problems vary, all regions face in common the need to respond to the challenges of technological and social change. There exists a great opportunity for cooperative efforts involving institutions of higher education and various other segments of society. The academic resources of the college, including faculty expertise, can be focused upon problems of real relevance for the community. The community benefits as a result of having objective studies upon which to make decisions and practical solutions to critical problems.

A major handicap for colleges in attempting to apply its resources to problems of the community is that of faculty time. There is a recognized need for faculty members to relate their academic disciplines to the problems of society, but there exists, also, the very real restraints caused by limited time and staff. Ideally, faculty members should take leaves from teaching to work in areas complementary to their specialities: a chemist might work on a pollution problem in industry, a political scientist might serve on the staff of a senator or representative, or a management professor might spend a term in a business. In these cases both the professor and the organization in which he takes an internship profits.

The Minnesota State College System is formulating a pilot program called Community Fellowships for Faculty. Developed cooperatively under the Common Market, this program would place faculty members from the six colleges in field experiences related to their teaching areas. The purpose is two-fold: to enrich the faculty member's experience and, hence, make him a more effective teacher, and to make the faculty member's theoretical knowledge available to the practitioners in the field. Because no funds are available, participation is limited to the summer and to those who can afford to be involved in this kind of experience without financial remuneration. Thus, there is a need for funds to use as grants to faculty members so this kind of program can be extended.

Equally important is the involvement of students in off-campus internship programs. Educators are coming to realize that in this society at this time, learning cannot realistically be confined to the classroom and to the campus. The recent Carnegie Commission report, Less Time, More Options, recommends that more service and employment opportunities

be created for "stop-out" periods between high school and college and during the college years so that students may be involved in short-term jobs and apprentice programs. Under the Minnesota State College Common Market, students are placed with various governmental, cultural, business, and social service agencies. Currently various students are spending their spring quarter working in the offices of Senators Mondale and Humphrey, the Defense Contract Administration, the Soil Conservation Service, the St. Paul Arts and Science Center, the Minnesota Historical Society, and mental hospitals, to mention the experiences of only a few. The student's work is coordinated with his academic program so that he receives credit but, more important, acquires insights, sees new relationships, and brings the theoretical and the practical together in a way impossible to achieve on a campus. Presently the student must bear all expenses of relocating and of living in an area that is frequently more expensive than his college community. The absence of a subsidy to defray expenses and to provide a stipend definitely limits this opportunity to those students who come from families with considerable financial resources. At the same time, the office or agency that accepts an intern is required to devote staff time to the supervision of the student, but is not compensated. Many agencies and offices contribute this time gladly, but there is a limit to the number of interns that can be placed with volunteer supervisors. Thus, without funds, a program that contributes immeasureably to the learning process – and one that could not be duplicated at any cost on a campus – is severely restricted. With funds colleges can enter into cooperative arrangements with other institutions of society to provide new and better learning experiences.

Just as it is necessary to bring the resources of education and those of the community together for the mutual benefit of each, it is also imperative that educators improve their own profession and adapt it to the new needs of society. Increasing urbanization has created a demand for a new type of teacher, one who understands the culture of the residents of the inner-city. In an effort to provide better training, the Minnesota State College Common Market Urban Clinical Experiences Program operates in the Minneapolis-St. Paul area for the benefit of students from the oustate colleges. In this program students acquire experience working and studying in various kinds of urban schools. Again, the scope of the program is limited by the amount of funds which each college can contribute to the program.

Related also to teacher education is the need for new programs to train

para-professionals for positions as teacher aids in elementary and secondary schools and for various positions in child day care centers.

Of critical importance is the need to provide funds for the re-training of teachers who find themselves in fields where there is a surplus. The most desirable solution would be to use this period in which teachers are available to redress large student-faculty ratios that have come to be considered "normal." Actually, the term "surplus" is a misnomer. In the absence of funds for this purpose, however, teachers need the opportunity to acquire the additional training necessary to enter some of the areas of education where there is still a serious shortage. These are educated people who need only a little additional specialized training. To do nothing for them is to experience a great waste of talent.

The opportunity for the creation of new career-ladder programs through cooperative efforts between area vocational-technical schools and multipurpose state colleges needs to be developed. Increasing numbers of students are attending the vocational-technical schools, yet many will not desire to terminate their education after two years of technical training. To advance into supervisory and managerial positions, additional education – special and general – will be required. Institutional grants could be used, in part, to develop and to support these cooperative programs.

Another major area into which educational institutions must also invest considerable resources is that of continuing education. Not only are more adults seeking education for self-improvement, but many whose current skills are no longer in demand require re-training in preparation for a career change. To achieve meaningful continuing education will require the development of experiences and curricula for new careers – vocations for which there is no established course of study. This development must occur while present programs are being maintained by existing budgets which leave no monies for such innovation and research.

In the area of graduate education there is a need for the development of new patterns and new programs that respond, at the advanced level, to the realities of modern society. Rather than to traditional research-oriented programs, which have produced an oversupply of graduates, grants should be made available for the development of advanced studies in public service areas. In making money available for this purpose it should not be assumed that the current producers of Ph.D.'s will necessarily be best suited to develop new programs. By tradition and character many of these institutions are oriented to theoretical research rather than to practical application. Care will need to be exercised

to make certain that state master plans do not perpetuate current practice by simply assuming that new patterns of advanced study should be developed by current Ph.D. granting universities. In Minnesota, the six state colleges have not only a long heritage of career-oriented education but, employing the Common Market concept, abundant human resources for offering advanced study for the practitioner. Through the cooperative use of six state college faculties, graduate study in the areas of public service could be economically and effectively developed. However, funds not now available through state appropriations will be required.

In view of the over supply in many areas, the development of new careers and the re-training of adults will be essential. However, students cannot be advised realistically until more sophisticated means of manpower projections are available. There is at this time no really good manpower study; current projections still indicate demand in areas known to be crowded. A real service to students and to colleges would be the development by some national agency, such as the proposed National Institute of Education, of a reliable system of manpower projections.

Higher education is at a critical place in its history; much is required if we are to move from the educational needs of an earlier age to meet the challenge of the present and the future. Money alone will not accomplish the objectives we must set; vision, creativity, and imaginative leadership are necessary prerequisites. The bills before the Senate Committee on Labor and Public Welfare, however, could contribute greatly in assisting students to attend college and in making new, innovative patterns of education possible.

Dr. HAWK. Mr. Chairman, with your permission, we will turn to Dr. Edgar Carlson, executive director, Minnesota Private College Council.

Dr. CARLSON. Mr. Chairman and Senator Mondale, the Private College Council represents sixteen 4-year liberal arts colleges in Minnesota, and in a sense I think I may speak also for a broader private sector.

Four of the 16 colleges received Ford Foundation incentive grants; I think a proportion far above the average.

I have been a college president since 1944. During that time I have had occasion to witness the effect of Federal programs on college education in this country ever since those days—now long gone—when the original, World War II, G.I. bill became a law. I would like to pay tribute to the people who initiated and carried through those programs, the G.I. bills, the housing program, the war surplus, the various loan and grant programs for students, for facilities, the Humanities and Arts Foundation, the National Science Foundation.

Mr. Chairman, you would not have had any occasion to be aware of it, but you and I were together in the White House for the signing of your bill on the National Foundation of the Humanities and the Arts. As a member of the Commission on the Humanities, I had the privilege of participating in the development of that legislation. It must be of great satisfaction to you to see it has developed in the way that it has, and now making a tremendously important contribution to this country.

Senator PELL. Thank you very much. It does give me huge satisfaction, but I cannot resist the opportunity to say how much I regret the White House's inaction—is it a year now—almost a year since Barnaby Keeney was not reappointed as chairman of the National Council of Humanities and the White House has not filled the job. I would hope they would appoint a man to this important post. If anybody from the administration is following these hearings, I hope they would bring our unhappiness in this regard back to the White House.

Dr. CARLSON. Thank you. We share your concern.

One of the reasons the Federal program has been so important to private colleges is that it has tended to concentrate on consumer subsidies, in the form of student assistance such as that provided by the G.I. bill and its successors. It has also provided grants and loans for facilities which have been extremely important. It would be very easy to point out the coincidence between specific Federal programs and the development of education generally, but private higher education particularly.

I must say that in spite of great growth in the sixties, the private colleges are extremely concerned about their present situation and future development.

This grows primarily out of two considerations. One is that the disparity between costs at public and private institutions has become so great as to make it virtually impossible—if not impossible, imprudent—for the student to choose the private institution. I had occasion recently to compare some statistics provided by the American Council on Education for 20 large public universities, over a period of years, with comparable costs in the colleges which I represent.

In 1947–48 it cost $166 a year more to attend one of our institutions than a public institution.

In 1959–60 it cost $283.

In 1967–68 it cost $779 more.

And, in 1969–70 it cost $1,233 more.

So that now it would appear a person must be ready to spend $5,000 more for a college education if he wishes to exercise the option of going to a private college.

This is not because these colleges have become inordinately expensive, but because education has become inordinately expensive. The student must carry, in our institutions, about two-thirds of the cost.

Senator PELL. Not to interrupt, but I am also a product of a private college, and agree with you on the value and merit and need in that system. Yet, is it not the responsibility of the public taxpayer's dollar to provide a floor of education? In secondary schools, the floor is provided through the public high school. But there is no pressure on the Federal Government to support the great private high schools, such as Exeter and Andover, Choate and Groton. Would the same not apply to colleges, the function of the taxpayer's dollar is to support public institutions, to provide the floor?

Dr. CARLSON. One has to remember that when he talks about the taxpayer, he is talking about the same person, whether he is talking at the Federal or State level. Consequently, if you speak of the most economical way of using the Federal tax dollars, and it implies the most expensive way of using State tax dollars, then the conclusion is not necessarily valid, I think. That is the Federal Government and the State government must bear in mind the total cost to the taxpayer. If, by making it possible merely to attend at a minimum cost a public institution, you thereby determine in advance that that is where the student is going to go, and then the State is going to have to carry the cost of $1,000 or $1,500 of whatever the costs may be for that student, plus providing him facilities, then it would seem to be not an economical use of the taxpayer's dollar. It might indeed be more economical to give him $500 more to enable him to attend a private institution where those additional taxpayer dollars would not have to be spent.

The second real concern is our financial viability. Fourteen of the 16 colleges I represent had deficits last year. However, if you take the student aid which they themselves contributed out of their own budgets, it was between two and three times as much as their deficits.

Consequently, the increase in deficits is considerably less than the increase in financial aid. I think the two bills, S. 659 and S. 1161 are both commendable in that they do provide some flexibility in the amount of aid available related to costs, and this we think is extremely desirable.

There are three things I think we must ask that a Federal program do or that some program do if the private college is to continue as a viable part of the total. The public must take over the financial problem of the students. There is no reason why the private dispenser of public services should be saddled with the responsibility of solving the financial problem of its clients any more than any other dispenser of public services. We have doubled our investment in financial aid every 4 years. It is now $4.5 million. Will it be $9 million 4 years from now? Will it be $18 million 8 years from now?

If so, we cannot continue. There must be public provision for the financial problems of the students.

The second is: There must be some way of bringing this widening gap between public and private costs together again—not necessarily by substantial increases in the public sector, but there must be another source of income which will make it unnecessary for the institution to rely to the same degree on student income. Because when a public service is low cost, it can be easily carried by voluntary gifts or by the dedication of the people involved in it. But when it becomes high cost, it cannot be carried that way any more than medical services could be carried by the willingness of dispensers to write off the bills of the indigent or by charity beds in hospitals. There must be some standard and more general provision for it.

The third thing that we are concerned about is the capacity to expand, that is to meet our needs with regard to facilities. We express great satisfaction, Mr. Chairman, that your bill both provides for facilities, grants and loans, and for such very important services as libraries and other activities of the institution.

This has been very helpful to us, and we are happy to endorse it. Thank you.

(The prepared statement of Dr. Carlson follows:)

Testimony before The Education Subcommittee of Labor and Public Welfare
U.S. Senate April 23, 1971

Mr. Chairman and Members of the Sub-committee. I am Edgar M. Carlson, Executive Director of the Minnesota Private College Council. This organization specifically represents the sixteen private four-year fully-accredited liberal arts colleges in the State of Minnesota and more generally represents the needs and interests of the private sector. The Council seeks to foster and implement cooperation among member institutions for the improvement of higher education services and opportunities, to provide a unified voice for independent higher education in the state, and to cooperate with institutions of higher education, governmental agencies and other interested groups in developing policies and programs for the advancement of higher education.

Having been president of one of the member institutions from 1964-1968, it has been my privilege to be closely identified with the problems and the achievements of higher education-particularly as reflected in the experience of the private sector but also in the broader dimensions - since those days when the federal presence on our campuses took the form of V-12 and other military units during World War II. Even though those days now seem far removed, I would like to pay tribute to the national leadership which initiated and has since carried through such far-reaching programs of assistance as the GI Bill, the war-surplus programs, the housing loans, the massive program of student loans in various forms, the academic facilities grants and loans, grants for needy students and the many other programs which have done so much to open the doors of higher education to vastly larger numbers of students and to train the persons and to erect the plants to care for them. Higher education would be much less than it is today if the federal government had not participated at the scale and in the manner which it has — most especially private higher education would be much less than it is today without this federal involvement. Unlike the state appropriations, federal grants have generally been equally available to public and private institutions.

As I review the historical development of higher education in Minnesota I am impressed by the fact that the periods of greatest growth in the private sector have coincided with specific federal programs of assistance. In the period between 1931 and 1939 the proportion of Minnesota students in the private sector increased from

23.2% of the total enrollment to 25.4%. These were the years of the NYA program of financial assistance to students. In the years immediately after WW II the enrollment pattern shifted further toward the private sector. Between 1939 and 1947 the shift nationally was from 47% private to 51% private and private enrollment predominated until 1952; in Minnesota it was from 25.4% private to 30.3%, and it continued to increase as a proportion of the total until 1954 when it reached 34.1%. There is no question that the major factor in opening up the option of attending private institutions was the original GI Bill. The shift in the other direction coincides almost exactly with the change in the GI Bill in 1952 to a blanket grant for all purposes instead of providing a separate amount for tuition and fees plus a subsistance allowance. The effect of this change was dramatized for me recently by comparing the veteran enrollment at the College of St. Thomas in St. Paul now and in 1948. Then 1800 out of about 2000 students were veterans, now 80 out of 2400 students are veterans. There is probably no other member college at present with as many veterans as St. Thomas.

In many respects the 60's were a time of great growth in Minnesota's private colleges, even though the public sector grew at a much faster rate. The Higher Education Coordinating Commission conducted a comprehensive study of these institutions in 1970. It found that between 1960 and 1970 enrollment grew by 60%, representing a total of more than 11,000 additional students, equal to the combined enrollment of three existing state colleges, two and a half University branches, or the total enrollment in metropolitan area junior colleges at the end of the decade. Their total assets increased by more than $200 million, their endowments by $86 million. They expended $120 million for plant during the decade and paid approximately 60% of it in cash. Of the nearly $50 million borrowed, $30 million came from the federal government. It is significant that at the end of the decade these colleges were raising money from private sources for capital purposes at three times the rate (approximately $12 million a year) at which they were raising money at the beginning of the decade. They nearly doubled their library holdings from 1,200,000 to 2,137,954.

Since the Higher Education Facilities Act became operational in 1964 through 1970, 25 projects have been funded at Minnesota's four year private colleges for a total

of $10,502,867 and these colleges have received $661,440 in matching grants under Title VI A of the Higher Education Act of 1965. It is clear that the growth of these institutions in the sixties is in considerable part the consequence of favorable federal policy.

In view of this impressive record in the 60's what are we concerned about?

First, we are concerned that the disparity between public and private costs to the student has now become so great as to effectively remove the option of freely choosing a private college for the vast majority of students and making it a dubious if not imprudent choice even for those who could afford to do so. Tuition charges at Minnesota's private colleges are relatively modest (ranging from $1210 to $2289) but when the average total cost of attendance at these institutions is compared with the average total cost of attendance at twenty large public universities (ACE A Fact Book on Higher Education, 1970) the difference is $1223 a year or nearly $5000 for four years. In 1967-68 the difference was $799; in 1959-60 it was $263; in 1947-48 it was $166. Clearly the student does not now face the same kind of alternative with respect to choices which he did in any one of the earlier years.

Although private college enrollment increased by about 60% during the decade, it is significant that the rate of growth has now dropped to less than 1% a year. In 1968 it was 3%, in 1969 it was 2%, in 1970 it was .6%. Nine of twenty-two four year institutions declined in total enrollment in 1970 and ten declined in freshman enrollment. Since 1954 the colleges of the state have projected their enrollments in five year intervals. The private college projection for 1960 was exceeded by 1500, the projection for 1965 was barely reached, the 1970 projection was missed by about 1000. The colleges have indicated their intention of growing by another 11,000 students by 1980 but under existing state and federal programs it is doubtful that they can expect to do more than hold their own and may need to anticipate actual reductions in number as well as in the proportion of the total enrollment.

In attempting to maintain their enrollments and to provide access to their institutions on the part of persons who could not absorb the increasing differential in costs, the colleges have assumed heavier and heavier responsibility for financial aid to

students. Ten years ago the total of loans, grants and scholarships from all sources was $2,321,572; in 1964-65 it was $4,959,740; in 1969-70 it was $10,964,111. During that time direct appropriations from institutional budgets to financial aid increased from $1,188,822 in 1960-61 to $4,588,021. In the latter year the colleges were investing 10% of their Educational and General Budget in financial aid. The amount was one-fourth the cost of instruction and departmental research, twice as much as library expenditures, and more than plant operation and maintenance. Federal grants in 1969-70 supplemented the institutional efforts by nearly two million dollars and federal loans and work study programs have been a very great factor in enabling the colleges to put together a package of grants, work, and loans which would be realistic for the student. Approximately 50% of the students attending private colleges are receiving some form of financial assistance and for entering classes the ratio is higher than that. For minority students it is very much higher (between 85% and 95%).

The colleges are caught in a dilemma: they want their institutions to be available to all economic and social levels of our population but under existing funding policies they must ask the student to carry the additional cost of attending their kind of institution. If he cannot, someone must provide the means. If no one else does the institution must do so. This means still higher costs for those who can afford to pay and still higher aid grants for those who cannot. The financial aid contribution from college budgets has doubled every four years during the past decade. For these colleges it is now $4.5 million. Will it be $9 million four years from now and $18 million eight years from now? Already financial aid from institutional budgets equals nearly $200 per student enrolled. In other words, without the burden of financial aid, tuitions could now be nearly $200 less than they are.

Second, we are concerned about our financial resources. The figures on financial aid to students may be related to the deficit problems of private institutions. Again, I shall cite findings of the Minnesota private college study.

In 1960-61, five Minnesota colleges ran deficits totalling $101,687 but total revenues in all the private colleges exceeded expenditures by $1,219,163.

In 1964-65, seven Minnesota colleges ran deficits totalling $375,150 but total revenues in all the private colleges exceeded expenditures by $685,265.

In 1968-69, eight Minnesota colleges ran deficits totalling $583,865 but total revenues in all the private colleges exceeded expenditures by $444,610.

In 1969-70, fourteen of sixteen colleges ran deficits totalling $2,641,158 and total expenditures exceeded revenues by $2,608,993. (If one excludes one institution which was atypical both figures are reduced by $1 million)

An examination of these figures reveals clearly that the present crisis has been in the making for some time and can hardly be construed as a temporary miscalculation on the part of erring administrators. However, if one relates it to the financial aid burden which has fallen to the private colleges, not by their own choice but by force of circumstances which they could not control, the college performance appears quite creditable. Even if one takes the larger deficit figure for the last year it is hardly more than half of the financial aid provided out of institutional budgets during that year. Without that burden they would actually have shown a surplus of about $2 million.

Minnesota has now enacted a state scholarship and grant program with modest funding. It is hoped that it will increase to a point where it can become a significant factor in meeting the financial aid needs of Minnesota students. The federal government has been our major ally in meeting this need. We believe that it must continue, in partnership with state and private sources, to meet this growing need.

The private sector in higher education in Minnesota differs from that in many other states in that it has no large private university. To the extent that federal programs have been oriented toward the university and graduate level the private sector in Minnesota has not shared in federal support to the extent that has been the case in many states. However, its colleges could well claim to be better than average in the quality of their programs, facilities, staff, and graduates. Indeed, they include some of the very distinguished liberal arts colleges by any standard of measurement. Four of the sixteen member colleges received the highly coveted Ford Foundation incentive grants, a proportion far above that in the nation as a whole. None of them, at least

those who are members of the Council, are likely to close their doors this year or next year or even the year after that. But they know that the present odds against them will become insuperable at some point in the future, for some sooner than for others, unless ways are found to adapt public policies and programs to the new conditions under which they live and work.

Those new conditions are epitomized in the escalation of college costs, though this is by no means the only change. A public service such as education can be subsidized voluntarily when it is inexpensive -- a few dedicated teachers in simple facilities, and a group of people who believe in what they are doing enough to provide modest gifts. When medical and hospital services were inexpensive it was enough to have doctors willing to forget to bill their poor patients and to have "charity beds" in hospitals. Those days are long gone. A whole range of consumer subsidies (medicare, welfare payments, etc.) along with insurance coverages have enabled both public and private dispensers to exist side by side, and subsidies for buildings and equipment have been available from public sources on approximately equal terms. If public hospitals were charging one-fourth to one-third the cost of their services, while private hospitals charged the full cost less whatever they could raise in gifts, I think it is doubtful whether there would be any private hospitals anywhere.

There are at least three things that must be done if private colleges and universities are to continue as a viable part of this country's program of higher education.

1. The student's financial problem must be solved through public programs. This is as true for the student who wishes to attend a private college as for the student who wishes to attend a public institution. It is no more logical to expect the private college to shoulder the financial problems of its students than it is for the private hospital or any other dispenser of a public service. We are greatly heartened by the apparent agreement among the various proposals before this Committee on the high priority that must be given to financial aid for students. Our colleges have been helped by EOGs

and by work-study programs because a significant number of their students do come from low-income homes. They have, however, had to add very substantial grants from their own resources in order to enable them to attend. We take some pride in the fact that we have proportionately more minority students in these institutions than our share of the total enrollment. In part, it is our desire to make our facilities available to minority and other low-income students which has accelerated our own investment in student aid so rapidly. The provision in S659 for supplementary grants of up to one-half the total aid awarded up to $1000 in addition to the basic grant offers commendable flexibility for those students who qualify, as does the variable but diminishing proportion of costs carried under S1161. To some extent this is true in S1123 but it is regrettable that the student who wishes to attend an institution which does not already have a public subsidy, and where consequently the student must carry a larger share of the cost, must depend on loans only for this additional cost.

In this connection it would be well if both national and state law makers in their concern for the most economical use of the taxpayers money would bear in mind that they are talking about the same taxpayers. Thus, if in order to make federal tax payments go as far as possible they pursue policies which inevitably add to the state's tax burden they are acting with less wisdom and concern than one might reasonably expect of them. If we allow just enough financial aid at the federal level to enable one to attend an institution where three-fourths of the cost must be carried by the state we will certainly not be surprised if that is where he goes, thus assuring that the state will have to pay an additional amount equal to 70-75% of the cost of his education plus buildings and equipment. It does not improve the choice greatly if we tell him that if he will obligate the state in that amount he will get a grant without strings attached, but if he wishes to relieve the state of that obligation he will have to return the difference at a future date. Is it not a better stewardship of tax funds to invest a little more at the federal level if thereby one saves a good deal more at the state level?

2. The second thing that must be done to keep the private sector viable in the years ahead is to halt and indeed reduce the growing disparity in costs to the student

between public and private institutions. Even if student aid programs based on need should be adequate and adequately funded, escalating costs will at some point effectively discourage students who cannot establish need from choosing a private college. Theoretically, we could create a situation where a disproportionate number of affluent students were concentrated in the public sector because students with need could choose private colleges with little or no penalty whereas those without need could not. While there may be some upward movement in public costs, it would be unrealistic to expect the problem to be resolved in this way. Moreover, private college resources would not necessarily increase because public charges were raised. What is needed is another source of income which will make the private college less dependent on student income and hence reduce the pressure toward higher and higher tuition rates.

Two of the bills before this committee have specific provisions for payments to institutions in the form of "cost of instruction allowances" or "cost of education supplements." Since the lowest tuition charged this year among the colleges which are members of the Minnesota Private College Council is $1210, the provision in S659 for $1200 less any tuition charged would regrettably be of no help in its present form. At this point we must be pardoned if we have a distinct preference for the provisions S1161. We welcome also proposals that would reimburse the colleges to a degree for the public service which they perform, assuming in effect a contractual relation between these institutions and government which corresponds to relationships between many other agencies performing public services and the government. This might be either on the basis of enrollment or on the basis of graduates. While we believe that institutional stipends tied to needy students would have an important benefit in the added inducement it gives to seek out such students, we are also aware of the importance of establishing the principle of reimbursement for the public service which we perform independent of such special cases as are represented by a specific group of needy students.

3. The third thing which must be done if private colleges are to continue to make the contribution of which they are capable is to provide a portion of the means needed for facilities and equipment. Facilities grants and loans had an effect on the expansion of facilities during the sixties far beyond the amount which they represented.

It would be too much to claim that the just over $10 million in facilities grants produced the rest of the $71 million raised for capital expansion, but with the $30 million in federal loans it certainly had a very great impact on that growth.

The private college study found that 18.5% of the buildings on our campuses were rated "poor" by the presidents and will need to be replaced in the next few years. It is both an indication of tightening budgets and a warning of future deterioration to learn that estimated deferred maintenance would cost $26 million. Even to provide adequately for their current enrollment the institutions estimated needs of 2 million square feet of new space and to grow as intended more than 3 million.

We therefore commend Senator Pell for including both grants and loans for this purpose. We wish also to acknowledge the importance of the college library program and urge strongly that it be continued along the lines proposed in S659.

We find the proposal of Senator Javits in S1074 for allocations to the states for student aid on the basis of the state's effort to provide student assistance very attractive. It is quite a different matter these days to be operating a college in a state where students bring their own financial aid with them, sometimes in amounts of a half million dollars or more, by virtue of a strong and well-funded state program of financial assistance to students, than it is to be operating a comparable college in a state with little or no financial assistance provided where the college must raise a like amount for its students. It seems to be an entirely appropriate use of federal funds to encourage such state programs through matching arrangements in this field as it has done in many others. It would, moreover, help to equalize educational opportunities throughout the country. There would seem to be no good reason why the same principle could not be followed with regard to any form of general institutional grants whether these are tied to low-income students, total enrollment or number of graduates.

Our colleges concur in the purposes of the National Foundation for Higher Education and the National Institute for Higher Education. We are pleased to note the national concern for new directions and programs and wish to make ourselves available for these purposes in whatever ways are appropriate. We believe firmly in the continuing growth and the increasing importance of the educational enterprise because we believe

in the importance of learning for the present and the future. We must continue to explore and search out and teach in all places and in all ways, but most especially, in the future as in the past, through committed academic communities where men are given the time, the means, and the motives for serious intellectual inquiry and for highly competent training.

Although the above comments focus on the private sector, they are generally applicable to public institutions as well. Financial aid for students, aid to institutions, and the means for growth represent critical needs for both public and private institutions. The public interest is best served when ways of support are devised which enable both public and private institutions as common partners in a joint enterprise to serve students effectively and thus contribute to the well-being of all.

Minnesota Private College Council

Background Information

The Minnesota Private College Council is comprised of the sixteen fully-accredited private four-year liberal arts colleges in the state. The oldest among them was founded in 1854 and the youngest in 1912. Seven are located in the metropolitan area, of which six are in St. Paul. Two are in Winona, two in St. Cloud, two in Northfield, one in Moorhead, one in St. Peter, and one in Duluth. In addition to those institutions which are members of the Council there are sixteen other private institutions of higher education, of which four are theological seminaries, five are junior colleges, three are Bible colleges, two are four year colleges, one is a college of law and one is a college of art and design.

The enrollment in all private institutions in 1970-71 is 30,089; in all four year institutions 27,288, in junior colleges 1,205 and in professional schools 1,596. The smallest of the four-year colleges enrolls 736 students and the largest has an enrollment of 2,674.

The private colleges of Minnesota awarded 5310 degrees in 1970, of which 5036 were Bachelors degrees, 34 were Associate degrees and 240 were Masters degrees. Their physical plant has a book value of $229,752,035 and an estimated replacement value of $325 million; their endowment funds total $86,128,096; their library holdings are in excess of 2 million volumes.

The member colleges have received federal facilities grants of about $10 million and facilities loans of about $30 million. Their students are beneficiaries of approximately $2 million annually in federal grants and work-study stipends and the colleges receive another $1.5 million annually from federal agencies for other operating programs.

Only two of the colleges offer graduate degrees, and these are offered only in limited fields.

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The Council has been in existence for more than forty years and is the organization through which the member colleges coordinate their activities. It seeks to foster and implement cooperation among member institutions for the improvement of higher education services and opportunities, to provide a unified voice for independent higher education in the state, and to cooperate with institutions of higher education, governmental agencies and other interested groups in developing policies and programs for the advancement of higher education. In 1968 the Council engaged a full-time Executive Director in the person of Dr. Edgar M. Carlson, President of Gustavus Adolphus College from 1944-1968. He serves as a member of the Board of the National Council of Independent Colleges and Universities.

Senator PELL. The State of Minnesota has taken on a very large commitment, it seems to me, in underwriting the total cost of community colleges.

Dr. HAWK. Mr. Chairman, with your permission, we shall call upon Dr. Phillip Helland, chancellor, State junior college board.

Dr. HELLAND. Mr. Chairman and Senator Mondale. Junior colleges, as you know, are generally thought of as local institutions. Minnesota, however, in 1963 moved away from the concept of local institutions and established a system of State-operated junior colleges.

The intent of the system is to operate colleges which are funded by the State, but are responsive to the needs of local communities. This is a difficult assignment.

Senator MONDALE. I drafted that bill when I was attorney general, and I think we got our first money from a tax on oleomargarine. Some progress does come from strange sources.

Dr. HELLAND. We are now operating 18 State junior colleges, six in the Minneapolis-St. Paul metropolitan area and 12 at out-State locations. Two more out-State locations have been authorized by our legislature, and we expect they will open in the fall of 1973.

The State of Minnesota has taken on a very large commitment, it seems to me, in underwriting the total cost of community colleges. I have been chancellor of the system since its inception, and have seen the problem grow from year to year. The number of students is growing rapidly. We now enroll about 17,000. We expect about 20,000 next year, and we expect about 27,000 by 1975.

The Minnesota junior college system enrolls more freshmen than any other system in the State. This is a change—it has happened very suddenly, and obviously is a concern to those of us who are involved with the administration of these institutions.

While the State underwrites the cost of the junior colleges, it does impose upon us the responsibility to charge tuition of the students who enroll in junior colleges. This is not true in all States, as you know. Our commitment to our legislature is that the State will provide about 70 percent of the cost of instruction, and the student will provide about 30 percent of the cost of instruction. We enroll at the present time about three-fourths of our students in programs preparing for baccalaureate degrees and about one-fourth of our students in occupational programs preparing for job entry.

Mr. Van Tries, who will speak next, will describe Minnesota's system of vocational technical education, which enrolls all of its students in occupational programs.

The reason I mention this is that when you combine the students in the junior colleges with the students in the vocational technical schools, you find the percentage of students in Minnesota's 2-year institutions who are enrolled in occupational programs is considerably higher than you would find, I think, in any other State in the Union.

In charging students the fees that we do, we run into certain problems. We have participated in Federal programs as they have been available to us. We do participate in the national defense student loan program. We participate in the guaranteed loan program. We have a small amount of privately donated scholarship money available. I would say, as Don Smith said, most of our students work, and many of them work full time.

I discussed with Senator Mondale on previous occasions, and I would like to comment again now, that while I think the State of Minnesota has done very well by the middle-class group that attends State junior colleges, and provides the opportunity at relatively low cost to them, we are extremely disappointed in the fact that we have not reached more of the disadvantaged population, particularly in our large cities.

I am pleased, Senator Mondale, that one of our bright young men is serving in your office at the present time as an intern.

I should point out that even though our tuition is relatively small, that our students pay about $350 for the academic year, if they are residents of Minnesota. They pay about twice that amount if they are not residents of Minnesota. This charge becomes a serious obstacle to disadvantaged students.

Senator PELL. What does it cost?

Dr. HELLAND. That figure is about 30 percent of the cost of instruction.

Since our system started in 1965, we have erected about $75 million worth of facilities. We have used all the Federal aid available to junior colleges. That represents about 13 percent of the money that has been spent on junior college facilities in Minnesota. That means about $10 million from Federal sources and about $65 million from State sources.

As you know, the percentage from Federal sources has been decreasing, and this puts an increasing burden on our State government. That obviously then is one of our concerns—that Federal money for facilities continues to be available and hopefully at an increased rate from what it has been in the last year or two.

We are concerned as I mentioned earlier about the problem of providing for our disadvantaged students. We are concerned that as our system grows, the underwriting of the institutional costs by the State of Minnesota will become more and more of a problem. We are in a legislative session now where even though we seem to be popular in the legislature, we are facing cuts in appropriations.

So we would favor a system of Federal help which would underwrite us with institutional grants, but beyond that give special concern to problems of the disadvantaged.

We are finding, as Dr. Mitau has pointed out for a State college system, that since out institutions are generally rather small, that we do not have people within our institutions who are able in the area of applying for and receiving Federal or State grants for categorical areas.

We are concerned, since we are one of the later entries in the field of higher education, that Federal funds as made available be tied to some kind of State planning. We are concerned that the dollars that come to Minnesota and are available not be left for argument entirely at the Minnesota level, but there be some decision in Minnesota plans as to what percentage should go to vocational schools, what percentage to junior colleges, and so on.

We are concerned about money for innovation and concerned particularly about money for community services. I have mentioned that our aim is to make our local junior colleges responsive to the needs of their communities.

We have disadvantaged population in Minneapolis and St. Paul, obviously. We also have other areas of the State where we have disadvantaged population. We have some very small colleges in the northern part of our State on the Iron Range which are endeavoring to be of service to communities and helping in community development.

It is very difficult for us to find funds for community service in a line item budget which talks about dollars following credits. We must find ways to support the kind of activity which can build up students in a disadvantaged area so they can take part in our regular programs.

We are concerned about funds that would continue to help us with the development of our libraries. One of the difficulties of a system such as ours is that we are committed to institutions at a large number of geographical locations. It would be much cheaper for the State of Minnesota if it could enroll the same number of students in one, two or three locations, with one exceptionally good library.

We are committed to 18 or 20 libraries. We have profited greatly from the library funds that have been available through the Federal Government. We hope that program can be continued.

I do not think I will repeat the things that others have said. But I would say that the concerns we have are primarily aid for the disadvantaged, continuation of facilities grants, money which is available without the necessity for applying for small grants, with a great deal of administrative effort and so on, money for continuation of the library program, and hopefully funds for innovation.

I am encouraged by the discussion of the National Center for Educational Research. We are a small system. We find it almost impossible to do research on our own. We would be helped greatly by a center that could do this, and with which we could have contact.

Thank you.

(The prepared statement of Dr. Helland follows:)

TESTIMONY BEFORE EDUCATION SUBCOMMITTEE

UNITED STATES SENATE

APRIL 23, 1971, 10:00 A.M.

BY PHILIP C. HELLAND, CHANCELLOR
MINNESOTA STATE JUNIOR COLLEGE SYSTEM

MISTER CHAIRMAN, MEMBERS OF THE COMMITTEE

My name is Philip C. Helland, and I serve as Chancellor of the Minnesota State Junior College System

Minnesota was one of the first states to eliminate the need for local support for its junior colleges and to make them state institutions. We now have a system of eighteen state junior colleges -- six in the Minneapolis-St. Paul metropolitan area and twelve at outstate locations. Two more outstate locations have been authorized and we are planning to open colleges at these locations in the fall of 1973. This year we have about seventeen thousand full-time-equivalent students enrolled with about half of them in the metropolitan area and half of them at outstate locations. Our colleges are operated by a five member State Junior College Board, appointed by the Governor. The mission which we have been assigned by the Minnesota Higher Education Coordinating Commission is as follows:

> "The state junior colleges should continue to provide comprehensive commuting opportunities and to offer two years of work applicable to the baccalaureate degree, technical programs leading to the associate degree, general studies programs leading to the associate degree, vocational programs leading to the vocational certificate, continuing education for adults, and community service programs. Efforts of the state junior colleges should be aimed at providing, within the commuting area of each college, approximately equal distribution between terminal occupational programs (including both those leading to an associate degree and those leading to a certificate) and programs which provide the first two years of study which may be applied to meeting requirements for a baccalaureate degree in a four-year institution.

"As commuter institutions, junior colleges should develop general admissions policies which give priority to high school graduates whose place of residence is within 35 miles of the junior college."

About one-fourth of our students are enrolled in occupational or career programs. Three-fourths are enrolled in programs which will apply toward baccalaureate degrees after transfer.

I have mentioned that the need for local funding has been removed in our system. The state now provides about seventy percent of our operating funds and we raise the remaining thirty percent through tuition charges to students. We do not charge tuition for vocational certificate programs, but we do charge for all associate degree programs, whether occupational or transfer. The charge to a Minnesota resident who is a full-time student for this academic year is $292.50. The charge to a student from outside of Minnesota is twice that amount. The student is also charged an "activity fee" of fifteen dollars per quarter, so the total charge to a Minnesota resident, exclusive of books and incidental expenses, is $337.50 for an academic year.

Our facilities are provided by a combination of state funds and federal funds. We have used all of the federal dollars available to Minnesota since the federal program began in 1965 -- about ten million dollars, and have received about sixty-five million dollars from the State of Minnesota during the same period. This means that federal funds have supplied about thirteen percent of the seventy-five million dollars we have spent on facilities, and state funds have supplied about eighty-seven percent. The number of federal dollars has been decreasing each year, and the number of state dollars has been increasing.

So much for background about our system. If you would like additional information, I will be happy to answer questions later. I would like to turn now to problems which I see ahead and suggest areas in which we need federal help.

Our State legislature has treated us very well. Our budget requests have been met in most instances. I feel that we are doing a good job of providing quality education at relatively low cost for the middle class in Minnesota. I am disappointed in our performance in reaching disadvantaged students and in providing an adequate program of community services.

Our tuition charge, though relatively low, is an obstacle to economically disadvantaged students. We have very little available in the way of student aids. We are using the National Defense Student Loan program, the Guaranteed Loan program, and the Work-Study Program, and we receive money from the state which can be used to employ students to help with clerical and custodial work on our campuses, but we have almost no funds available for direct grants to help disadvantaged students. I concur with the others who are appearing here today in the hope that a high priority in federal legislation will be given to the matter of grants to disadvantaged students.

The appropriation which we receive from the Minnesota legislature is based largely upon the number of college credits that will be generated by courses taught. We need help in the provision of non-credit community services and hope for federal seed money which could be used to stimulate our own legislature in this regard.

We hope that federal money for facilities and equipment, including libraries, will continue to be available. The stimulation of federal funds has helped us in securing state funds for these areas.

Since our institutions are small, we have a hard time finding staff to prepare proposals that will qualify under categorical grants. We would be best served by a combination of direct grants to institutions and additional grants for service to the disadvantaged.

Minnesota's system of state junior colleges is a relatively young system and we are trying to be innovative in our approach to instruction. I am encouraged by the proposals for a national foundation for educational research and hope that they will be supported.

In most states, junior or community colleges now have visibility in state government through a separate board or department and a state director. The state directors as a group have taken the position that desirable federal legislation from the point of view of junior colleges should provide for the establishment of an agency within the Office of Education at the bureau level so that junior colleges could have the same visibility at the federal level.

State directors have taken the position that desirable federal legislation should also require that a comprehensive state plan should be developed by one group representing all concerned agencies in the state. I support this position.

In summary, I would like to state that Minnesota's state junior colleges have already been helped a great deal by federal support and that we appreciate the stimulation federal funds have given to additional state support. We have a tremendous task before us as we endeavor to equalize educational opportunity in Minnesota. We look forward to working with the federal government as partners in this endeavor.

BACKGROUND INFORMATION ON
PUBLIC JUNIOR COLLEGES IN MINNESOTA

Number of institutions in 1970-71 - 18

Number of full-time-equivalent students in 1970-71 - 17,153

General mission of the institutions

"The state junior colleges should continue to provide comprehensive commuting opportunities and to offer two years of work applicable to the baccalaureate degree, technical programs leading to the associate degree, general studies programs leading to the associate degree, vocational programs leading to the vocational certificate, continuing education for adults, and community service programs. Efforts of the state junior colleges should be aimed at providing, within the commuting area of each college, approximately equal distribution between terminal occupational programs (including both those leading to an associate degree and those leading to a certificate) and programs which provide the first two years of study which may be applied to meeting requirements for a baccalaureate degree in a four-year institution. As commuter institutions, junior colleges should develop general admissions policies which give priority to high school graduates whose place of residence is within 35 miles of the junior college." *

History of the State Junior Colleges

The first public junior college in Minnesota was opened in 1914 at Cloquet. Two others, Rochester and Faribault, opened the following year and Rochester is still in operation. It is interesting to note that in 1915-16 Minnesota had three of the nineteen existing public junior colleges in the United States. A later table will list the opening dates of existing colleges. A number of them opened and closed in the past. They were: Cloquet, 1914-18; Faribault, 1915-18; Jackson, 1916-18; Pipestone, 1919-23; Duluth, 1927-50; Tracy, 1936-48; Crosby-Ironton, 1937-48; and Albert Lea, 1938-43.

The establishment of these institutions was originally encouraged by President Vincent of the University of Minnesota, who was instrumental in getting the University Senate to pass regulations in 1914 for accrediting these new colleges and to establish in 1915 a standing committee on "Relations of the University with Other Institutions of Learning" which performed such functions. Permissive legislation allowing the establishment of public junior colleges was not passed by the legislature until 1925, by which time ten junior colleges had already been opened (four of which had already closed).

The junior colleges were operated by the public school districts until 1964. Until 1957, the colleges were supported entirely from local resources and student tuition. The 1957 Legislature provided the first state aid in the amount of $200 per full-time equivalent student. The aid was increased to

*Excerpt from Minnesota Higher Education Coordinating Commission, Proposal for Progress, January, 1969.

$250 in 1959, $300 in 1961, and $350 in 1963. The 1963 Legislature also passed the law establishing the Minnesota Junior College Board and giving it authority to set up a system of State Junior Colleges with complete state support.

As mentioned above, the Minnesota Junior College Board was established in 1963. It is a five member board appointed by the governor for seven year terms of office with the advice and consent of the Senate. The school boards operating the eleven existing junior colleges were given the option under the new law to transfer operation of the colleges to the new State Board by mutual agreement. All junior colleges were so transferred in the summer of 1964. In the case of Eveleth and Virginia, it was understood that the two colleges would eventually be combined in a new facility. The law provided for a total of fifteen colleges, with three to be in the metropolitan area and consideration to be given to the needs of northwestern Minnesota.

The 1965 Legislature approved changes in the law to permit five junior colleges in the metropolitan area and the designation of International Falls as a new site. The first phase of a building program was also approved by the 1965 Legislature.

The 1967 Legislature approved a sixth metropolitan location, in Minneapolis, and allowed for a step-up in the building program.

The 1969 Legislature provided for continued expansion of facilities for existing colleges as well as planning money for two new campuses to be located at Cambridge and Fairmont.

The following summary indicates the activity which has taken place since establishment of the State Junior College System in 1964:

1964-65

* 4,581 Full-Time Equivalent Students Enrolled
* State System Established
* Eleven Colleges Taken Over From Local School Districts
  - Austin State Junior College - Austin
  - Brainerd State Junior College - Brainerd
  - Eveleth State Junior College - Eveleth
  - Fergus Falls State Junior College - Fergus Falls
  - Hibbing State Junior College - Hibbing
  - Itasca State Junior College - Coleraine
  - Rochester State Junior College - Rochester
  - Vermilion State Junior College - Ely
  - Virginia State Junior College - Virginia
  - Willmar State Junior College - Willmar
  - Worthington State Junior College - Worthington
* One New Campus Occupied
  - Brainerd State Junior College - Brainerd

1965-66

* 6,992 Full-Time Equivalent Students Enrolled
* Three New Colleges Opened
  - Anoka-Ramsey State Junior College - Circle Pines
  - Metropolitan State Junior College - Minneapolis
  - Northland State Junior College - Thief River Falls

1966-67

* 8,466 Full-Time Equivalent Students Enrolled
* One New College Opened
  - North Hennepin State Junior College - Osseo
* Three New Campuses Occupied
  - Austin State Junior College - Austin
  - Itasca State Junior College - Grand Rapids
  - Worthington State Junior College - Worthington
* Two Colleges Merged
  - Virginia State Junior College and Eveleth State Junior College became Mesabi State Junior College - Virginia

1967-68

* 10,529 Full-Time Equivalent Students Enrolled
* Two New Colleges Opened
  - Lakewood State Junior College - White Bear Lake
  - Rainy River State Junior College - International Falls
* Two New Campuses Occupied
  - Anoka-Ramsey State Junior College - Coon Rapids
  - Metropolitan State Junior College - Minneapolis

1968-69

* 13,169 Full-Time Equivalent Students Enrolled
* One New College Opened
  - Normandale State Junior College - Bloomington
* Five New Campuses Occupied
  - Fergus Falls State Junior College - Fergus Falls
  - Hibbing State Junior College - Hibbing
  - Mesabi State Junior College - Virginia
  - Normandale State Junior College - Bloomington
  - Rochester State Junior College - Rochester

1969-70

* 15,016 Full-Time Equivalent Students Enrolled
* Three New Campuses Occupied
  - North Hennepin State Junior College - Brooklyn Park
  - Northland State Junior College - Thief River Falls
  - Willmar State Junior College - Willmar

1970-71

* 17,153 Full-Time Equivalent Students Enrolled
* One New College Opened
  Inver Hills State Junior College - Inver Grove Heights
* Three New Campuses Occupied·
  Inver Hills State Junior College - Inver Grove Heights
  Rainy River State Junior College - International Falls
  Vermilion State Junior College - Ely
* System Consists of Eighteen Operating Colleges All On New Campuses

1971-72

* 19,490 Full-Time Equivalent Students Expected
* Programs and Campuses Being Planned for Cambridge and Fairmont

Curriculum

Minnesota junior colleges have had a long history of providing transfer education for those students seeking the baccalaureate degree. In recent years there has been increasing emphasis on the development of general and technical-vocational education programs.

Distribution of students in 1970-71 is approximately as follows:

Foundation Courses	2%
Vocational Certificate Programs	6%
Semi-Professional and A.D. Technical Programs	19%
General Studies and Transfer Programs	73%

MINNESOTA STATE JUNIOR COLLEGES, OPENING DATES, ENROLLMENT FIGURES AND FUTURE ESTIMATES

Enrollment

State Junior College	Opening Year	1963-64	1964-65	1965-66	1966-67	1967-68	1968-69	1969-70	1974-75 Est.
1. Rochester	1915	881	1,044	1,316	1,532	1,558	1,695	1,874	3,000
2. Hibbing	1916	547	594	745	698	638	728	746	970
* Eveleth	1918	118	150	178	-	-	-	-	-
* Virginia	1921	435	486	512	-	-	-	-	-
3. Vermilion (Ely)	1922	158	182	273	263	239	251	232	400
4. Itasca (Grand Rapids)	1922	268	309	412	402	541	535	543	750
5. Worthington	1936	385	481	584	590	605	623	660	750
6. Brainerd	1938	233	266	359	390	440	461	500	650
7. Austin	1940	490	532	697	820	903	896	829	1,150
8. Fergus Falls	1960	234	266	372	424	492	495	541	750
9. Willmar	1962	192	271	409	500	575	611	701	750
10. Anoka-Ramsey (Coon Rapids)	1965	-	-	529	894	1,190	1,507	1,700	3,000
11. Metropolitan (Minneapolis)	1965	-	-	453	623	817	835	888	2,250
12. Northland (Thief River Falls)	1965	-	-	155	256	291	303	323	400
13. Mesabi (Virginia)	1966	-	-	-	673	642	719	749	970
14. North Hennepin (Brooklyn Park)	1966	-	-	-	401	955	1,122	1,379	2,750
15. Rainy River (Int'l. Falls)	1967	-	-	-	-	151	236	318	400
16. Lakewood (White Bear Lake)	1967	-	-	-	-	492	966	921	2,500
17. Normandale (Bloomington)	1968	-	-	-	-	-	1,186	2,112	3,000
18. Inver Hills (Inver Grove Heights)	1970	-	-	-	-	-	-	-	2,000
Cambridge	1973								400
Fairmont	1973								400
TOTALS		3,941	4,581	6,994	8,466	10,529	13,169	15,016	27,240
Percent Enrollment Increase Over Previous Year		6.6%	16.2%	52.7%	21.0%	24.4%	25.1%	14.0%	81.4%
Percentage Increase Over 1963-64		-	16.2%	77.5%	114.8%	167.2%	234.2%	281.0%	591.2%

*Eveleth and Virginia were combined in 1966 to form Mesabi State Junior College.

Senator PELL. Thank you very much. I think there is one more member of the panel to speak.

Dr. MITAU. With your permission might I add one very brief thought to this, and underscore the need for funds for regional services. The point that the distinguished chancellor of junior colleges has made is that these smaller institutions have to provide service to immediate surrounding, and it is of great significance to our colleges as well. The kinds of services that they are rendering towards problem-solving in matters of pollution control, in the area of improving ecology, small town government, and better community planning are the kinds of services that cannot readily be provided with traditional patterns of resource allocations through line item budgets. Our colleges find very much like junior colleges that the immediate surrounding communities are looking to them increasingly for practical problem-solving kinds of studies, and we would very much like to join them in that emphasis.

Dr. HAWK. Mr. Chairman, the last but not the least, of the components represented today is the area of vocational technical school, represented by Robert Van Tries, assistant commissioner for vocational-technical education.

Mr. VAN TRIES. Mr. Chairman and Senator Mondale, I think I should explain that I am substituting for the commissioner, because there was a very serious accident in his family and he was unable to be here.

The Minnesota area vocational schools take care of about 18,000 full-time, job preparatory students and in excess of 80,000 part-time, adult supplementary students.

The people who make use of these institutions have found that they offer the best choice of training for transition from a formal education situation to the world of work. They also offer front line resources for the retraining of the unemployed and effective support for those in business and labor seeking to continue their education.

Now, we are concerned about the overall educational legislation. We are moving to the point where we are providing educational services from the sand box to the pine box. We think this whole thing has to be coordinated. You cannot necessarily put all segments of it and develop these without relationship to other segments.

In my prepared testimony I pointed out some of our concerns. I would like to review them with you. One thing is the advisory councils. We have had experience with advisory councils through the Vocational Act of 1968, Public Law 90–576. And I am concerned that the Federal Government may be getting into the position of creating so many advisory councils that these advisory councils in and of themselves contribute to the confusion.

I think that any advisory councils that are created have to be coordinated with full understanding of what the others are contributing. They have to be organized with the intent of maximizing the productivity of the councils, and legislation to some of this effect has been introduced in the House by Representative Green and Representative Quie. I think the Congress should ensure the intent of this legislation while protecting the right of the State to deliver those services without laborious reporting procedures. I think this is another problem we have with our present Federal legislature. There is a lot of reporting procedures which we see no reason for.

I think that any education, as mentioned already, should be designed to provide services to the people, not services to institutions.

In my prepared testimony I made reference to planning. I think here Congress itself is open for some criticism. Any legislation requiring planning by the States should provide similar obligations to the Federal offices and to the Congress itself.

In the past, Congress has told the States to plan and then has ignored a similar obligation on its own part. Plans have been massive accumulations of data no one uses.

I think another very serious thing that needs some attention is overview—review of the functions, missions and goals of the U.S. Office of Education. Right now it lacks any definition. There have been so many reorganizations over the past 8 years that even the telephone numbers are uncertain from day to day, and lack of leadership and low moral of the office seems to be designed rather than accidental.

Congress has the responsibility to take a look at the effectiveness of the U.S. Office of Education, because no other organization has authority or the willingness to determine whether it is capable of carrying out the mandates of the people as expressed by the Congress.

I am also concerned about reliance placed on accreditation. A seeming hallmark of a good institution of higher education is its ability to achieve accreditation by regional accreditation agency. I do not want to depreciate the value of accreditation, but I think everyone should be aware of the fact that accreditation does not imply quality programs, and that there are other measurements of quality which may be better than accreditation alone.

The State plan as required by many Federal programs is a good idea. In the case of our plans, they are subject to public hearing, and I would suggest that with education, particularly higher education becoming more and more removed from the people, that public hearings of State plans and yearly plans for operations is reasonable, and one way to get public participation closer to the higher education programs.

From the standpoint of the area vocational schools itself, our biggest single problem is the problem of construction. Over the next few years, 5 years, we could efficiently and effectively spend over $22 million of funds for construction alone. Thirty-nine percent of the graduating seniors have indicated they would seek services from this type of institution, and when graduating seniors from Minnesota attempt to get these services from this type of institutions, they are not going to be served because we do not have the facilities in which to serve them.

(The prepared statement of Dr. Van Tries follows:)

PRESENTATION

TO

SELECT COMMITTEE ON EQUAL EDUCATIONAL OPPORTUNITY

BY

Robert P. Van Tries, Assistant Commissioner
Division of Vocational-Technical Education
Minnesota State Department of Education

April 23, 1971

60-433 O - 71 - pt. 3 - 21

MINNESOTA'S POST SECONDARY SYSTEM -
AREA VOCATIONAL-TECHNICAL SCHOOLS

Minnesota has a comprehensive post secondary system of education consisting of University of Minnesota campuses, state colleges, private colleges, junior colleges and 28 area vocational-technical schools, with 4 additional institutions designated and building.

My concern is that the impact of the 32 area vocational-technical schools, offering programs of two years or less, be considered in any legislation providing assistance to institutions and students. These institutions serve over 18,000 full-time, job preparatory students and in excess of 80,000 part-time, adult supplementary students. For the persons served, these institutions offer their choice of the best training for transition from formal education to careers in the world of work. They also offer a front line resource for the retraining of unemployed, and effective support for those in business and labor seeking continuing education.

These institutions are effectively articulated to provide alternative avenues of education for those students who are motivated by relevant learning experiences. The avenues are open to all individuals regardless of past educational success or economic or social status, thus offering an upward mobility to persons otherwise refused access to, or success in, institutions of higher education.

As a citizen of the state of Minnesota, as well as a representative of the Minnesota State Department of Education, I am concerned that federal legislation take into consideration the same kind of articulation between secondary and post secondary education which currently exists between secondary education, adult, and the operating post secondary area vocational-technical schools. An ultimate goal for priorities may be K - 16. At the present time, however, we believe a more realistic immediate goal is K - 14.

This committee may be primarily concerned with higher education but the orderly educational progression from birth to death without traumatic interludes experienced by dropouts, delays and artificial barriers must be considered in drafting higher education legislation.

Future legislation should not only be directed at the maintenance of an existing educational structure but should also have an impact on the delivery of services to those persons seeking such services.

Minnesota is an interesting study of what students think post secondary experiences should constitute. For over 30 years, the Bureau of Testing at the University of Minnesota has gathered data on the post secondary aspirations of high school students. Until two years ago, a great majority of students planned to attend institutions offering traditional kinds of degree-oriented education. Since 1969, the data collected shows that of those indicating an intention of continuing their learning experience, 36 percent desired to pursue educational opportunities reflecting a career-oriented experience such as that provided in the area vocational-technical schools. From conversations with my counterparts in other states, I am led to believe this development is not peculiar to Minnesota.

Any legislation providing assistance to higher education must be meaningful from the standpoint of student needs rather than the traditional structures of institutions.

Advisory Councils

The vocational acts, dating from 1917, have required advisory councils in varying degrees of sophistication. The 1968 Vocational Amendments (Public Law 90-576) requires planning and public hearings annually. As education, at all levels, becomes further removed from the people, this type of arrangement provides for input from interested and concerned users of the service. Thi has been a strength of that Act.

The formation of additional advisory councils should be clearly defined as to relationship with existing councils, which have responsibilities for all levels of occupational training, with the intent of maximizing the productivity of both groups, such as legislation introduced in the House by Representative Green and Representative Quie.

Congress should insure the intent of legislation while protecting the right of the state to deliver those services without laborious reporting procedures. Congress should not dictate to the states the delivery system to be used.....it should set a goal for providing services to people and leave the nature of attainment of the goal to the state.

Planning

Any legislation requiring planning by the states should provide similar obligation to the federal offices and the Congress itself. In the past, Congress has told the states to plan and then has ignored a similar obligation on its own part. Plans have been massive accumulations of data no one uses, expending resources that could be better used for other purposes. One redeeming feature of the plan required under Public Law 90-576 is that it requires a public hearing and thereby makes provision for participation of the public in the planning process. The fact that this participation has been disappointing does not diminish the advisability of the provision.

Functions, missions and goals of the United States Office of Education itself lack any definition. There have been so many reorganizations over the past eight years that even telephone numbers are uncertain from day to day. The lack of leadership and low morale of the office appear to be by design rather than accidental.

Congress has a responsibility to take a look at the effectiveness of the U. S. Office of Education because no other organization has the authority or willingness to determine whether it is capable of carrying out the mandates of the people as expressed by the Congress.

Accreditation

A seeming hallmark of a good institution of higher education is its ability to achieve accreditation by a regional accreditation agency. I am not sure that federal legislation should give credence to these agencies by building them into the framework of legislation. These agencies have historically perpetuated themselves and the accredited institutions. They become a club. If you belong to the club, everything is fine.....you have a status symbol. That is all you have.....you have very little assurance, if any, that the program is better than a nonaccredited program. Legislation under consideration should be cognizant of the fact that regional institutional accreditation does not guarantee quality, and other quality indicators should be permitted to substitute for such agencies.

The State Plan, as required by many federal programs, indicates efforts and priorities set by state legislatures composed of elected officials, state boards composed of individuals appointed by elected authorities and public hearings at which citizens have an opportunity to express themselves

To interpose regional or national accreditation requirements in federal legislation provides a tool by which the institutional responsibility to respond to people needs can be effectively abdicated.

Construction

If the post secondary delivery system is to serve these heavy demands in the occupational areas, a massive effort must be mounted, and mounted immediately, to provide the bricks and mortar to house such programs. The most critical problem in Minnesota today in area vocational-technical school post secondary education is construction.

Facilities must be provided if students are to be served. Conservatively speaking, Minnesota could efficiently and effectively expend 20 to 22 million dollars per year for the next five years on construction. A large share of these dollars will have to come from sources other than state and local resources. We must look to the federal government for this assistance; therefore, any legislation intended to assist students in their pursuit of post secondary educational opportunities must take this great need into consideration.

Robert P. Van Tries

Robert P. Van Tries, Assistant Commissioner
DIVISION OF VOCATIONAL-TECHNICAL EDUCATION

April 21, 1971

MISSION OF VOCATIONAL-TECHNICAL SCHOOLS

The mission of the Area Vocational-Technical Schools in Minnesota is to provide quality education and training as general orientation, specific preparation, retraining and upgrading. Education and training is provided for employment in occupations in all fields and levels other than the professions or those requiring a baccalaureate degree.

The area vocational-technical schools were established as a part of the Minnesota System of Public Education in 1945 to equalize educational opportunities for the people of the state.

The area vocational schools provide education in trades, industrial and technical occupations, distributive occupations, health occupations, office occupations, agriculture occupations, personal services occupations, and homemaking occupations.

It is the primary concern of Vocational Education that the youth and adults throughout the state of Minnesota will have ready access to vocational-technical education which is of high quality and which is suited to their needs, interests and abilities.

To facilitate the mission of Area Vocational-Technical Schools, state assisted vocational-technical education programs should conform to the following well-established standards and principles if they are to provide efficient and effective training:

> The State Board for Vocational Education shall be the administrative authority for all vocational-technical education in the state of Minnesota. The State Plan for Vocational-Technical Education shall be the instrument through which vocational-technical education programs are defined and structured.
>
> Vocational-technical education shall provide adequate and timely instruction in both preparatory and supplementary training which will reflect occupational trends, meet the changing needs of job requirements and encourage effective citizenship.
>
> The primary purpose of the curriculum shall be to prepare students for occupational entry or advancement, with the exception of those students enrolled in vocational classes in the secondary schools where the training is directed toward competence in useful skills and the knowledge of the world of work.
>
> The content of the curriculum shall be based on the skills and knowledge required in the occupations and will be developed and conducted in consultation with persons actively engaged in the occupations.
>
> The instructional staff shall be composed of persons who are occupationally and professionally competent.

The staff serving vocational-technical programs shall include competent personnel responsible for and capable of insuring a sound program of assistance to students in selection, enrollment, placement and follow-up.

The staff, through proper coordination with industry, shall accept the responsibility for the placement of students.

Instructional facilities and equipment shall be comparable to those acceptable in the occupation.

Senator PELL. Thank you very much indeed.

Before turning the questioning over to the senior Senator from Minnesota, I wanted to be sure I understood the panel correctly. Who is the spokesman for the group?

Dr. HAWK. I will be.

SUPPORT OF COMMITTEE BILL

Senator PELL. Which bill do you support as a group, the administration bill, S. 1123, or the committee bill, S. 659, if you had to chose between the two?

Dr. HAWK. If we have to choose between the two, we would clearly choose the committee bill.

Senator PELL. Thank you very much.

The Senator from Minnesota.

Senator MONDALE. If you could add S. 1161, you would not mind that, would you?

Mr. HAWK. Indeed, Senator Mondale, we would not. I might add in candor, the comprehensive bill introduced by Senator Pell amended to incorporate the very visionary provisions by your bill, Senator Mondale, would provide excellent legislation to this Congress.

Senator PELL. May I add that it is not my bill. It is a composite bill including Senator Mondale's and other Senators' ideas, the eventual choice will probably be somewhere along these lines.

Senator MONDALE. I think in the light of the shortage of time, I will limit myself to one area of questioning.

There seems to be a growing acceptance in this committee that there has to be some kind of new assistance to higher education institutions. The questions are, should we have it, would it be a new feature, and if so, what should be the definition of that kind of cost of educational allowance?

I gather everyone of the panel here speaks in support of that approach, is that correct?

Dr. MITAU. Mr. Chairman and Senator Mondale, what is needed most, aside from additional Federal funding for student aids, are Federal resources which could allow greater program flexibility at the college level—which would enable colleges to innovate more effectively. There has been a tremendous amount of rhetoric about the needed change in higher education. As all of you no doubt realize, it is very difficult to implement changes in higher education without the kind of Federal financing that will provide the college with funds to do its own planning. In order to move ahead toward accelerated academic programs, toward more individualized instruction, wider community service, and new career opportunities for graduates of the vocational schools we need additional resources and there has not been the kind of State funding for the changes that many of us talk about and that nearly everybody would like higher education to consider or adopt.

Senator MONDALE. Would it not be the case, Dr. Smith, that particularly in graduate schools, and I think it is true in higher education generally, that the tremendous—almost cruel—local pressures for revenues are placing tremendous pressures on education institutions, particularly at the graduate school level?

There is growing reluctance on the part of the State legislatures to give adequate support to graduate schools on the grounds that they

are really national schools—that is, the students come—are dispersed nationally.

Dr. SMITH. That is right, Senator Mondale. I think the principles appear in the bills that when you approach the problem of aid to students, you approach simultaneously the fact that a reciprocal grant to the institution is essential. The fact is that there are reciprocal costs involved, and the institutions are not—they do not create the kind of capacity that is needed to really provide educational opportunity for the students unless there is a recognition of the fact that taking on the students involves types of incremental costs and types of innovative developments which ought to be financed at the graduate level.

This is extremely important, it has been recognized in some of the institutional grant relationships, the different fellowships. It is clearly the case that we build centers of excellence in graduate post baccalaureate education as a national commitment.

It would be simply tragic to back away from that commitment at this time, and there will not be funding to fill the void if that occurs.

Senator MONDALE. I would like to ask one final question of Dr. Carlson.

I think there is a growing consensus on the committee that there should be a new cost of education or institutional grant approach. The grant would reflect realistic understanding of the increased cost of quality in private education, because private higher education does not have the State subsidies which State higher educational institutions enjoy.

Would you answer again why you think it is a justified expenditure for the Federal Government to provide for a grant which reflects these higher costs, such as that suggested in my bill?

Dr. CARLSON. Mr. Chairman, it seems to me, as I said before, we are talking about total tax liability, and that for the Federal Government to expend money in ways which obligate or mandate further expenditures on the part of the State seems not to be a wise procedure if it could spend it in ways which would not have that effect. This may be done by increasing the freedom of the student to choose institutions where the State is not required to make comparable additional investments.

I do not believe that any government ought ever to pay private institutions more than the total cost of education at a public institution. I think therefore that the provision for diminishing scales is a very reasonable one.

On the other hand, we will have to be pardoned I think at this point for having very distinct preference with regard to the two proposed cost to education allowances here, for that in S. 1161, which does take into account this variation, $1,200 less tuition, since the lowest tuition in our State, in the private sector is $1,210, would not be helpful to us.

Senator MONDALE. Would you say we are getting at the point where the future role of quality of private education is in jeopardy unless some such support is available—and that we are already at the point where quality private education is beyond the reach of hundreds of thousands of able, but poor students?

Dr. CARLSON. Yes. I think it could be pointed out by the fact that in the 1960's we grew about 60 percent. In 1968 we grew 3 percent; 1969, 2 percent, and this past year six-tenths of 1 percent.

Senator MONDALE. Actually some good schools have vacancies this year?

Dr. CARLSON. There are 5,000 vacancies in private institutions in Minnesota.

Senator MONDALE. Because of the financial variable we are pushing ahead to expand facilities at the public college and vocational level, which we must do, but some of those slots could be taken up even for less money if we would fill the slots available in private colleges——

Dr. CARLSON. I think there is no question about it.

Senator MONDALE. If we look at the cost-benefit ratio, it may be a good bargain.

Mr. Chairman, I wish to express my gratitude to the panel and to you for permitting what is really a unique presentation.

I think this is the first time that this committee has had a panel representative of the full spectrum of post high school education within a State, representing public as well as private, vocational education as well as the other facets of State college systems, central universities, junior colleges and our whole coordinating commission system.

I think it has been a unique presentation. I think it is also eloquent testimony, and I am not sure you could have paneled such a group 10 years ago. It is eloquent testimony, not only the unity shared by our higher education in our State, but the tremendous need and the tremendous unfulfilled role which the Federal Government must assume if we are going to deliver our children decent education.

Senator PELL. Thank you very much indeed, gentlemen, and thank you, Senator Mondale, for bringing such an interesting panel before this subcommittee.

The next panel is a group representing the American Vocational Association: Mr. Burkett, Dr. Olivo, Dr. Crabtree, and Mr. Berryman.

Come forward and introduce yourselves.

STATEMENT OF LOWELL A. BURKETT, EXECUTIVE DIRECTOR, AMERICAN VOCATIONAL ASSOCIATION, WASHINGTON, D.C.; ACCOMPANIED BY DAVID BERRYMAN, DIRECTOR, VOCATIONL AND INDUSTRIAL EDUCATION, SPRINGFIELD PUBLIC SCHOOLS, MISSOURI; DR. MYRNA CRABTREE, DIRECTOR, HOME ECONOMICS AND CONSUMER EDUCATION, NEW JERSEY STATE DEPARTMENT OF EDUCATION; AND C. THOMAS OLIVO, PHILADELPHIA, PA., PRESIDENT, AMERICAN VOCATIONAL ASSOCIATION

Mr. BURKETT. It is indeed a privilege for representatives of the American Vocational Association to come before you this morning. We are here to present to you some of our views in regard to the expansion and extension of the vocational educational amendments of 1968. We believe these amendments have helped to create many outstanding programs of vocational education, and we commend the Congress for having enacted this legislation.

We have with us this morning a panel of three people, Dr. C. Thomas Olivo, president of the American Vocational Association, Dr. Myrna Crabtree from the New Jersey State Department of Education, and Mr. David Berryman, director of vocational education in Springfield, Mo.

Dr. Olivo will be our first witness.

Senator PELL. All statements will be put in the record in full at the end of each testimony.

Dr. OLIVO. The prepared statement for the record reflects the American Vocational Association's appreciation to appear before the subcommittee in support of the provisions of the Vocational Education Act Amendments of 1968, as being a workable vehicle that will accomplish much needed educational reform, provided it is updated and given the adequate tools with which to implement it.

We commend the education subcommittee for S. 659, which strengthens the provisions of sections identified in my written testimony beyond their current expiration to July 1, 1975, to further carry out the intent of equalizing educational opportunity.

Anyone critically analyzing human and societal needs and our educational system and the rate of societal change recognizes there is no one who can predict with any accuracy the date when essential education reform will be accomplished.

The educational systems of the United States, I trust you recognize, are still designed for the elite minority. Curriculums were never developed based on honest analyses and educational hurdles and concepts were and still are dominated by liberal cultural elitists who impose an education for nonoccupational bound youth on the majority of our youth, who do not seek such academic preparation or want, or need it. And this is a sharp contrast with vocational curriculums which are based on occupational analyses, manpower, and human needs for employment bound youth and adults.

You may ask about seed moneys through 54 years of Federal funding and what have they helped to do? Materially they have helped to produce much of this Nation's skills and productive capability and productivity.

Importantly, the Federal dollars and legislation have developed a national manpower training capability through vocational education that reaches most people in all communities throughout the Nation.

In a very few moments Mr. Berryman will relate to the impact of these seed moneys on one of the geographical programs.

Effectiveness of vocational education qualitatively and quantitatively has been restricted by limited dollars, and lack of manpower coordination, Federal leadership, and accountability, organizational structure, among others.

The written testimony that you have for the record suggests that we will never, no, never, achieve equality of educational opportunity until Congress places top priority on maximizing the development of its greatest wealth and resource, which are its people . . . every one in this Nation.

To be specific in relation to S. 659, top priority, means commitment of adequate legislation, adequate accountability, adequate leadership, adequate financial resources, and, importantly, through permanent legislation for part B, which relates to the grants to States, and part C; part D that you have identified as exemplary programs; part E relating

to residential vocation educational facilities. And the written testimony, Mr. Chairman, identifies the need, the significant need, for investment in the residential facilities in each of the States.

Part G you will recognize as cooperative educational programs; part H, the work study for vocational students; and part I, curriculum development in vocational and technical education.

May I caution the committee that safeguards should be provided in (part I) curriculum development activity so that no commissioner may take the money and use it for purposes other than that for which it was intended in vocational and technical education.

Dr. Crabtree will talk with respect to part F on consumer and home economic education.

Mr. Chairman, we recommend that Part F of the Education Professions Development Act be extended to fiscal year 1977 at an authorized level of $50 million to help prepare, in the one area in education that needs more teachers, the 17,000 new teachers (additional teachers) that are needed in the program to provide essential services.

Now, may I return to the top priority of national leadership and accountability. We would suggest that you include in the bill a part which relates to accountability and administrative structure and organization.

Ironically, Congress entrusts the functions of accountability and leadership to the Office of Education, whose activities, organization and commitment have reflected a lack of priority, and who have reduced vocation education and the practical arts to subservient positions to all other forms and levels of general and higher education.

Mr. Chairman, we will never have equality of educational opportunity unless Congress protects the people through safeguards which assure that vocational education and manpower training are equal partners in the total educational enterprise.

We will never have equality of educational opportunity unless Congress creates in legislation an administrative framework with personnel and organizational structure at high enough levels to impact on educational change.

What I am talking about is an educational revolution within HEW, and within OE . . . We see a need, if a complete revolution which requires complete recycling. We see a need, if vocational education is to be relevant, for a higher position as assistant secretary reporting to the Secretary of the Department of Health, Education, and Welfare.

We see a need for a level of position commensurate with deputy commissioner, directly accountable to the commissioner of education, and a bureau with levels of position and depth of positions to truly function and be accountable.

Now, to return the statistics and comparison that are contained in the written testimony—you may want to review these at a time when each may concentrate in depth on what they reveal.

Mr. Chairman, in summary, and very quickly, may I say, that I have talked to the establishment of an accountability unit, created by law, either inside or outside of HEW and OE.

I have talked to the point of financial resources needed to develop occupationally competent teachers that will be needed in an ever-growing program of service to employment bound youth and adults. I have talked to the point of extending the expiration dates in the provisions that you have identified for a long period of investment through permanent extensions.

Mr. Chairman, I would like to thank you for the privilege of sharing these precious moments and to deal in all candor with much needed educational reform so that we may truly serve our youth and our adults.

We stand ready in the American Vocational Association to work with the subcommittee on refining a plan of legislation which will be responsive continuously to the manpower and human needs of our people, and will provide accountability to the Nation.

Thank you.

(The prepared statement of Mr. Olivo follows:)

Statement by C. Thomas Olivo
President, American Vocational Association
BEFORE THE
Subcommittee on Education
Senate Committee on Labor and Public Welfare
Room 4232, New Senate Office Building
April 23, 1971, 10:00 a.m.

Mr. Chairman and Members of the Education Subcommittee:

The American Vocational Association is most appreciative for this opportunity to testify on S. 659, The Education Amendments of 1971. Our Association represents some 47,000 vocational education teachers from many occupational fields, vocational guidance counselors, vocational education administrators, teacher educators and research personnel, vocational advisory council members, manpower specialists, and others. We are a professional association dedicated to the continuing growth of services to youth and adults through vocational and practical arts education.

After years of nurturing, we see evolving in America today a concept in which vocational-technical education, practical arts education, and manpower training and development are being recognized as the mainstream of a total education and training program in which general academic education is an inseparable part. Vocational-technical and practical arts education brings within the grasp of the greatest majority of youth and adults the potential for human fulfillment. Such educational programs are vital to this Nation, for not only do they offer hope to individuals but they also provide assurance for our continuing technological supremacy and national security.

It is for these and other reasons, Mr. Chairman, that we are here to support the provisions of S. 659 that call for renewing the authorization for certain Parts of the Vocational Education Amendments of 1968 (P.L. 90-576) due to expire at the end of the current fiscal year.

At the same time we are here to recommend to this Subcommittee one important change in the existing language of S. 659 and also to urge you to include language relating to the administration of vocational education within the U. S. Office of Education. With your permission, I will speak first to these two recommendations.

Section 201 of S. 659 (Page 101) provides that the authorization for Part B of the Vocational Education Amendments of 1968 terminates at the end of fiscal year 1975. This Section of the Act provides matching grants to the States to fund vocational education programs for youth and adults.

In creating the first statute to provide Federal funding for vocational education more than 50 years ago, Congress recognized the national interest in vocational education by providing funding for State grants on a permanent and continuing basis. With the assurance that vocational education Federal funding would be available, States and local communities have responded by investing their own resources in vocational-technical education programs. In the last fiscal year for which figures are available, the Federal appropriation was approximately $266,000,000; States and local communities matched these funds with some $1,400,000,000. Thus the State and local investment in vocational education is more than 5 times that available from Federal sources. This State and local investment has been possible, in part, by the fact that the Federal government expressed its continuing interest and support for vocational education programs by making permanent the authorization of funds.

Under the existing provisions of P.L. 90-576, Congress has required of the States long-range program plans for vocational education. The Act specifies that planning shall be for a minimum of three years and a maximum of five years. An additional planning feature was incorporated which calls for local comprehensive plans for vocational education. While State plans have always been required under the Federal Acts, for the first time in our history, both the States and local communities have been stimulated to plan for comprehensive programs of vocational education. This fact alone has stimulated growth and development in vocational education and, at the same time, has created a new demand and necessity for programs at all levels.

Therefore, we urge this Subcommittee to delete from S. 659 the provision that would terminate Part B (Grants to the States) at the end of fiscal year 1975. Under existing law this provision is permanent and continuing with an authorization level of some $565,000,000. To retrench from this strong and affirmative support for vocational education at this period of development will, in our judgment, be contrary to the purposes for which Congress enacted P.L. 90-576.

An education program which increases the productive capacity of the Nation and provides a stable socioeconomic environment is important to the Nation as a whole. Vocational education lies at the heart of our national welfare, and we strongly urge this Subcommittee to reject a policy which would give vocational education "temporary" and subservient status at the Federal level. The Federal government has a major accountability to insure that vocational education is efficiently and effectively provided through a coordinated manpower effort. Manpower needs are national in scope and the Nation's national security, economic stability, and human fulfillment of its citizens are served through vocational education.

Administration of Vocational Education at the Federal Level

We turn now to our recommendation for inclusion of language in S. 659 to create an administrative framework and accountability for vocational education at the Federal level.

It is significant to recall that when Congress first enacted legislation for vocational education, it created a strong administrative body at the Federal level. The program of vocational education was administered by the Federal Board for Vocational Education consisting of the Secretary of Agriculture, the Secretary of Commerce, the Secretary of Labor, the Commissioner of Education, and three members appointed by the President and confirmed by the United State Senate. Such a structure provided

for the necessary lines of communication between education and the various occupational areas to the end that people, citizenship development, education, manpower training, and jobs were brought together through the process of vocational education.

In 1933 the Federal Board was dissolved and the administration of vocational education was delegated to the U. S. Office of Education. The program of vocational education has continued to be administered within that structure although it has been subjected to a series of shifts and changes resulting in its virtual disappearance as an effective office for Federal leadership and accountability.

In the allocation of Federal resources, in legislative changes to bring improvement and expansions in vocational education, the United State Congress has taken the leadership. While we are grateful that Congress has continued to respond to the Nation's needs for vocational education, we submit that there are vital leadership and accountability roles that must be accepted and administered by the U. S. Office of Education. Until and unless that occurs, we will continue a system of priorities in education which are in contradiction to the needs of people and to the social and economic well being of the Nation. To illustrate this point, the Federal government now invests $14 in higher education for every $1 that it invests in vocational education. Our Nation spends $4 in remedial manpower programs for every $1 that it invests in vocational education as a source of prevention for unemployment and welfare. It should be a matter of more than a passing interest to note that the total Federal investment in 1970 for the 8.8 million vocational education students was approximately $300 million. At the same time, the Federal government invested through the Department of Labor's various manpower programs more than $1,360,000,000 for an enrollment of 971,000 persons.

With one-fourth as much funding as is provided for the Labor Department programs, vocational education enrolled nine times as many persons as were served in the various manpower programs.

We believe that these priorities are unrealistic and that they reflect judgments made primarily in the executive branch of our government. Without support and commitment from the executive agency, which is in turn reflected in the budgeting process, vocational education will continue to be understaffed and underfinanced at the Federal level without accountability. In short, there must be national leadership for a total program of vocational-technical and practical arts education.

Vocational-technical education is an integral part of the Nation's system of education. Its programs are designed to meet the social needs of all citizens as well as the manpower needs of our economy. The primary mission of vocational education is preparation for work, retraining, and upgrading which bring purpose to the educational process.

Vocational education can and does occur at all levels of education and in many types of institutions. Vocational education has significance at all levels of government--local, State, and national--and each level of government has an important and vital function relating to the purposes of the program.

The National leadership and accountability role for vocational education has consistently declined over the last decade while during the same period of time Congress has enacted major legislation to expand and improve the Nation's capability for providing vocational education opportunities "for all persons of all ages of all communities."[1] The weakest link in the chain of leadership necessary for implementing the goals and purposes of the 1968 Amendments is without doubt at the Federal level.

One method of measuring commitment is to look at the resources allocated to getting a job done. In looking at the administrative structure for vocational education within the U. S. Office of Education, you will find that it is one of three bureaus

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[1] Statement of Purpose, P.L. 90-576.

under a Deputy Commissioner for School Systems. To place vocational education in this indifferent administrative hierarchy is to overlook the fact that it is a program that cuts across institutional lines and certainly is broader than programs ordinarily conceived as elementary and secondary education. The functions of research and teacher education are delegated to other bureaus and agencies, thus there is no way in which the total program of vocational education can be integrated into all facets of education. Instead it is splintered and fragmented to the point where there is no central focus for vocational education in the U. S. Office of Education.

Aside from an unworkable, inefficient and ineffective administrative structure that cannot provide adequate leadership and accountability, the Office of Education commits virtually no staff to function in vocational education. In January of this year, the American Vocational Association compiled figures showing the existing staffing pattern of the U. S. Office of Education. We include these selected figures for the record, but I would like to point out that of the 69 employees allocated to the Division of Vocational and Technical Education, 39 are identified as professional vocational educators. A few of the staff are exceptionally well qualified. However, the limited experience and expertise of the remaining professional staff with many of the component parts of the total program of vocational education precludes their providing needed leadership for development and program accountability. Thirty of the 69 employees are secretarial and clerical. It is humanly impossible that token staffing of this nature and number can operate a responsible organization which is committed to effectiveness and accountability of services to almost 9 million students. It is, moreso, ridiculous to assume that the same impoverished organization could operate a program whose potential student membership should be tripled.

U. S. OFFICE OF EDUCATION STAFFING[1]

January 1971

Bureau of Adult, Vocational and Technical Education	Employees
Bureau level	43
Division of Adult Education	31
Division of Manpower	45
Division of Vocational Technical Education	69
Total.....	188
Bureau of Elementary and Secondary Education	
Bureau level	55
Plans and Supplementary Centers	74
Compensatory Education	102
State Agencies	76
Impact-School Aid	62
Equal Opportunity	24
Total.....	393
Bureau of Higher Education	
Bureau level	55
University programs	42
Academic facilities	31
Special Services	47
Student Financial Aid	117
College Support	26
Institute for International Studies	129
Total.....	447
Bureau for Planning, Research, and Evaluation	
Deputy Commissioner's Office	11
National Center for Educational Statistics	141
National Center for Educational Research and Development	143
Office of Program Planning and Evaluation	30
National Center for Educational Communications	40
Total.....	365
Office of the Commissioner	67
Regional Office Coordination	419
Office of Legislation	20
Interns and Support Positions	61
Public Affairs	38
Office of Administration	341

[1] These figures are selected for purposes of comparison and do not reflect total staffing at the U. S. Office of Education.

For several year the American Vocational Association has been concerned about the lack of leadership for vocational education at the Federal level. We have had many meetings on this subject; our delegate body has passed resolutions; we have conducted field studies to determine the nature and extent of services that should be provided by the U. S. Office of Education in leadership and accountability roles in vocational education. In spite of the new legislation enacted during the last 10 year period, and in spite of the rhetoric coming from officials of the U. S. Office of Education (in both Democratic and Republican administrations) there has been no positive action to strengthen vocational education leadership and accountability at the Federal level. We believe that the time has come for Congress to respond to this need through legislation. Therefore, we urge you to include in S. 659 provisions to establish a bureau for vocational education within the U. S. Office of Education. The head of this bureau should report directly to the U. S. Commissioner of Education and he, or she, must be a person with background and experience in vocational education. The Federal administrative agency for vocational education should be organized and staffed on these broad basic principles:

1. Vocational education programs are often developed in cooperation with other departments and agencies of government; therefore, the policy and decision-making level for vocational education in the U. S. Office of Education must be such that its director can deal directly with his counterparts in other departments and agencies of the government where programs must be developed and conducted cooperatively.

2. Vocational education makes a major and unique contribution to the education of youth and adults through the application of knowledge from the disciplines with skills and practices in business, industry, agriculture, health industries, the home, and other occupational supportive services to prepare people for vocations. Such education contributes to national defense, national security, elimination of poverty, economic well-being, and employability. To achieve these goals the services of a

vocational education program, including research and teacher education, must be maintained as a major and distinct entity in the U. S. Office of Education.

3. Vocational education as the mainstream for the development of citizenship capabilities and occupational competence threading through all levels of education and all programs of education is concerned with, and is an integral part of, secondary education, postsecondary education, adult education, education for youth and adults with special needs, and higher education. Because of these broad concerns, vocational education services within the Office of Education should fall within the same administrative and policy making levels as coordinate services so that effective liaison is possible within the Office of Education and other departments of government.

4. Leaders in vocational education in the U. S. Office of Education must be competent vocational educators with depth of training and experience in vocational education in the area of their major responsibility. Parenthetically, it should be noted that the vocational administrator is a composite of skills in general education administration and in the occupations of the world of work, the latter as a result of direct experience with them.

We strongly urge you to legislate an administrative agency of this nature for vocational education at the Federal level. The creation of such an agency must accomplish the unification of all the various functions relating to vocational education into one administrative unit within the Office of Education; it should increase the number of staff to enable experienced and competent vocational educators from each of the occupational areas to give guidance and direction to the total program; it should give representation to vocational education at the highest policy level within the U. S. Office of Education. Without this administrative focus and bureau responsibility, the efforts of this Subcommittee of Congress to achieve equality in education may be fruitless.

EXTENDING AUTHORIZATIONS FOR P.L. 90-576

The final part of our testimony is concerned with the provisions of S. 659 to extend the authorizations found in Section 102(b), Part D (Exemplary programs), Part E (Residential facilities), Part G (Cooperative programs), Part H (Work-Study), and Part I(Curriculum) of P.L. 90-576. Others here today will speak specifically to the provisions of Part F relating to consumer and homemaking education, but I would also have my testimony reflect our support for the continuation of this important program of vocational education.

We are making no suggestions for change in the existing law other than supporting a simple extension of funding at the levels authorized for the current fiscal year. All sections of the Act are currently funded at less than the levels authorized. The following chart shows the extent to which authorized funds have been appropriated to implement P.L. 90-576 for fiscal year 1972.

FUNDS AUTHORIZED FOR VOCATIONAL EDUCATION
(P.L. 90-576)

PROGRAM	AUTHORIZATIONS	(H.R. 7016) APPROPRIATIONS	BUDGET RECOMMENDATIONS
Grants to States (Sec. 102(a))	$675,000,000*	$377,012,000	$374,302,000
Disadvantaged (Sec. 102(b))	40,000,000	20,000,000	-0-
Work-Study (Part H)	35,000,000	6,000,000	-0-
Exemplary (Part D)	75,000,000	16,000,000	-0-
Cooperative (Part G)	75,000,000	19,500,000	-0-
Demonstration Residential Schools (Part E)	35,000,000	-0-	-0-
Grants to States for Residential Schools	50,000,000	-0-	-0-
Professions Development (Title II)	35,000,000	-0-	-0-
Consumer & Homemaking (Part F)	50,000,000	21,250,000	-0-
Curriculum (Part I)	10,000,000	4,000,000	-0-
TOTAL	$1,080,000,000	$463,762,000	$374,302,000

*Includes 10% set aside for research and training activities.

Vocational, technical, and practical arts education in the United States today is experiencing its greatest period of growth. Since enactment of the 1968 Amendments, vocational education has shown evidence of becoming an increasingly effective and dynamic force throughout the Nation. An analysis of the information received from the state directors of vocational-technical education in annual reports submitted to the U. S. Office of Education reflect the following needs and future projections:

--In fiscal 1970 there were 8,793,960 persons enrolled in vocational education. This was an increase of 10.2 percent of the 7,979,366 enrolled in fiscal year 1969.

--In 1970 there were almost a million disadvantaged and handicapped persons enrolled in vocational education. (Disadvantaged - 805,384; handicapped - 115,219).

--According to projections taken from the state plans for vocational education, graduates from these programs will supply, in 1971, 31 percent of the labor market demands as seen in the United States. In 1975 the projections are that vocational education program graduates will supply only 24 percent of the labor market demands. Enrollments and graduates in vocational programs are and will continue to be on the increase. However, projected labor demands for these growth years have been estimated by the states to be expanding more rapidly than the program output.

--According to follow-up reports from state agencies and the U. S. Office of Education, the average unemployment rate of vocational education graduates between the ages of 18-24 is 5.2 percent. The average unemployment rate of those in the same group who do not have the advantage of vocational education background is at least 24 percent with large variations dependent upon the race and location of the group being studied.

--In 1969, approximately 850,000 students completed their studies, and about 50% of these were available for job placement. Of the total, secondary and post secondary, 76.9% were placed (73.6% of the secondary and 90% of the post secondary) in fields directly related to their education. The average percentage unemployed was 5.2% (5.7% for secondary students, 3% for post secondary). The balance were employed either part time or in unrelated fields. The 5.2% unemployed compares favorably to the general population for these ages in which the unemployment rate approaches in excess of 30%, depending on age and race.

In order to make continued progress, and to move even more forcefully in the directions given by P.L. 90-576 we must have a continued authorization for those programs that are just now getting under way.

We especially urge this Subcommittee to continue support for residential vocational education facilities (Part E). This section of the Act has never been funded. On the basis of established need, every state should have at least one residential vocational education facility. The Federal government has supported the construction of residential facilities for practically every college campus throughout the Nation. Such facilities are also needed at institutions that offer vocational education. We must not continue to discriminate against the student who chooses to enter a field of employment that does not require the baccalaureate degree.

As an appendix to this statement, we are including for the record information concerning vocational education programs funded under the provisions that will expire at the end of the current fiscal year. We believe these are evidence of need as well as evidence of the capability of vocational education to move in new directions to meet social and economic needs of people.

FUNDS FOR TEACHER EDUCATION AND VOCATIONAL PERSONNEL DEVELOPMENT

Our concluding recommendation, Mr. Chairman, concerns the education and preparation of vocational education personnel. Quality teacher education is a basic requirement for quality vocational education. This assumption has been a fundamental premise in vocational education for more than a half century.

Projected expansion of vocational education and manpower development programs draws attention immediately to the need for teacher education and personnel development. During this decade, an increase of from 100% to 150% in the number of teachers is anticipated. Currently there is a reported shortage of some 17,000 vocational education teachers--the only teaching field where such a shortage does exist.

The increased personnel need is accounted for by the expansion of existing vocational education programs, by the introduction of new programs, and by making vocational education available to groups of people not previously served by vocational education.

Although the present programs of vocational teacher education may well become the nucleus for expanded programs, new forms of teacher education must be identified and utilized. A major portion of future expansion will take place in the form of in-service teacher education and short-unit teacher education programs for special groups--teachers for the disadvantaged, the handicapped, and a variety of ethnic groups, and others. Certainly the expansion of teacher education, in quantity, quality, and diversity must match the expansion in vocational education and manpower development.

We recommend that Part F of the Education Professions Development Act (Title II, P.L. 90-576) be extended to fiscal year 1977 at an authorized level of $50 million.

In conclusion, may I again express appreciation for this opportunity to present our views on S. 659. We urge you to take action as soon as possible so that P.L. 90-576 can be extended during this session of Congress. You are well aware of the fact that we are only a few months away from the beginning of the Federal budgeting process for fiscal year 1973. In order for proper planning efficiency to occur, we should have a much lead time as is humanly possible.

We hope you will accept our major recommendations, and we offer our services to you in perfecting the language necessary to implement these recommendations.

Thank you very much.

APPENDIX I

AMERICAN VOCATIONAL ASSOCIATION
1510 H Street, N.W.
Washington, D. C. 20005

EXEMPLARY PROGRAMS IN VOCATIONAL EDUCATION
CONDUCTED UNDER PART D (PL 90-576)

Exemplary programs and projects in vocational education have been initiated in every state and territory. There are two hundred (October 1970) projects currently operational across the nation. In addition, one project has been initiated in each state and territory from the Commissioner's share of Part I funds.

The projects launched under the Part D exemplary funding by the States range over a diversity of problem areas, and are targeted on particular problems which each State has identified as having the highest priority in its particular situation. A major thrust across many of the States has been an attempt to begin structuring the educational system around a career development theme. Examples:

Missouri, Moberly School District, an exemplary project designed to activate a career development program for all students in Grades K-12.

New Jersey, Camden City, sponsored a Pilot Occupational Orientation Program in the elementary grades which became a model for a Statewide program which Governor Cahill is now supporting on a broad scale with funds from the New Jersey State Legislature.

Ohio, Dayton City Schools and Cincinnati City Schools, used exemplary program funding to launch career orientation programs for 7th and 8th grade students as well as four other major school districts across the State.

Virginia, the Petersburg Public Schools, have undertaken a project directed to the pre-vocational development of disadvantaged youth in sixth and seventh grades.

Wisconsin, Shawano Schools, are establishing a career development program from kindergarten through the 7th grades.

In addition to these types of activities, which are directed toward development of comprehensive career education programs, attention has been given to a variety of other problem areas. Examples:

California, San Diego County, an exemplary project involves the establishment of a computer-assisted work experience placement service.

Colorado, Jefferson County, the expansion of the secondary occupational information program is being carried out under an exemplary grant.

Michigan, Genesee School District, has established a computer-based guidance and career exploration system under an exemplary project grant.

Texas, an exemplary grant has made possible the planning and development of a systemmatic school-industry training relationship in the construction industry.

Other State projects have been noted which relate to emerging vocational training areas such as hospitality, law enforcement, marine science, agriculture, marketing, natural and environmental science, ornamental horticulture, and transportation occupations. Some projects direct themselves specifically to the disadvantaged and/or handicapped, to work experience programs, to individualize learning systems, to bilingual programs, and to mobile skill training and simulated skill training units.

All of the Federally-administered projects (Commissioner's share of Part D) involve the development and operation of a model career development program which begins with broad occupational orientation at the elementary level, continues through exploratory experiences at the junior high school level, provides cooperative vocational education and other forms of job preparation at the senior high school level, and culminates with the placement of all students when they leave the school system. (Placement to be either on the job or in post-secondary education.)

Increased and continued funding is essential to the life of ongoing exemplary programs and projects for which funds have been, in many cases, committed for a 3-year period beginning in FY 1970. As an example, the projects implementing the structure for the career education concept which are federally administered will by the nature of their comprehensiveness and their complexity require a minimum of three years for full development and maximum impact on educational practice in the Nation.

In addition, demand from the local communities for the kinds of vocational education and career development programs now being demonstrated in these projects indicates that full funding of the originally authorized sum would permit a tremendously accelerated pace enabling school districts to move into programs which now appear to hold the key to educational relevancy in America.

Full funding would also permit the Nation's leadership to move vocational education programs more rapidly into emerging occupational areas; into programs which provide a higher level of partnership with business and industry, including new systems for vocational training; and into the arena of providing retraining and upgrading for young workers who are released from their jobs for the purpose of increasing their educational attainment.

The Exemplary Programs and Projects in Vocational Education are demonstrating what may well be our most effective system for bringing about lasting change within the educational community. The latitude and flexibility built into this part of the 1968 Amendments permits the U.S. Office of Education and the States to move into actual practice those systems, methods, techniques, and thrusts which up to now have, to a great extent, been gathering dust on the shelves of researchers as examples of good ideas.

April 1970

APPENDIX II

AMERICAN VOCATIONAL ASSOCIATION
1510 H Street, N.W.
Washington, D. C. 20005

ENROLLMENT IN VOCATIONAL EDUCATION PROGRAMS

	ENROLLED 1970	ANTICIPATED 1971	*PROJECTED 1972	1975
Special Disadvantaged** Section 102 (b)	80,000	95,000	100,000	140,000
Consumer and Homemaking Part F	2,419,216	2,369,685	2,507,765	2,879,074
Cooperative Vocational Education*** Part G	23,001	166,664	223,352	393,076
Work Study Programs Part H	15,522	89,434	113,581	175,264

*Projections for enrollment made by the State Director of Vocational Education in each state.

**These students are not reported separately in the Annual Report for Vocational Education from the States. It is estimated that nationwide, approximately 10% of the reported disadvantaged students are in the category of special disadvantaged.

Projections shown by the state directors for vocational-technical education indicate an anticipated increase of 45,000 students to be enrolled in special disadvantaged programs by the year 1975. This equates to a need for 3,700 new special disadvantaged programs to be established in the United States prior to 1975 (Class size in a special disadvantaged program will average 12 students). The need for 63 additional programs to serve the special disadvantaged programs per state anticipated by 1975 impresses the importance of continuing support for vocational-technical education programs.

***Cooperative Education--One of the fastest growing forms of vocational education in the United States today has a projected growth of more than almost double student enrollment for the next school year. The emphasis placed upon relevant business and industry oriented training has caused enrollment projections to increase from 23,000 to 393,000 in 1975.

The projected enrollments for post secondary education are reflecting the emphasis being given to this segment of vocational-technical education. Projections are that post secondary institutions will enroll almost twice as many disadvantaged students in 1975 as in 1971, 126,581 in 1971 and 220,859 in 1975. In addition, the cooperative programs at the post secondary level are expected to expand from 12,200 in 1971 to 33,900 in 1975. The emphasis upon target groups mandated by the 1968 Amendments to the Vocational Education Act are having an impact on the programs in the States.

APPENDIX III

AMERICAN VOCATIONAL ASSOCIATION
1510 H Street, N.W.
Washington, D. C. 20005

VOCATIONAL EDUCATION EXPENDITURES BY SOURCE OF FUNDS*
FY 1970

	TOTAL	FEDERAL	STATE & LOCAL
Part A 102(b) Special Disadvantaged	$ 10,231,731	$ 7,600,389	$ 2,631,341
Part D Exemplary (State)	$ 4,876,684	$ 3,446,989	$ 1,429,695
Part F Consumer and Homemaking	$171,851,985	$13,147,682	$158,704,303
Part G Cooperative	$ 13,024,737	$ 7,248,008	$ 5,776,729
Part H Work Study	$ 4,623,910	$ 2,517,395	$ 2,106,515

*With the exception of Part F (Consumer & Homemaking) the Federal funds do not require state and local matching.

APPENDIX IV

AMERICAN VOCATIONAL ASSOCIATION
1510 H Street, N.W.
Washington, D. C. 20005

CURRICULUM DEVELOPMENT
PART I - P.L. 90-576

Funding

	Authorization	Appropriated
FY 1969 --	$ 7,000,000	$ -0-
FY 1970 --	10,000,000	880,000
FY 1971 --	4,000,000	4,000,000

Staffing for Curriculum Development

Number of professional vocational educators on staff	Dates
1	Present
2	1968 -- Nov. 1970

Projects Funded in FY 1970

Several of these projects are still in the developmental stages and must have continuation of funds.

Post-Secondary -- (one-half of the funds appropriated were used for curriculum development for post-secondary programs.)

New and emerging occupations

Urban Planning and Development Technology) post secondary
Air Pollution Technology) curriculum guides

Pediatric Office Assistants -- program guide

Expanding occupations,

Police Science Technology)
Library Assistant) post secondary curriculum guides
Teacher Assistant)
Medical Radiological Assistant)

Upgrading Nursing Assistants (to licensed PN) -- program guide

Air Traffic Controller)	
Social Work Assistant (Community Service))	post secondary
Educational Media Technology)	curriculum guides
Veterinary Technology)	

Use of Vocational Funds in Post High School Programs (Guide/Handbook)

Other Areas of Vocational Curriculum Development

Occupational Orientation (World of Work information--for grades 1-2 & 3)
Vocational Guidance Handbook-- "The Outlook for Careers Through Voc-Tech Education."
Guides/Handbooks, such as:

Cooperative Education Programs in Small Schools
(Include employer's role and responsibilities).
Organizing a Consumer and Homemaking Program for out-of-school youth and adults
Updating existing listing of State developed curriculum materials

Miscellaneous

Survey of Curriculum Materials produced in cooperation with other government agencies (including the Department of Defense)

Curriculum Development Projects funded FY 1971

1. Development of curriculum and multi-media materials and industrial personnel in computer sciences relating to data communications networks.

2. The inventory of Air Force vocational course materials for possible adaptation to the civilian school system.

3. Establishment of the Institute for Education and Technology. (Several Bureaus are providing funding to be handled by the Division of Adult Education Programs.)

4. Balance of available funds to be used for development of career education concepts.

Dissemination of Curriculum Efforts

88 curriculum items printed through Government Printing Office during the last 8 years and have been distributed in amounts varying between 5,000 to 10,000 copies each.

8 items have been printed and distributed by non-government sources.

Even with the current appropriation at $4,000,000, the projects involving curriculum development are few and not nearly covering the needs. Funds designed for curriculum development are apparently being diverted to develop the career education concept and specified for use in some of the models being proposed for career development.

In the past some materials developed have not been published and disseminated for budgetary reasons. This raises again the question of management, emphasis, and commitment to vocational education.

April 1971

APPENDIX V

EXAMPLES OF PROGRAMS

FOR DISADVANTAGED STUDENTS

American Vocational Association
1510 H St. N.W.
Washington D.C. 20005

The following are only a few of many examples of programs being conducted for the special disadvantaged segment of our society through vocational education. These examples highlight the total concern for all students shown by vocational educators today.

PENNSYLVANIA

Area Vocational-Technical School, Fayette County

Building Maintenance instruction is offered to boys of limited academic capacity and potential ninth and tenth grade dropouts. Curriculum includes a wide variety of common construction and maintenance skills and related knowledge. Less than one percent fail to graduate.

A summer Work Experience program was conducted for twenty-five boys and girls recruited and paid by the Federal Neighborhood Youth Corps. Student duties included painting decorating, groundkeeping, and general maintenance of school facilities.

FLORIDA

E. Dixie Beggs Educational Center, Pensacola, Escambia County

The school can accommodate six hundred boys and girls aged fourteen to nineteen years. The students are considered potential dropouts because they cannot relate to an academic high school setting due to their low level of social and economic background. Skill training includes power mechanics, woodworking, horticulture, appliance repairs, health occupations, building maintenance, business, and personal services. Girls can also learn sewing, dressmaking, fashion design, and flower arranging. Curriculum is ungraded and includes basic education training in math, communications, and reading. After completion, students enroll in regular high school or the area vocational-technical center, or remain at Beggs to develop employment skills. The waiting list to enroll in the Center is 1,300 students.

60-433 O - 71 - pt. 3 - 23

Duval County

One hundred twenty students who are mentally or emotionally retarded or physically handicapped are taught marketable skills during summer programs at three county high schools. Because they have experienced "social promotion" in an academic setting, their efforts are channeled into the area of their natural interests. Skills taught include automotive body repair, machine shop, general construction, short order cooking, office work, and remedial reading. Special features of the program include a survey of careers, small classes, and individual instruction.

NORTH DAKOTA

Bowman High School, Bowman

One-third of the enrollment of Bowman High School is served by Vocational Agriculture. A special section of the program provides the disadvantaged students with individual help and nongraded instruction. Particular emphasis is placed on off-farm options in business, production, and mechanics.

INDIANA

East Chicago

The Manpower Division of the U.S. Department of Labor and the Vocational Education Division of the State Department of Public Instruction cooperate financially to provide training for sixteen to eighteen year olds considered disadvantaged. Pre-vocational counseling, basic education skills, communication skills, work-adjustment skills, vocation counseling, and on-the-job training are are all included. Traditional authoritarian methodologies rejected by the youth are replaced by tutoring and programmed instruction. After twelve weeks, improvement in speech is noticeable.

GEORGIA

Atlanta Vocational-Technical School, Atlanta

The Learning, Earning Education Program (LEEP) is designed for dropouts between ages sixteen and twenty-one. Designed for twelve weeks, it emphasizes extra-vocational tensions that arise on the job. It also includes skill training for entry level, basic academic instruction, and group counseling.

CALIFORNIA

Bakersfield High School, Bakersfield

The Exploratory Business course for educationally handicapped students employs closed-circuit television for job interview training. Their realistic role playing is accomplished through cooperation with the local telephone company.

Orange Unified School District, Orange

CHEER - Consumer and Homemaking Education Environmental Rehabilitation - provides remedial training in consumer and homemaking education for the adult population of two identified, well-defined boroughs of culturally deprived and economically disadvantaged Mexican-Americans. Instruction includes culture cooking, budgeting systems, principles of buying, advertising propaganda, clothing and home design.

April, 1971

Senator PELL. I can assure you we look forward to working with you. Our associate counsel, Richard Smith, is a specialist in this field.

Mr. BURKETT. Dr. Crabtree.

Dr. CRABTREE. I, too, am genuinely appreciative of the opportunity, Mr. Chairman, to appear before the subcommittee as a representative of the American Vocational Association to support Senate bill S. 659.

My remarks will be directed to part F of the Vocational Education Amendments of 1968 which provides funds for consumer and homemaking education and the need for the continuation of its provision through S. 659.

The unique and vital contribution which part F plays in the total legislative program we are discussing today lies in the fact that its focus drives directly to one of the prevailing challenges of our time, the preservation and stability of the American home.

Our society faces no greater problem in today's world. Providing instruction relevant to family needs in such areas as nutrition and foods, child development, clothing, housing, family relations, and the management of family resources, this program has proved one of the most important factors in American education in assisting individuals and families to improve the quality of family life and home environments. In 1968 consumer education was added as a corollary to vocational education legislation. This union between the broad aspects of home and family life education and consumer education has created a program of comprehensive educational services to the home as an institution and to its individual members as homemakers and consumers.

I would like to provide you with some statistics reflecting the growth in consumer and homemaking education during the past 3 years. In 1968 there were 2,209,541 students, and in 1969, 2,334,302 students. Although complete data are not yet available for 1970, advanced reports indicate enrollment of approximately 2.5 million.

Perhaps more important than the quantitative size of the program is the quality and diversity of the educational services which must now be offered. One of the great revolutions in American society today is the changing pattern of home and family life. Chief among these is the entrance of the housewife into the world of work. Eighteen million married women are now in the labor force. It is estimated that this figure in 1980 will double that of 1950. A different kind of education must now be provided for the married woman to equip her for this dual role of mother and wage earner.

Elementary school children rarely receive any education to be consumers. Neither do they receive education in how to live and work with their peers, family members, and other adults.

Some instruction is provided in nutrition education. All three of these areas are vitally important in the lives of young children. Home economics consultants to work with elementary teachers and with parents of young children could and should be made available by increased funding for consumer-homemaking education.

Other imperative educational needs exist in this area of the vocational program. The so-called generation gap between parent and child is a matter for more effective family life education. The drug problem among the young, their disenchantment with their parents, the growing disrespect for law and order among our people of all

ages, these symptoms of social turbulence that have much of their genesis in the home.

Our newly awakened awareness of the need for consumer education adds another dimension to this phase of the program. Knowledge of unit prices in the marketplace, truth in labeling and packaging, some understanding of the legal rights of the buyer in contractual obligations; all these are areas in which education is now a requisite for survival on the part of the American homemaker.

And, nowhere is this more true than in the homes of the disadvantaged where the dollar must be stretched to its summit potential to meet the onslaught of rising prices.

These are the new facts of life in our times that education must confront to be maximally effective. Our success is a matter of mixed emotion: Pride in the number of new programs that have been made possible by funds under part F of this legislation since 1968; regret that we haven't had sufficient money to do more.

In my own State of New Jersey we are experiencing increases in populations served through centers and programs for youth and adults located in major economically depressed urban areas such as Newark, Camden, Trenton, Plainfield, Atlantic City, and other troubled spots of the State.

Funding has been utilized to expand staffs and services to groups of all age levels in these impact areas. These programs strive to reach out into the community and involve the parents in school and neighborhood centers, day care centers, and housing development projects.

Two key developments in New Jersey made possible by this legislation are the Nutrition Education Center at Montclair State College and the Center for Consumer Education Services in Edison Township. These centers have been set up cooperatively by the division of vocational education in the State education department and the respective local educational agencies in the areas. Their function is to serve the education agencies and other cooperating groups in the planning of more effective programs.

The consumer and homemaking program is beginning to address itself nationally to the needs of youth and adults in the economically depressed urban areas. During fiscal year 1968 there were 43,461 people enrolled in the special needs program and during fiscal year 1969 there were 46,398. During fiscal year 1970, the first year for which funds were available under Part F, the enrollment increased to 272,764. The people engaged in consumer and homemaking education enthusiastically endorse and are implementing the special needs in the consumer and homemaking program.

Federal funds are imperative for the implementation of this aspect of the program because the areas where programs are needed most have the least resources to conduct them.

Other States reflect an increasing number of pilot programs resulting from this legislation. Colorado, New York, and Pennsylvania have set up programs in their major cities, especially designed to serve their economically depressed areas. California reports that in San Diego, high school students who have studied consumer education in their homemaking classes are now teaching it to adults in local shopping centers.

In Los Angeles County similar students are helping to impart their knowledge to the parents of Headstart children. Future Homemakers

of America with its 600,000 members, the largest organization for youth in the secondary schools of the Nation, is now placing more emphasis on preparing their membership for the dual role of parenthood and the world of work. Thus new and innovative programs have been devised and old, traditional ones have been expanded by the funds which have flowed from this legislation.

Mr. Chairman and members of the subcommittee, as we face the future in the contemplation of this legislation, I have three recommendations to offer:

1. That increased funds be appropriated to meet the ever-increasing educational needs that arise in this segment of American life.
2. That these funds be categorically earmarked for homemaking and consumer education as they now are under part F.
3. That no terminal date be attached to the duration of the law.

As I visit programs throughout the State of New Jersey, I am impressed and touched by the frequency with which individuals particularly those in economically depressed areas ask this question:

How long will this program be here? Many of you State and Federal representatives come out to work with us and say you want to help us and then, before the job is finished, you have folded up your tents and gone away.

This question comes from people who have had their hopes rekindled only to end in frustration. I cannot give them the answer to their question. But you gentlemen on this subcommittee do have a measure of power in the formulation of the answer to their inquiry. Let's make it possible to keep this flame of hope, incentive and desire for self-improvement alive, for without these qualities there can be only the decay of the human spirit.

We have been most pleased with the support given through this legislation, and we hope it will continue. Senate bill 659 has helped again that flame of hope and we would like to stay with it and not fold our tents and silently steal away before we have been able to go on and provide the assistance for continuing programing in this area.

(The prepared statement of Dr. Crabtree follows:)

STATEMENT OF DR. MYRNA P. L. CRABTREE, DIRECTOR, HOME ECONOMICS AND CONSUMER EDUCATION, NEW JERSEY STATE DEPARTMENT OF EDUCATION

My name is Myrna P. Crabtree. I am Director of Home Economics and Consumer Education for the New Jersey State Department of Education.

I am genuinely appreciative of the opportunity to appear before the Subcommittee as a representative of the American Vocational Association to support the Senate Bill S. 659. My remarks will be directed to Part F of the Vocational Education Amendments of 1968 which provides funds for Consumer and Homemaking Education and the need for the continuation of its provisions through S. 659.

The unique and vital contribution which Part F plays in the total legislative program we are discussing today lies in the fact that its focus drives directly to one of the prevailing challenges of our time—the preservation and stability of the American home. Our society faces no greater problem in today's world. Providing instruction relevant to family needs in such areas as nutrition and foods, child development, clothing, housing, family relations and the management of family resources, this program has proved one of the most important factors in American education in assisting individuals and families to improve the quality of family life and home environments. In 1968 Consumer Education was added as a corollary to Vocational Education legislation. This union between the broad aspects of home and family life education and consumer education has created a program of comprehensive educational services to the home as an institution and to its individual members as homemakers and consumers.

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Elementary school children rarely receive any education to be consumers. Neither do they receive education in how to live and work with their peers, family members and other adults. Some instruction is provided in nutrition education. All three of these areas are vitally important in the lives of young children. Home Economics consultants to work with elementary teachers and with parents of young children could and should be made available by increased funding for consumer-homemaking education.

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These are the new facts of life in our times that education must confront to be maximally effective. Our success is a matter of mixed emotion, pride in the number of new programs that have been made possible by funds under Part F of this legislation since 1968, regret that we haven't had sufficient money to do more.

In my own State of New Jersey we are experiencing increases in populations served through Centers and programs for youth and adults located in major economically-depressed urban areas such as Newark, Camden, Trenton, Plainfield, Atlantic City and other troubled spots of the State. Funding has been utilized to expand staffs and services to groups of all age levels in these impact areas. These programs strive to reach out into the community and involve the parents in school and neighborhood centers, Day Care Centers, and housing development projects. Two of the key developments in New Jersey made possible by this legislation are the Nutrition Education Center at Montclair State College and the Center for Consumer Education Services in Edison Township. These Centers have been set up cooperatively by the Division of Vocational Education in the State Education Department and the respective local educational agencies in the areas. Their function is to serve the education agencies and other cooperating groups in the planning of more effective programs.

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Other states reflect an increasing number of pilot programs resulting from this legislation. Colorado, New York and Pennsylvania have set up programs in their major cities, especially designed to serve their economically-depressed areas. California reports that in San Diego, high school students who have studied con-

sumer education in their homemaking classes are now teaching it to adults in local shopping centers. In Los Angles County similar students are helping to impart their knowledge to the parents of Head Start children. Future Homemakers of America with its 600,000 members, the largest organization for youth in the secondary schools of the nation, is now placing more emphasis on preparing their membership for the dual role of parenthood and the world of work. Thus new and innovative programs have been devised and old, traditional ones have been expanded by the funds which have flowed from this legislation.

Mr. Chairman and members of the Subcommittee, as we face the future in the contemplation of this legislation, I have three recommendations to offer: (1) that increased funds be appropriated to meet the ever-increasing educational needs that arise in this segment of American life; (2) that these funds be categorically earmarked for Homemaking and Consumer Education as they now are under Part F, and (3) that no terminal date be attached to the duration of the law.

As I visit programs throughout the State of New Jersey, I am impressed and touched by the frequency with which individuals particularly those in economically-depressed areas ask this question: How long will this program be here—many of you state and federal representatives come out to work with us and say you want to help us and then, before the job is finished, you have folded up your tents and gone away.

This question comes from people who have had their hopes rekindled only to end in frustration. I cannot give them the answer to their question. But you gentlemen on this Subcommittee do have a measure of power in the formulation of the answer to their inquiry. Let's make it possible to keep this flame of hope, incentive and desire for self-improvement alive, for without these qualities there can be only the decay of the human spirit.

Senator PELL. Thank you very much.

Mr. BERRYMAN. I am most appreciative of the opportunity to present my views on the gains that have been made in vocational education. Through my testimony, I hope to relate that these gains have been made possible through the continuing authorization of this legislation, which makes long-range planning and implementation possible.

As a vocational educator at the local level where the action is, I have been very gratified with the support of our Congress in the appropriation of funds whereby we might further our efforts to make our youth and adults employable, giving them a marketable skill through which they may make their contribution to our national economy.

I happen to live in a community where there are five colleges, three of which are 4-year colleges, with two offering graduate programs. One would think a vocational program might not be successful in this atmosphere. But the testimony, as you will read, will indicate a great amount of progress during the past three and more explicitly during the past 10 years.

The community is an agricultural center, and it is an industrial community. There are 32 industries which employ approximately 100 people, and five industries employing over 1,000.

Since the passage of the Vocational Act of 1963, six new major industries have come into this community, and they have indicated through press releases that the location of the vocational technical center is the key factor in their choosing this community to locate the plant.

Throughout the testimony we show high increases in enrollment in secondary programs and in secondary student enrollment—enrollment in post-secondary, students with special needs, including disadvantaged and handicapped.

We have also experienced a tremendous increase in adult enrollments where they are attempting to increase their skills and competencies.

We recently completed a 5-year survey of students who were in our secondary program. Not one single graduate was unemployed.

Vocational programs are having an impact at the local level. I would like to quote the vice president of manufacturing for one of the Nation's leading manufacturers, who says:

> Literally thousands of assembly workers, operators, repairmen, testers and middle managers have been subjected to courses of various types in the Graff Area Vocational-Technical Center. The results have been exemplary and the corporation is now blessed in Springfield with one of the finest color television plants in the entire industry.

Similar gains in vocational and technical education are in evidence throughout our State of Missouri as a result of the Vocational Amendments of 1968. We are sorry that Senator Eagleton is not here to hear the progress that has been made in his home State, but he will read this testimony upon his return, and I am aware of his actions.

Senator PELL. He has a very strong interest in this and regrets he cannot be with us.

Mr. BERRYMAN. Senator Eagleton worked with us very closely at the local level in developing this type of education. Having the responsibility for both regular vocational programs and remedial programs for manpower development, I am a firm believer that more emphasis placed on regular vocational programs would greatly reduce the need for remedial training programs.

From my testimony you will see that the development of preventive vocational education as compared to remedial vocational education has involved long-range planning. This is a necessity because not only Federal funds are extended but also State and local funds must be provided. To construct buildings, to provide staff and laboratories, enroll students and prepare curricular requires much thought, deliberation, and planning.

We think that vocational-technical education is making rapid strides to meet the training requirements of our youth and adults, and we feel this is again made possible through congressional legislation with continuing authorization. To place time limits on this type of long-range planning would create chaos in many instances. Though appropriations may change from year to year, we have always known since the Smith-Hughes Act of 1917 a vocational-technical program of some magnitude will be made available to the citizens of this Nation.

Mr. Chairman, I thank the committee for its wholehearted support to vocational education, and may I also express myself in favor of the pending Senate bill 659. My only plea to the committee is that this legislation, like all vocational legislation in the past, be made a continuing authorization. Thank you.

(The prepared statement for Mr. Berryman follows:)

Statement of David Berryman, Director
Vocational, Industrial and Technical Education
Springfield School District R-12
Springfield, Missouri
BEFORE THE
Subcommittee on Education
Senate Committee on Labor and Public Welfare

My name is David Berryman. I am the Director of Vocational, Industrial and Technical Education for the School District of Springfield R-12, Springfield, Missouri. I am most appreciative of the opportunity to present my views on the gains that have been made in vocational education since the passage of the Vocational Education Act of 1963 and more recently the Vocational Amendments of 1968. Throughout my testimony I hope to relate the gains made in vocational and technical education to the continuing authorization of legislation which makes long range planning and implementation possible.

As a vocational educator at the local level, I have been very gratified with the support of our Congress in the appropriation of funds whereby we might further our efforts to make our youth and adults employable, giving them a marketable skill through which they may make their contribution to our national economy.

Springfield, Missouri is a city of 125,000 people located in the Ozarks of Southwest Missouri. In our city there are five colleges, three of which are four-year colleges, with two offering graduate programs. In such an environment of higher education one might have a tendency to think vocational and technical education would not prosper or progress very rapidly.

In the following testimony I will show that progress in this area of education has developed rapidly since the passage of the Vocational Education Act of 1963 and more particularly with the passage of the Vocational Amendments of 1968.

Springfield is an agricultural center and an industrial community. There are 32 industries in Springfield that employ 100 or more people, with 5 industries employing over 1000 workers each. Frisco Railway employs over 2000 workers and Zenith Radio Corporation employs over 3000 workers. It might be interesting to

note that since the passage of the Vocational Act of 1963, six new major industries have located in Springfield, Missouri with most of them crediting the training opportunities provided at the Graff Area Vocational-Technical Center as the key factor in their decision to locate their plant in Springfield.

There are 43 elementary schools, 8 junior high schools, and 5 senior high schools in the Springfield school system serving over 25,000 students. Vocational courses in homemaking, business education, and cooperative part-time education are offered in each of the 5 senior high schools. Vocational and technical education is provided at the Graff Area Vocational-Technical Center located in the center of the city, serving students from the 5 high schools and 10 area schools on a half-day basis. Students are transported from their home school to secure preparatory training in vocational and technical courses. Prior to the passage of the Vocational Education Act of 1963, our Vocational-Technical Center facility contained 28,000 square feet. Courses being offered at that time were Technical Drafting, Electronics, Electricity, Machine Shop, Vocational Agriculture, Welding, Sheet Metal, Cabinet Making, and Auto Mechanics. Through the construction funds available under the new Act, we were able to build an addition to our facility of 24,000 square feet in 1965 and a second addition to our facility of 28,000 square feet in 1967.

These added facilities enabled us to expand our course offerings and to add courses in Electronic Data Processing, Refrigeration and Air Conditioning, Printing, Auto Body Repair, Orientation to Health Occupations, and four non-farm agriculturally related occupational courses within our Vocational Agriculture Department for senior high school students. Since the passage of the Act, we have also expanded our curriculum at the 5 senior high schools to offer three occupational training courses within our home economics department and Vocational Secretarial Practice in business education.

Since 1968 the Springfield School District has purchased 6.8 acres of land to the east and south of the Graff Area Vocational-Technical Center. On a portion of

this land a new 45,300 square foot facility has been constructed for the expansion of secondary and post secondary programs. This facility will enable us to offer four new occupational areas to secondary students and six new occupational areas to post secondary students. New courses for high school students will include Plumbing, Food Management and Service, Merchandising and Sales Management, and Multi-Occupations (for the academically handicapped students). At the post secondary level, the new courses will be Industrial Management Technology, an Associate of Arts Degree in Nursing, Environmental Science Technology, Clerical Science, and Dental Hygiene. The new facility also makes it possible for us to offer post secondary education in both daytime and evening hours.

The Springfield School District has always worked very closely with our associates at the Missouri Employment Office. We have secured their aid in determining employment needs in order that new courses may be developed to meet these needs. The above new courses are being implemented after surveys by the employment service people deemed them essential.

Vocational and technical education is high on the priority list of our local community and our local school administration when it comes to funds for education. The rapid expansion of both facilities and programs reflects millions of dollars of local support to this type of education for our youth and adults. As a result of these efforts, enrollment has increased very rapidly. In 1963 there were 145 secondary students enrolled at the Graff Area Vocational-Technical Center; in 1968 there were 480 students enrolled; and, in 1971, 750 students are enrolled. The present enrollment reflects an increase of 56% since the passage of the Vocational Amendments of 1968.

Salaries of our vocational and technical staff have been increased 36% since the passage of the Vocational Amendments of 1968. A portion of this salary increase is a result of increased vocational education funds which are being channeled to the local school district. With these funds we are better able to attract and hold qualified instructors.

We have been able to upgrade and update our equipment in the vocational-technical programs through additional funds made possible through the Vocational Amendments of 1968. New equipment needs to a total vocational-technical program is a function of our local advisory committees. Every effort is made to provide machinery that will be found in our automated industry by both our youth and adults.

We have been very proud of the improvements that have evolved in our vocational-technical program as a result of the Vocational Education Act of 1963 and the Vocational Amendments of 1968. We are also proud to relate that local industries are accepting our product--youth with a marketable skill. A recent 5 year follow-up study of graduates from the Graff Area Vocational-Technical Center revealed that 40% of these graduates were working in jobs for which they received training while in school, 25% were working in a related job to that for which they were trained at the Center, and the remaining 35% were employed in unrelated occupations, attending college, or in the armed forces. Not one graduate in this follow-up study reported himself as being unemployed.

In 1963 we had 86 students in our post secondary program. These students were enrolled in Mechanical Technology, Electronic Technology, and Practical Nursing. By 1968 the enrollment in post secondary courses had increased to 210 students. The new courses offered were Electronic Data Processing, Surgical Technician, Dental Assistant, Ward Clerk, Auto Mechanics, Auto Body Repair, and Welding. Since 1968, our post secondary enrollment has increased to 325 students, which represents a 54% increase during the past three years. In 1969 and 1970, one major U.S. industry offered employment to all of our graduates in Electronics, Mechanical Technology and Data Processing, with the minimum starting salary of $600 per month.

The adults of our industrial city are becoming more and more interested in improving their competencies. Our evening extension and apprenticeship training enrollments have increased tremendously. Enrollment has grown from 903 adults in 1963 to 2,121 students in 1968; and to 2,772 students in 1971. This represents a 37%

increase in enrollment during the past three years. To quote the vice president of manufacturing for one of the nation's leading manufacturers, "Literally thousands of assembly workers, operators, repairmen, testers and middle managers have been subjected to courses of various types in the Graff Area Vocational-Technical Center. The results have been exemplary and the corporation is now blessed in Springfield with one of the finest color television plants in the entire industry."

As of this date the unadjusted unemployment rate for Springfield, Missouri, is 5.7% as compared to the national unadjusted unemployment rate of 6.6%. We would like to think that the training opportunities in Springfield for youth and adults in vocational and technical courses have attributed to a higher employment rate in this area.

One of the newest program developments since the passage of the Vocational Amendments of 1968 has been our program for the academically handicapped student. These courses are known as Multi-Occupations, and learning experiences are provided in certain semi-skilled and single-skilled occupations such as service station attendant, metal machine operator, wood machine operator, custodian assistant, yard and garden maintenance, and minor landscaping. This program is now being provided for 100 students who are academically handicapped. The new facility, just completed, contains 5 shop and laboratory areas for providing programs for these students with special needs.

Since 1968 we have been able to employ a vocational counselor and placement officer at the Graff Area Vocational-Technical Center. This one addition to the ancillary services of the school has made it possible for more youth to receive guidance and counseling and to assist them in securing employment upon graduation or upon the date they leave school. This Act has also made it possible for us to add one additional assistant director who may devote his attention to the counseling and guidance of adults with special needs and job skill training.

Similar gains in vocational and technical education are in evidence throughout our State of Missouri as a result of the Vocational Amendments of 1968. New programs

have been developed and old ones have been expanded in accord with the new philosophy of vocational-technical education portrayed in the Amendments of 1968 as it relates to programs for secondary students, post secondary students (including those who have dropped out of school), for persons already in the labor market desiring to upgrade or improve their competencies, and for students with special needs and the construction of new area vocational-technical schools, vocational guidance and counseling, and ancillary services, including development of instructional materials to be used in vocational-technical education programs. Since the passage of the Act in 1968, eight new area vocational-technical schools have been constructed plus additions to existing schools with total costs amounting to $17,381,352. Secondary school enrollment has increased from 71,928 students to 97,054 students, representing a 35% gain within the past two years. Post secondary enrollments have increased from 6,190 students to 9,068 students, representing a 46% gain. Adult enrollments in 1968 totaled 31,656 students and in 1970, 38,216 students, representing a gain of 27%. The largest gain in providing vocational-technical education has been in the area of students with special needs, including both the disadvantaged and the handicapped. In 1968, Missouri had 1,198 students enrolled; in 1970, 12,485 students, representing a gain of 942%. During the past two years, $62,000 has been allocated annually to an instructional materials laboratory at the University of Missouri in which ten new curriculum outlines have been developed and five have been revised. This is a service that benefits all students through a better instructional program.

Our vocational education work-study program in Missouri has increased from 4,500 students in 1968 to 7,500 students in 1970. Thirty-five new teacher-coordinators have been prepared for this program in workshops during the past two years with twenty-four new programs having been organized throughout the state since the Amendments of 1968.

Interest in vocational and technical education by educators, industrialists, labor leaders, business men and parents during the past two years has been tremendous. The people in our state are very enthusiastic about the opportunities now being

afforded youth and adults in occupational training opportunities. Vocational educators have gratefully accepted the challenge given them by Congress through the passage of the Vocational Education Act of 1963 and more recently the Vocational Amendments of 1968, and we are most appreciative of this interest and support for vocational and technical education by the Congress.

Having the responsibility for both regular vocational programs and remedial programs for Manpower Development, I am a firm believer that more emphasis placed on regular vocational programs would greatly reduce the need for remedial training programs.

From my testimony you will see that the development of preventive vocational education as compared to remedial vocational education has involved long range planning. This is a necessity because not only federal funds are expended but also state and local funds must be provided. To construct buildings, provide staff and laboratories, enroll students and prepare curricula requires much thought, deliberation and planning. We think that vocational-technical education is making rapid strides to meet the training requirements of our youth and adults, and we feel this has been made possible through Congressional legislation with continuing authorization. To place time limits on this type of long range planning would create chaos in many instances. Though appropriations may change from year to year, we have always known since the Smith-Hughes Act of 1917, a vocational-technical program of some magnitude will be made available to the citizens of this nation.

Mr. Chairman, I thank the committee for its wholehearted support to vocational-technical education, and may I also express myself in favor of the pending Senate Bill 659. My only plea to the Committee is that this legislation, like all vocational legislation in the past, be made a continuing authorization.

Senator PELL. Thank you very much, indeed. This subcommittee has great interest in vocational education programs and believes equal treatment of it important. I wonder if you would care to comment on whether you think the 1968 amendments have lived up to expectations and how satisfied you are with the way the program is operating with the Office of Education?

Dr. OLIVO. Mr. Chairman, my written testimony indicates the grave concern for a professional unit within the Office of Education. I did make some suggestions that there was needed an accountability at the national level, and my verbal statements were to the intent that there should be established positions at high enough levels so that there could be the proper accountability and suffient numbers of persons depth, so that we truly might carry out the mandates of the vocational educational amendment and all of its purposes. My remarks also indicated that whether this unit was located within the Office of Education, the Department of Health, Education, and Welfare or elsewhere, was secondary to the establishment of a vital and accountable body at the Federal level.

We do need Federal accountability and Federal leadership.

Senator PELL. I realize since it was in your testimony and you mentioned it earlier. But to be more specific, if you were the Secretary of HEW, what would you do?

Dr. OLIVO. What would I do? I would carry on an educational revolution that I mentioned before, a peaceful one, a revolution meaning complete turning around. One of the first paragraphs of my testimony indicates that vocational education, not general education, is truly the mainstream of an education and manpower training program. Within that mainstream is general education. And if you analyze the curriculum, the facilities, the staff, the costs, the services, numbers . . . you will only come to one conclusion . . . that vocational education is the focal point and not one that is subservient to general education.

I would change the tenor of the whole administrative setup and start with the establishment of standards for service of commissioners of education within each of the States, who do not truly know what a total educational program is . . . all of the components of education . . . and whose directions and priorities always move away from vocational education.

Senator PELL. What you are saying is that as of now vocational education is treated as a second-class citizen in the Office of Education, but you believe that elementary and secondary education should flow from vocational education?

Dr. OLIVO. Very definitely in terms of these factors that I identified, and I will repeat them. After you analyze the curriculum, the honest curriculum, determined by analysis and not by conjecture or pressure; if you examine the needed facilities, the staffing, the cost, the students . . . you would come to that one conclusion, that it is the mainstream.

Senator PELL. Well, I certainly do agree that it should be blended into the same hole, and I do not think it is presently blended into the same hole.

Dr. OLIVO. As I make that statement, I am talking from a lifetime of experience with at least 8 years working directly with elementary

and secondary curriculum and other periods in dealing with higher education. You will find in my testimony a comparative chart indicating that we have 69 positions relating to services to 8.8 million today which should increase to at least 20 million if we are to truly serve. As you take a look at the structure within the Office of Education, you can only come up to one decision, that the commitment is not toward service to the greater majority of youth. It is still in that elitist elitism and snobbishness we have had in the educational community.

Senator PELL. I admire your enthusiasm.

Dr. OLIVO. My enthusiasm is supported by some facts, sir, and experience.

Senator PELL. Probably more than I have. I have just been chairman of this committee for 3 years.

Dr. OLIVO. I am still learning.

Senator PELL. I think there is room for both, and I agree with you that not enough support has been given to vocational education. I do not agree with you in your criticism insofar as elitists—we could go on that argument for a long time.

Dr. OLIVO. We see within the national level a need for tremendous coordination. We are not talking about increasing the budget. We are talking about the reestablishment of priorities and the reallocation of sums that should be coordinated in the development of manpower. We are talking about the 80 percent of the youth who do not complete a collegiate program, so we are talking about the majority of our people.

Senator PELL. Are you also making it possible for continuing education and development in the skills long after they are out of school?

Dr. OLIVO. This is why we are talking about a continuing appropriation for we have not been able to achieve what you wanted to have achieved in service to youth and adults in the numbers that need it.

Senator PELL. Permanent continuing authorizations in the field of education are questioned. I would personally support them.

Mr. BURKETT. Under part B of this act, it has been continuing—as it has been in all the vocational education acts. This amendment proposes to have the authorization under part B terminate on July 1, 1975, as we read it.

Mr BERRYMAN. I would just like to make one comment regarding Dr. Olivo's statement as to what he would do if he were Secretary of HEW. I would like to be able to have my Senator Eagleton, in conversing with me, to be able to refer to the Bureau of Adult Vocational Technical Education as somewhere besides down the hall from the custodian's office.

Senator PELL. That is a good point. I thank you very much indeed for your testimony.

Our next witness will be Dr. Marjorie East, representing the American Home Economics Association.

Your testimony will be printed in full at the end of your testimony.

STATEMENT OF DR. MARJORIE EAST, DEPARTMENT HEAD, HOME ECONOMICS EDUCATION, PENNSYLVANIA STATE UNIVERSITY, UNIVERSITY PARK, PA.

Dr. EAST. I can say, very briefly, that home economics is an important field in the secondary schools; and that vocational education money helps support it.

I wish to emphasize, very briefly again, that home economics does contribute especially to the poor family and to the families that are on welfare. It is particularly important to these people. Girls who are either poor or of less than average IQ, will surely be taking home economics. We reach all girls and many boys. But we know we are going to work for a longer time with the poor girls.

We can do special things for these girls. We help them understand nutrition. We talk with them about child development. We help them spend money wisely. We help them to understand and to build happy marriages. We are concerned about the very things that keep these families from succeeding in our economy. The subject matter of home economics is important. You know that. I do not have to elaborate.

I do want to support the concept of earmarking funds for consumer and homemaking education. There are particular reasons that we think this is important. Earmarking is the same basic concept on which the vocational acts were developed; the whole idea of vocational education needs some kind of earmarking, some kind of special notice, or it gets lost among the other kinds of pressure. This is true for home economics. If there is not earmarking of funds for home economics, the pressure of business and industry in local communities and in States will squeeze out home economics. You just heard testimony suggesting that a community is more likely to get industry to come there if it has a good vocational school. State and local school boards are more likely to have representatives of local business and industries, than spokesmen for homes and family life. These kinds of pressures are bound to be reflected in the actions of the State and local school boards.

Consequently, we who represent families, who are a majority but treated like a minority, we feel that it is wise to have these earmarked funds established, not at the local level, but on the Federal level.

REVENUE SHARING AND CONSOLIDATION

Senator PELL. Now, this is one of the basic issues between the majority of this committee and the present Administration. I do not think we are going to have much success for earmarking funds for home economics. I would think that the tendency is more toward combining than separation at this time.

Dr. EAST. I understand that, there is such a danger, but we think this would be a mistake.

Senator PELL. I think so too, and yet as one who has studied this philosophical problem, I must say we have a great deal of categorical aid programs, I think it is 128.

Dr. EAST. I am talking about part F, of the Vocational Education Act, the consumer and home making funds, which have been earmarked. We hope that they remain so, as I say, to protect these funds from various kinds of pressures at the local level.

The whole concept of funding of vocational education rests on earmarking money for it, rather than just letting it take its chances within the whole pool for education. It is the same concept that we would hope to continue for the part F funds.

Senator PELL. As you know, under the administration proposal, there would be no earmarking of Federal funds, except for five general

areas, if the so-called revenue sharing is fully worked out—there would be other programs left, but the general programs would be combined.

You should make others around the country aware of your views, and the representatives can be informed of your thinking. You ought to do it quite quickly.

Dr. EAST. We will try to do that. We feel that not only does the earmarking prevent local pressures from swaying the good judgment of the local school boards and the State school boards, but also it allows for some kind of continuity of planning.

You asked some of the other persons who have presented statements about what has happened with the amendments of 1968. After the 1963 bill, it took a long time before we ever got any money. We got promises; we had high hopes and made big plans but the money just did not turn up. In fact we were cut back for a few years after 1963, because there was not enough money. Of course we must assure appropriations as well as authorizations. But nevertheless if consumer and homemaking education does not have some continuous steady funding the programs will surely suffer.

CHOICE ON PENDING LEGISLATION

Senator PELL. For the record, of the two bills before us, the committee bill S. 659 and the Administration bill, which would you prefer?

Dr. EAST. I would much prefer the committee bill, because it retains and extends the same plan we have had.

Senator PELL. Thank you very much. Your testimony will be printed in full in the record, and thank you Dr. East, for being with us today.

Dr. EAST. Thank you.

(The prepared statement of Dr. East follows:)

AMERICAN HOME ECONOMICS ASSOCIATION

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A STATEMENT

BEFORE THE SUBCOMMITTEE ON EDUCATION,

COMMITTEE ON LABOR AND PUBLIC WELFARE

UNITED STATES SENATE

IN SUPPORT OF S659

BY THE AMERICAN HOME ECONOMICS ASSOCIATION

BY MARJORIE EAST, SECRETARY

I am Marjorie East, Head, Department of Home Economics Education, The Pennsylvania State University, University Park, Pennsylvania, and secretary of the American Home Economics Association.

The American Home Economics Association is glad to express its support of S659, especially Section 204, which would retain the present earmarked status of funds for consumer and homemaking education.

Our Association represents a membership of about 35,000 professional home economists, all of them with baccalaureate or advanced degrees. They are teachers in schools, colleges and universities, and in the Extension Service. They are dietitians and food service managers. They are employed by businesses, industries, and government services. They work in research, finding new knowledge, and they also apply research findings to the most

practical matters, speaking with ordinary people in everyday language. Whatever their special job or special expertise, home economists work for the well-being of individuals and families, the improvement of homes, and the preservation of values significant in family life.

Home economics is the favorite subject of girls according to a recent Educational Testing Service survey. Virtually every girl in the country takes a year or more of home economics instruction, and many of the boys study child development, consumer economics, family life education, or nutrition.

Secondary school vocational home economics teaches specific salable skills to some 115,000[1] students each year preparing them to earn their living in, for example, the food service industry or childcare agencies. It contributes to some 1,700,000[2] students each year information and skills which help them become better homemakers. Each year some 25,000[3] of these boys and girls go on from their junior or senior high school home economics classes into college programs which prepare them to become professional home economists. In addition, there are some 13,000[4] students enrolled in post secondary home economics programs and some 734,283[5] enrolled in adult education home economics programs. In all these ways vocational home economics contributes to the economically productive capacities of our citizens and helps more than two million people each year on their personal career ladders.

Home economics instruction reaches all girls in the public schools, but it is an especially important influence on girls from low income families who often are enrolled for three or four years of home economics before they leave school. These families have not been successful in our economy often because they are unable to plan ahead, to manage and control their meager resources, to maintain stable marriages, to control the numbers of their children, to keep healthy, and to get and keep a job. These are the very skills with which home economics is concerned.

Home economics develops that most important of all national resources, human resources. By teaching nutrition, it helps people to establish eating habits that insure many years of healthy productive life. It teachers consumer consumer education and family financial management to help people cope with the complicated marketing system in this time of the shrinking dollar. By teaching the principles of healthy child development, it helps to break the cycle of lawbreaking emotional cripples who bear and raise more such troubled and troublesome people. Edward Zigler, the Director of the new Office of Child Development, says, "For the total development of the child, we should not start at age three but rather with the potential parent before he or she is married."

Home economics contributes to the "employability" of people. Good workers come from well-managed homes and lead well-ordered lives. Stable family settings seem to contribute peace of mind and a confidence which in turn leads

to better relationships with employers, fellow workers and the public, to less absenteeism, and to quicker advancement.[7] Any employer knows that it takes more than a specific job skill to equip a valuable employee. For both women and men in the labor force, a stable well-managed home life is a necessary base for a maximally productive life.

Only recently are we becoming aware again of something our grandfathers knew perfectly well. Ironically, at the very time that more women than ever before are holding jobs outside the home, we are recognizing that homemakers also contribute economic productivity to the nation.[8] The fact is that if your wife goes across the street to her neighbor's home to work, to cater a company meal, to clean the carpets and upholstery, to act as an executive housekeeper or to be the child's nurse, then her earnings are part of the "gross national product." If she stays home and does the same thing, her efforts do not contribute to the gross national product. Maybe women should trade off: "I'll work in your house for a salary which I will pay back to you if you will work in my house." If a woman with small children were to be paid only the minimum hourly wage for her work in her own home, she would be earning approximately $6000 a year. The foolishness of overlooking the economic value of the homemaker has been noted recently by such economists as Kenneth Boulding,[9] James Morgan,[10] and Ismail Sirageldin.[11] There is talk of establishing social security benefits or other pension arrangements for homemakers. To the extent that the homemaker is trained specifically for the many facets of

her vocation she improves her economic productivity. Beyond the human capital the homemaker represents, her contributions enhance the contributions and the productive potential of her husband and her children.

Earmarking of funds for home economics has been true since the first Smith Hughes Act in 1917, for more than fifty years. This practice is based on the same principle embodied in the whole concept of federal funding of vocational education: to insure the implementation of a vitally important program which might otherwise receive a lower priority.

Within the vocational education budget for a state or a community, priorities are established among the many valuable programs and services. Considering the pressures from businesses and industries for trained employees, and the probabilities that these groups are represented on school boards, it would not be surprising if consumer and homemaking education were overlooked in a period of less than ample resources.

Also, without the assurance which comes from ear-marked funds, local programs are crippled. If lump sums are to be allocated each year by state or local decisions, long terms planning is difficult, promising new programs might be chopped off before results could be measured, and decisions about the budgets would be delayed for local action. Ear-marking of funds gives a steady assurance of basic continuity of support.

To insure the support of this vitally important aspect of the education of our people, we must rely on the long range view and prudence of wise legislators. They are able to use a philosophical position as well as economic and political factors in their planning for the nation. The American Home Economics Association supports the conservation of the earmarked status of funds for consumer and homemaking education.

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Senator PELL. Our final witness is Dr. Edward Kabakjian, executive secretary, American Industrial Arts Association.

Dr. KABAKJIAN. We have a printed statement that has been submitted.

Senator PELL. It will be printed in full at the end of your testimony.

STATEMENT OF DR. EDWARD KABAKJIAN, EXECUTIVE SECRETARY, AMERICAN INDUSTRIAL ARTS ASSOCIATION, WASHINGTON, D.C.; ACCOMPANIED BY THOMAS HUGHES, STATE SUPERVISOR, INDUSTRIAL ARTS EDUCATION, VIRGINIA

Dr. KABAKJIAN. Good morning, Senator Pell. I am Edward Kabakjian, and with me is Thomas Hughes. Our association is presently engaged in completing its convention activities in Miami Beach, and it has been my pleasure to leave the convention activities to come before you this morning and express our interest in general education legislation and our concerns about the support that the Senate and agencies of Government are presently giving industrial arts programs.

Before I express the issue and the problem that faces industrial arts in the United States, I wish to give you some background in terms of who we are, and what the industrial arts is.

What I would like to do is to paint a picture of what the issues are with the hope you will have a few questions to raise and establish a dialog.

Senator PELL. The questions will depend entirely on how long a period of time you leave me.

Dr. KABAKJIAN. I understand that.

Industrial arts at the present time has about 51,000 teachers in the junior-senior high schools in the United States. It is estimated that we reach approximately 6 million children. This program is strongly tied to the general education format of the school program in which children of all educational goals and interests enroll in industrial arts, whether college bound or trade oriented. They participate in our program.

Now, there is a problem with the present 1968 vocational educational amendments, in that there is a lack of clarity in terms of the commitment by Congress for the inclusion or exclusion of industrial arts teachers and their students and programs in that particular act.

My constituents have informed me that they have polled their Senators, and it has been reported to them that the intent of Congress was to include industrial arts as a part of the funding of this excellent educational program.

The statement in the act which seems to be raising much of the confusion is one which under the definition of vocational education states that vocational education means, and I quote: "Instruction relating to the occupation or occupations for which the students are in training or instruction necessary for the students to benefit from such training."

We feel that industrial arts does contribute significantly to that intent. I would ask Tom Hughes to make at this time any further comments.

Mr. HUGHES. Senator, we appreciate this opportunity, and we commend those persons responsible for expanding visions to be accomplished in vocational education through the act of 1968.

Industrial arts profession, which we represent, believes that one of the functions of our program is described very clearly in the definition, and it is explained in our testimony. We have 51,000 teachers, professionally prepared, serving 6 million students, facilities and equipment to carry out this purpose.

The industrial arts profession is prepared and qualified to take that charge and see that youngsters, both boys and girls throughout this country, receive the full benefit of the intent of that law.

Senator, we believe the industrial arts profession can make a contribution, and we are willing to cooperate to see this mission accomplished by persons trained, concerned and dedicated to the cause of helping youngsters make occupational choices based upon meaningful experiences.

Thank you.

INDUSTRIAL ARTS—DEFINITION AND EXAMPLE

Senator PELL. Thank you.

As an example of industrial arts, would you cite a few that are working now?

Dr. KABAKJIAN. In our school programs?

Senator PELL. Yes.

Dr. KABAKJIAN. We have data that suggests approximately 77 percent of the junior-senior high schools in the United States offer programs of industrial arts to their students.

Senator PELL. My question is what kind of industrial arts courses are there? Are we talking of machinists, lab technicians, or what? Give me some examples?

Dr. KABAKJIAN. Industrial arts is the broad and general study of technology, which provides the child or student with gestalt of our technologies. One of the program goals is to help him make a better career selection.

Senator PELL. What does this mean exactly.

Dr. KABAKJIAN. For instance, we have programs in woodworking, metalworking, drafting——

Senator PELL. Would these be basically high school?

Dr. KABAKJIAN. Junior high school and senior high school.

Senator PELL. Not higher education?

Dr. KABAKJIAN. Our higher education programs are in the training——

Senator PELL. The teachers?

Dr. KABAKJIAN. Right. And there is serious industrial arts teacher shortage in the Nation today. Our testimony reports that the National Education Association says there is a serious shortage of industrial teachers—one of the few remaining critical areas.

We have approximately 240 teacher training institutions which prepare industrial arts teachers.

We have a two pronged concern here. Number one is that the Vocational Education Act clarifies intent, so that either industrial arts is intended to be included or excluded from the funding programs of that law.

Second, there has been a massive Federal support for the improvement of industrial arts curriculum in the last 10 years, and now that the curriculum has been developed, there is no vehicle for the dissemination of the findings of that research, and in the training of teachers to implement those programs.

What we need now from the Federal Government is support in our educational programs to provide facilities, equipment, and programs to train faculty necessary to prepare teachers for these new programs in the elementary and secondary school.

Senator PELL. In other words, you want much more—to be more specific?

Dr. KABAKJIAN. We want your bill more specifically carried out.

Senator PELL. In other words, at this point you feel yourself in a gray area?

Dr. KABAKJIAN. Very definitely.

Senator PELL. We will take this into account in drafting the bill, and I am struck with the statistics that you mention——

Dr. KABAKJIAN. 51,000 qualified industrial arts teachers.

Senator PELL. The average industrial arts teacher now has what kind of training and education behind him? What is required?

Dr. KABAKJIAN. In 1962 the U.S. Office of Education report indicated that 97 percent of them qualify as teachers, which means the minimum of 4 years of college. I think at that time there was 35 percent or 38 percent with masters degrees. I would suggest that percentage is higher now because of retirements and the recent tenure in education.

Senator PELL. The hope is that some of these young men will find they are particularly interested in one or another aspect of the trades they are learning and will go into it following completion of high school?

Dr. KABAKJIAN. Yes, very definitely.

(The prepared statement of Dr. Kabakjian follows:)

TESTIMONY PRESENTED TO
COMMITTEE ON LABOR AND PUBLIC WELFARE
SUB-COMMITTEE ON EDUCATION
OF THE
UNITED STATES SENATE

April 23, 1971

DR. EDWARD KABAKJIAN, EXECUTIVE SECRETARY
OF THE
AMERCIAN INDUSTRIAL ARTS ASSOCIATION
A Department of the National Education Association
1201 Sixteenth Street, N.W.
Washington, D. C. 20036

Mr. Chairman and Members of the Committee:

I am Edward Kabakjian, Executive Secretary for the American Industrial Arts Association.

I appear before you as a representative of more than 10,000 officers and members of the American Industrial Arts Association. The Association is composed of industrial arts teachers, supervisors, teacher educators and administrators who have a strong feeling for the contributions industrial arts is making and the potential it has in serving the best interests of our nation and the needs of its greatest resource--youth. The positions stated herein have been studied nationally and have been approved by the AIAA Executive Board.

We appreciate this opportunity to come before your committee to share with you our suggestions on how industrial arts contributes to the attainment of some of the educational goals as expressed in the Vocational Education Act of 1963 and the Vocational Education Amendments of 1968 (P. L. 90-576).

A U. S. Office of Education report published in 1965 entitled "Industrial Arts Education--A Survey of Programs, Teachers, Students and Curriculum" indicated that in 1962 there were over 40,000 industrial arts teachers in the public schools of our nation. In 1970 the American Council of Industrial Arts Supervisors reported a significant growth in the nation's total number of industrial arts teachers. They reported that approximately 51,000 industrial arts specialists teach an estimated 6,000,000 children.

Traditionally, these teachers and students have received most of their program support from local and state sources. Industrial arts represents a high cost instructional program which is becoming increasingly more difficult to finance with just local and state funds. It was not until 1966, when Public Law 88-665 (which included Title III of the National Defense Education Act) was modified to include the discipline of industrial arts that industrial arts teachers and students received minimal supplementary support for some programs from the Federal Government. Dollar for dollar Title III of NDEA has been one of the most effective methods of achieving substantive upgrading of the physical facilities, supervision, and quality of program in the subject areas mentioned in the Act. Unfortunately, however, the job is not done. We have a long way to go. We urge the continuance of the programs and funding levels of both the NDEA and ESEA.

Of specific concern here, however, is the confusion in the minds of some over the intent of Congress relative to the inclusion of the subject area of industrial arts in the Vocation

Education Amendments of 1968. We believe that clarification of the intent of Congress is necessary in order to alleviate the confusion resulting from differing interpretations of the law.

Personnel in the U. S. Office of Education have taken a very narrow interpretation of law in question, presumably based on the fact that (1) there is no precedence of inclusion of industrial arts in vocational education legislation and (2) there is no specific mention of the discipline of industrial arts in the present law. Others, however, have recognized a broadening of the educational objectives of vocational education legislation which has departed from the senior high school and adult specific skill development program goals of the original legislation of 1917. New legislation supports a more general program of vocational instruction from kindergarten through adult levels. The broadening of vocational education goals and the downward extension of the program to the elementary school are creating, in principle if not practice, a duplication of educational effort in vocational education and general education. The dual program objectives are a result of funding policies and administrative interpretation, not of educational or philosophic design.

You may be inclined to ask "What is the difference between industrial arts and vocational education?" On paper and to the untrained eye the two programs may appear to be doing similar things in the areas of trade and industry. In reality, they are not.

The youth who is enrolled in vocational education contrasts from those who have enrolled in industrial arts or home economics in that he or she has made a specific commitment to an occupational choice. The program of instruction in the vocational-technical school is designed to teach him the skills and concepts necessary for him to enter the trade of his choice and to facilitate his subsequent growth and development on the job.

Industrial arts holds the following four educational objectives as its unique contribution to the total general education of all children. They include:

1. developing in each student an insight and understanding of industry and its place in our society,
2. discovering and developing student talents in industrial-technical fields,
3. developing problem-solving abilities and consumer knowledge related to the materials, processes and products of industry, and
4. developing in each student, for both vocational and avocational uses, skill in the proficient and safe use of tools and materials.

Industrial arts and home economics are courses selected by the large portion of the student body who either (1) have not made final commitment concerning the direction of their future educational or training goals or (2) feel that the broad general approach to the study of technology will contribute to their success in their chosen destiny. They service the large mass of students in the elementary, middle school and high school who

want to understand the "world of things" and the "origin of things," whether in the home or in industry. Students want to know how the real world operates--what are its forces--what are the opportunities. Exploration of the world of technology with an emphasis on self identity contributes to a child's ability to make a discriminating selection of his best alternatives in life. While both home economics and industrial arts contribute to these understandings, the specific concern here is with industrial arts.

The previously mentioned U. S. Office of Education report substantiates the nationwide acceptance of these four objectives as the major areas of emphasis in industrial arts. That same report indicated that 83 percent of our nation's junior high schools (grades 7, 8 and 9) and 67 percent of its junior-senior high schools (grades 7-12) offer programs in industrial arts while 91 percent of the traditional high schools (grades 9-12) and 66 percent of senior high schools (grades 10-12) offer programs in industrial arts. It is estimated that these percentages are even higher today.

Industrial arts programs are presently available to large numbers of the boys and girls in the elementary, middle school and high school levels. Career information objectives for trade and industrial occupational areas of The Vocational Education Act of 1968 are currently being fulfilled in varying degrees in industrial arts programs. There is no need for the development of duplicated programs of instruction designed to satisfy educational goals presently being fulfilled by industrial arts.

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There is neither need for nor justification for the dissipation of our limited financial resources for duplicate effort. Career guidance and career information can effectively flow from existing school programs and facilities. Funds are needed to supplement local and state support of industrial arts education to assist it in achieving the career and occupational objectives in a more effective manner.

Industrial arts is a subject matter area whose teachers are charged with the responsibility of teaching young people about that segment of our culture which is not only experiencing a great amount of change but also experiencing a rapid change rate--technology. The in-service preparation (upgrading) of industrial arts teachers is a critical national need. The preparation of new personnel to fill the many vacancies in industrial arts classrooms is also acute. According to a recent National Education Association study on teacher shortages in the United States, industrial arts represented one of the few areas of the school faculty where there was still a serious shortage, while other subject areas were showing a surplus of available manpower.

There is a need for continued Federal support to close the gap between what the profession says it wants to do for youth in America and what it is presently achieving. The 1965 USOE study by Marshall Schmitt reported that "current industrial arts curriculum does not even measure up to the program recommended by the profession 10 to 20 years ago." The conditions are not much different today despite the contributions of the

Education Professions Development Act, which unfortunately made institute programs available to only two percent of our nation's industrial arts teachers between 1967-1969.

State level coordination and supervision of industrial arts programs by trained specialists in the field is still a need in ten or our fifty states. Additional staff is required to complement the efforts of those specialists currently in forty of our state departments of education. States need Federal support to supplement their efforts in this matter, as well as seed money to provide needed impetus where none now exist.

These are but a few of the areas of concern that we have for the educational programs which provide practical experiences and insights for youth to aid their understanding of the technological society in which they will live and work and to which they are expected to make some contributions.

How, then, might we move to resolve some of these problems which affect a large segment of our school population?

One of the phrases in the present law which appears to be creating the greatest amount of confusion is the part of the definition of the term vocational education which means "... instruction related to the occupation or occupations for which the students are in training <u>or instruction necessary for students to benefit from such training</u>." Because industrial arts has not been a part of previous vocational education legislation and it has not been spelled out in name anywhere in the act, the

U. S. Office of Education has accepted a narrow interpretation of the latter portion of this phrase. Their official position is that industrial arts was not intended to be included under the provisions of the Act.

This position is counter to what we have been led to believe was the intent of Congress as reported by many of our constituents who have polled their congressmen. It is our understanding that the public law in question intended to support the development of elementary, middle school and high school programs which would contribute to a child's understanding of the nature of work, perceptions of self in terms of his interests and abilities relating to future occupational opportunities, and instruction which would contribute to future success in job training. As we have already noted, industrial arts already contributes to the attainment of these purposes.

The program goals of industrial arts have always had occupational literacy, development of the tactile senses and motor skills, and understanding of basic concepts of industrial technology among its objectives. Attitude development in the area of safety, craftsmanship and cooperative work habits have been other related program goals upon which industrial arts has set its sights. Consumer knowledge and self-awareness are often recognized as program benefits.

The industrial arts program is a study of the goods producing technology of America is not only essential to our national economy, but also adds great convenience, pleasure and comfort to our lives. The knowledge of technology and the knowledge of self

that each child derives from his or her experiences in an industrial arts laboratory has many applications. Career selection and occupational literacy represent some of those many program benefits.

The American Industrial Arts Association urges your consideration of clarifying your earlier intentions concerning the funding of educational purposes. Specifically, is it your intent to support 51,000 college trained and properly certified teachers of industrial arts and the millions of children they teach or to by-pass them? Is it your intent to support educational programs which already exist or to finance and create duplicate facilities and programs?

American education needs a new and broader Act to include the teaching of our technological culture and local efforts in providing children with quality educational experiences which will contribute to their usefulness and success as citizens in the year 2000. Industrial arts is a key to the solution of some of our educational problems and can contribute significantly to the attainment of our national goals. The United States of America is dependent upon your leadership in identifying our nation's resources and in making wise and efficient use of them. The American Industrial Arts Association looks upon the 51,000 dedicated teachers of industrial arts as a valuable national resource worthy of your recognition and support.

We respectfully submit the following suggestion for modification of the Vocational Education Amendment of 1968 (P. L. 9-575)

as a means of clarifying your intentions regarding industrial arts:

TITLE I - VOCATIONAL EDUCATION

PART A - General Provisions

DEFINITIONS

Sec. 108. For the purpose of this title -

(1) The term "vocational education" means vocational or technical training or retraining...; (and such term include industrial arts programs at the elementary and secondary school level which include skill development and occupational information which facilitate future success in occupational choices and specialized occupational training;) and such term include vocational guidance and counseling...

TITLE I - VOCATIONAL EDUCATION

(Part J - INDUSTRIAL ARTS EDUCATION)

FINDINGS AND PURPOSE

Sec. 201. (a) The Congress finds that industrial arts contributes significantly to the occupational literacy and career orientation of young people. Laboratory instruction in industrial arts provides youth with meaningful experiences that enable them to acquire knowledge, skills, and appropriate attitudes leading to meaningful decision making as it relates to career selection and subsequent training. Such programs remove the artificial barrier between classroom-learned concepts and the world of reality. Problem structured experiences with tools, machines, materials and processes coupled with instructional content on industrial technology provides a broad base understanding of the organization and operation of industries.

Individual goals of self-realization, success, purposeful living, and knowledge of the options available in life are obtained. Interest in the trades and vocations associated with manufacturing, construction and service industries contribute to vocational choices in these areas.

(b) (1) It is the purpose of this part to assist states in providing supplementary support for (A) the improvement of industrial arts curriculum in order to assure each student the opportunity to develop his or her maximum potential through laboratory experiences, (B) in-service education for industrial arts teachers to improve their technical and professional competence, (C) supervision and coordination of local and state level programs of industrial arts, (D) costs incurred by teachers while participating in in-service education, (E) ancillary services, activities and other means of assuring quality in all industrial arts education programs, such as teacher preparation and supervision, curriculum development research, program evaluation, special demonstration and experimental programs, development of instructional materials, provision of equipment, and state administration and leadership.

(2) At least one third of the Federal funds made available under this section shall be used in economically depressed areas or areas with high rates of unemployment of secondary school graduates.

(3) Such funds allocated to industrial arts be administered at the national, state, and local levels by industrial arts personnel.

In conclusion I wish to report that there is widespread national support for greater equity in educational funding as it relates to youth in our elementary and secondary schools. Organized interest for federal support for the improvement of industrial arts is found in official action by the National Association of Manufacturers, American Vocational Association, and the American Industrial Arts Association.

The American Industrial Arts Association took action on a resolution which supports the equitable funding of all subject matter fields on April 7, 1970. It stated:

> "Resolution. WHEREAS, industrial arts is designed to meet the complex and diversified needs of the students in the American school from elementary through secondary levels, and has demonstrated its ability to meet this commitment in the context of general education, and
>
> WHEREAS, the U. S. Office of Education and other Federal agencies are fostering a dualistic approach to the education of our nation's youth, and
>
> WHEREAS, results of recent studies and evaluations show that many of these legislative programs are not meeting the intent of the U. S. Congress and are not fulfilling the requirements of the students in the schools of our nation,
>
> THEREFORE BE IT RESOLVED, that industrial arts teachers, supervisors and teacher educators of the AIAA oppose the support of this dualistic approach to education, and
>
> BE IT FURTHER RESOLVED, that the AIAA support the development of a single program directed toward the relevant problems of students in today's society and
>
> BE IT FURTHER RESOLVED, that the U. S. Congress provide equitable funding for all subject matter fields involved in this single approach to the general education of all of the nation's youth."

The American Vocational Association at its annual meeting in New Orleans on December 9, 1970, adopted the following policy resolution:

"9. Role of Industrial Arts in Career Development

WHEREAS, students in today's schools, especially the disadvantaged and the handicapped, have special need for occupational exploration for understanding the world of work; and

WHEREAS, Industrial Arts programs can make major contributions to occupational exploration by providing hands-on experiences;

THEREFORE, BE IT RESOLVED, that the American Vocational Association continue to support Industrial Arts as contributing to career development through occupational exploration and providing a base for vocational programs; and

BE IT FURTHER RESOLVED, that the American Vocational Association encourage Congress to include Industrial Arts in future legislation relating to the Vocational Education Amendments of 1968."

The National Association of Manufacturers further underlined the need for the improvement of industrial arts programs and the generalizing of vocational education in the educational policy passed by its Board of Directors at its annual meeting on December 2, 1970. The educational policy which directs specific attention to vocational education states:

"The social and economic well-being of large numbers of high school students who seek employment directly upon graduation is largely dependent upon the effectiveness of their elementary and secondary education programs in preparing them for participation in the world of work. Industry believes that many vocational education programs do not adequately meet the occupational training needs of the student or industry's manpower requirements.

To improve the effectiveness of occupational education in providing students with the qualifications needed to get and hold a job, industry believes:

1. All students' learning experience should include general orientation to the world of work beginning with the elementary grades, and industrial arts programs at the intermediate grade levels should be kept up-to-date to reflect advancing technology.

2. Secondary vocational education students can be served better by programs which integrate both academic and occupational training into a total environment education to provide students with the opportunity to develop social and self concepts, proper work attitudes, adequate reading and computational skills, a desire to achieve, as well as general occupational education rather than over-specialized training..."

The American Industrial Arts Association respectfully urges your consideration of clarifying the intent of the Vocational Education Amendments of 1968 as it relates to the question of whether industrial arts education is to be included in the funding of the law.

Senator PELL. Thank you very much indeed.

I thank you all for being here.

At this point I order printed all statements of those who could not attend the hearing and other pertinent material submitted for the record.

(The information referred to follows:)

Paul E. Nabors, Principal
E. George Roberts, Assistant Principal

Newark Senior High School

Wright Street
Newark, Ohio 43055

May 14, 1971

Honorable Claiborne Pell:

What is the intent of Congress on the inclusion of Industrial Arts in the 1968 Vocational Education Act? We have been preparing students from the 7th grade thru the 12th for too many years in vocational needs and not being properly recognized financially from the Federal Government.

We have all kinds of laws to keep young people in school but no funds to help make them a useful citizen through Industrial Arts Education.

I urge your support of the testimony presented by the American Industrial Arts Assn. on April 23, 1971, to the Labor & Welfare Subcommittee on Education.

Please reply to me as to your position on this matter.

Sincerely,
Charles E Earhart
Ind. Arts Metals Teacher

60%

CINCINNATI PUBLIC SCHOOLS
Education Center
230 East Ninth Street Cincinnati, Ohio 45202

May 21, 1971

The Honorable Claiborne Pell
U. S. Senate Office Building
Washington, D. C. 20510

Dear Mr. Pell:

As a member of the Education Subcommittee of the Senate Labor and Public Welfare Committee, I am requesting clarification of the intent of Congress regarding the inclusion or exclusion of industrial arts in the 1968 Vocational Act.

It has been impossible to get funding or approval for any new vocational facility for anything which resembles an industrial arts program. In order to offer youth an exploratory experience dealing with industrial practices, the name of the program has to be changed and is controlled by the Division of Vocational Education instead of industrial arts which is under the Division of Secondary Education.

There is a large percentage of students who want vocational experience, but are forced into a strictly academic experience because of block time scheduling needed for a local school system to receive vocational funding.

I am concerned that rigid guidelines are separating our education system more into two avenues; academic and vocational. The guidelines do not give educators the opportunity to study the experience which is needed to fulfill that particular objective for a specific group of students and to work toward that goal. One group might need 40 hours of instruction to fulfill the objective, and another group might need 240 hours, depending upon the intent of the participant. Why should the student who is studying that body of knowledge about industry or the world of work to become familiar with it, be penalized by not having the availability of federal funds to help local school systems with equipment and teachers to do the job? This type of education does require equipment similar to that, or the same as that mandated by the Division of Vocational Education, and we urge that vocational monies be used to support such industrial arts programs.

I would like to recommend that you support the testimony which was presented by the American Industrial Arts Association on April 23, 1971 to the Labor and Welfare Subcommittee on Education.

I will be looking forward to your reply regarding your views on federal funding for industrial arts programs in the elementary and secondary schools.

Sincerely yours,

Jack N. Ford

Jack Ford
Supervisor of Industrial Arts

er

Telephone (1-513) 621-7010

May 18, 1971
Jackson, Ohio

Senator Claiborne Pell, Chairman
Education Subcommittee
U. S. Senate Office Building
Washington, D. C. 20510

My Dear Senator:

Congratulations on your role as Chairman of the Education Subcommittee. Your task I'm sure is not easy.

I take this opportunity to solicit your views in relation to clarification of the intent of the Vocational Education Act of 1963 and the 1968 Amendments as they relate to industrial arts. To me, it is imperative that industrial arts be categorically included in the above mentioned act and amendments.

As a citizen of the Appalachin area we are shamefully affected in that we are unable to satisfactorly finance our industrial arts programs with local funds. State funding of industrial arts in Ohio is nil.

I urge you to support the testimony presented by the American Industrial Arts Association on April 23, 1971, to the Labor and Welfare Subcommittee on Education.

It is to everyone's advantage that youth enrolled in industrial arts courses are entitled to receive the best possible program our nation can offer in studying our industrial culture and its technology.

Please respond to this communication relating to your position on this matter and as to your intent to put the proposed changes into law. Thank you.

Very truly yours,

C. Richard Lanier

C. Richard Lanier

CRI:sel

CENTENNIAL 1870 1970

May 12, 1971

The Honorable Claiborne Pell
U.S. Senate Office Bldg.
Washington, D.C. 20510

Dear Senator Pell:

This letter is being written to enlist your support for gaining categorical aid for Industrial Arts Education within the interpretations of the 1968 Amendments to the Vocational Education Act of 1963, as well as in any future amendments to this act or in related new legislation. Also, I urge your support for the testimony submitted to the Senate Labor and Public Welfare Committee on Friday, April 23, 1971. Finally, I urgently request that you send me a statement of your position in regard to the above testimony.

When vocational education included only specific job training, during the period 1917 to 1963, more generalized studies in business, home economics and industrial arts education did not receive specific categorical mention. Only one of these subjects, home economics, received substantial aid for general citizenship education throughout this period.

Throughout the United States, from 1917 to 1963, one could only tell most vocational home economics classes from non-vocational ones by checking in the school office to see which classes were taught by teachers whose salaries were partially reimbursed by federal vocational monies. The principal focus of all home economics courses was and remains general knowledge and skill for home and family living and family cooking and sewing. We males never complained because comparable support, throughout nearly half a century, was never provided for industrial arts classes in which boys learned comparable knowledge and skills for general citizenship purposes.

Now that Congress has broadened its definition of vocational education to include anything that in any way relates to wage-earning occupations, such as kindergarten field trips within the community to see people at work, continued exclusion of support for all business, home economics, and industrial arts is an injustice which cannot be logically defended or morally condoned.

Please review the above-mentioned testimony and let me hear from you whether you can support the position that the four million youth who annually study industrial arts should benefit from vocational funds. Please do lend your support to providing categorical aid for industrial arts within the provisions of the new vocational legislation.

Sincerely yours,

Donald G. Lux

Donald G. Lux
Professor and Chairman
Vice President, AIAA

g y

SHELBY SENIOR HIGH SCHOOL
KENT E. EYLER, PRINCIPAL
RONALD STRINE, ASST. PRINCIPAL
SHELBY, OHIO 44875

May 17, 1971

Senator Charles Percy
U.S. Senate Office Bldg.
Washington, D.C. 20510

Dear Sir:

For some time I have been deeply concerned regarding the final disposition of the Vocational Education Act of 1968, of which I understand you are the chairman.

I am concerned because I have given over 30 years of my life to teaching in the field of Industrial Arts, which is not even mentioned in your bill. Vocational and Industrial Education vary greatly, although there are great similarities between them.

I urge you sincerely to include the Industrial Art program in this bill, otherwise you will see many good teachers, whose skill, experience and background are needed, leaving the field. I speak for myself.

Please write me concerning your stand on the bill and what you think its outcome may be.

Sincerely,
Lowell McMechan
Head of Ind. Arts Dept.
Shelby Senior High

AVID CORPORATION

• PM&E Division
• Travelab Division
• Instructional Systems Division

January 18, 1971

The Honorable Claiborne Pell
United States Senate
Washington, D.C. 20510

Dear Senator Pell:

Enclosed is a resolution recently passed at the convention of the American Vocational Association in New Orleans, Louisiana.

This resolution is particularly significant because it brings to bear a concentration of government support to industrial arts programs which for years have developed an awareness of vocational related skills in youngsters at elementary and junior high school levles. It brings together the two areas of industrial arts and vocational education in a manner very clearly explained in the resolution.

AVID Corporation's interest in this resolution is very clear, since we have led the way in developing Travelab units which provide an industrial arts experience related to occupational exploration at elementary and middle grade levels in several school systems throughout the United States. As you are aware of the work we have done and since your work in the United States Senate is directly involved with programs of this type, I thought you should be aware of the resolution which will be coming to the attention of Congress in the very near future.

I am sending copies of this letter and resolution to the Chancellor of Education for the city of New York, the Director or Industrial Arts for the city of New York, and Senator Javitts, who has also expressed a great interest in this resolution.

Very truly yours,

E. V. Maxwell
Sales Manager
Products for Education

EVM/pas
Enclosure
cc Senator Javitts
Chancellor of Education, N.Y.
Director of Industrial Arts, N.Y.

RESOLUTION

Role of Industrial Arts in Career Development

WHEREAS, students in today's schools, especially the disadvantaged and the handicapped, have special need for occupational exploration for understanding the world of work; and

WHEREAS, Industrial Arts programs can make major contributions to occupational exploration by providing hands-on experience; and

WHEREAS, programs in vocational education will be more effective in developing competencies needed in the world of work if chosen intelligently;

THEREFORE, BE IT RESOLVED, that the American Vocational Association continue to support Industrial Arts as contributing to career development through occupational exploration and providing a base for vocational programs; and

BE IT FURTHER RESOLVED, that the American Vocational Association encourage Congress to include Industrial Arts in future legislation relating to the Vocational Education Act of 1963 and the Vocational Education Amendments of 1968.

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Newark Public Schools

9-19 North Fifth Street
Newark, Ohio
43055

May 26, 1971

Dear Mr. Pell,

As chairman of the Senate Committee investigating the appropriation of money for the new vocational education I hope you will strongly support the opinion of making funds available for industrial arts in the new education bill.

Ohio is finding it difficult to support education financially because of the repeated failures of bond issues by the general public. The youth enrolled in industrial arts courses are entitled to receive the best possible program our nation can offer in studying our industrial technology.

I would appreciate knowing your position on this matter and your intent to put the suggested change into law.

Sincerely,

Thomas J. Moore
Drafting Instructor
Newark High School
Wright Street
Newark, Ohio 43055

THE DAYTON PUBLIC SCHOOLS
ADMINISTRATION BUILDING
TELEPHONE 461-3850
348 WEST FIRST STREET AREA CODE 513 DAYTON, OHIO 45402

JAMES O. REYNOLDS
Supervisor of Industrial Arts

May 18, 1971

Senator Claiborne Pell
U. S. Senate Office Building
Washington, D. C. 20510

Dear Sir:

I am sure that the intent of the Vocational Education Act of 1963 and the amendments of 1968 was not to delete Industrial Arts Education. Yet the state plan in many states, Ohio, for example, does not permit allocation of funds for Industrial Arts Education.

Since Industrial Arts is the very basis for later Vocational Education and in many instances is the only avenue to Vocational preparation the Vocational Education Act should be amended to include this area within the funding.

Industrial Arts Education is not in conflict with Vocational Education. It serves as an adjunct.

The Industrial Arts Division of the American Vocational Association is of long standing and the AVA at the 1970 meeting in New Orleans the House of Delegates adopted Resolution No. 9.

"ROLE OF INDUSTRIAL ARTS IN CAREER DEVELOPMENT

"Whereas, students in today's schools, especially the disadvantaged and the handicapped, have special need for occupational exploration for understanding the world of work; and

"Whereas, Industrial Arts programs can make major contributions to occupational exploration by providing hands-on experience;

"Therefore, be it resolved, that the American Vocational Association continue to support Industrial Arts as contributing to career development through occupational exploration and providing a base for vocational programs; and

"Be it further resolved, that the American Vocational Association encourage Congress to include Industrial Arts in future legislation relating to the Vocational Education Amendments of 1968."

In view of the testimony presented to the Labor and Welfare sub committee on April 23, 1971 by the American Industrial Arts Association, may we urge your support to clarify the language of the Vocational Education Act to include Industrial Arts Education as an integral phase of the total program of Career Education.

Sincerely,

James O. Reynolds

James O. Reynolds, Chairman
American Vocational Association -
National Safety Council
Joint Safety Committee

JOR:jeb

5341 Thomas Street
Maple Heights OH 44137
May 16, 1971

The Honorable Claiborne Pell
U. S. Senate Office Building
Washington DC 20510

Dear Senator Pell:

Industrial Arts education has provided vocational training for millions of American youth for many years where programs of vocational education were non-existent. Industrial arts has made dynamic progress in its curriculum during the past decade as it strives to teach all boys and girls learning for living in our industrial and technological society.

With the spotlight focused on vocational education, local and state funding for industrial arts is not being adeqately supported.

I would like clarification as to whether Congress will or will not include industrial arts in the Vocational Education Act of 1968.

Your support for the testimony presented by the American Industrial Arts Association on April 23, 1971 , to the Labor and Welfare Subcomittee on Education will be greatly appreciated.

Would you please respond with your position on this matter and your intention to put these changes into law.

Very truly yours,

Howard R. Schramm

Howard R. Schramm

Mr. William E. Stone
Box 195
Bergholz, Ohio 43908
May 18, 1971

Senator Claiborne Pell
U. S. Senate Office Building
Washington, D. C. 20510

Dear Senator Pell:

May I express my concern about the youth enrolled in industrial arts courses and that they are entitled to receive the best possible programs our nation can offer in studying our industrial culture and its technology.

As a member of the committee considering the funding or not of monies for Vocational Education; what is your personal intent concerning the inclusion or exclusion of industrial arts in the revision of the 1968 Vocational Education Act?

Through strong efforts of industrial arts teachers and their programs being offered in schools today, they are of the best; but the problem of financing them on the local and state levels continues to become even a larger problem. The industrial arts programs of the past and present are greatly responsible for keeping students in school. The potential "drop-out" has been our problem for ever so many years.

I would urge your support for the testimony presented by the American Industrial Arts Association on April 23, 1971 to the Labor and Welfare Subcommittee on Education.

Would you please respond to me personally concerning your position on this matter and your intent to put the proposed changes into law?

I am a teacher of industrial arts at the present time and have been for over twenty years; so I am concerned for the students and their education for the future.

Sincerely,

William E. Stone

William E. Stone

WES:fef

JOHN BARKER, JR.
Superintendent
L. RUSSELL HEATH
Principal

BRIGHTON
CHARLESTON
DERBY
HOLLAND
JAY
LOWELL
MORGAN
NEWPORT
NEWPORT TOWN
TROY
WESTFIELD

NORTH COUNTRY UNION HIGH SCHOOL
VETERANS AVENUE, NEWPORT, VERMONT 05855

May 12, 1971

The Honorable Claiborne Pell
U. S. Senate Office Building
Washington, D. C. 20510

Dear Senator Pell:

It has come to my attention that there is a possibility that the Vocational Education Act of 1963 and the 1968 Amendments might be amended to include funding for Industrial Arts. For some time I have been very concerned, as an Industrial Arts educator and administrator, that Industrial Arts has been short-changed as far as funding is concerned. Because of the increasingly difficult situation as to state and local funding in general, Industrial Arts again is the program that suffers. I feel that Industrial Arts can and does play a very important role in the general education of our young people today, and I feel also that by not helping wherever possible in promoting these programs, we are hurting the student.

Because of the age of technology in which we live, Industrial Arts is an even more integral part of not only our educational system, but also of our social and economic structure. I would, then, urge you very strongly to support the testimony presented by the American Industrial Arts Association on April 23, 1971, to the Labor and Welfare Subcommittee on Education. Your attention and support to include Industrial Arts funding in the Vocational Education Act of 1963 and the 1968 Amendments would be very much appreciated by all of us in the field of Industrial and Vocational Education, and especially appreciated by the students involved.

Sincerely,

Garton Van Tassel

Garton Van Tassel
Director of Vocational Education

GVT/ms

Form 943N (Rev. 7 68)

DEPARTMENT OF HEALTH
BUREAU OF LABORATORIES
455 FIRST AVENUE, NEW YORK N. Y. 10016
Telephone: 212 340-4501

RECD JUN 1 1971

May 27, 1971

Senator Jacob K. Javits
United States Senate
Committee on Labor and Public Welfare
Washington, D.C. 20510

My dear Senator Javits:

On December 10, 1970 I wrote you about the sad state of certain commercial vocational schools. With that letter there was submitted a copy of my testimony before the Federal Trade Commission Hearings held in Washington last December.

More recently, similar hearings were held before the Senate subcommittee on Education and these were concerned with amendments to the Higher Education Act. Unfortunately, I was unable to appear at these hearings. However, I respectfully request that the copy of my testimony (which is attached) be made part of the official record of the hearings held by your Subcommittee on Education.

Sincerely yours,

Morris Schaeffer

Morris Schaeffer, M.D.
Assistant Commissioner and
General Director of Laboratories

MS:mm
Enclosures

DECEMBER 10, 1970.

Senator JACOB K. JAVITS,
U.S. Senate,
Committee on Labor and Public Welfare,
Washington, D.C.

MY DEAR SENATOR JAVITS: There is enclosed a copy of my testimony before the Federal Trade Commission Hearings on commercial vocational schools held recently in Washington.

Of grave concern is the fact that schools which claim to be able to train students in medical technology do such a poor job of it. Not only are these schools approved by local departments of education but what is more disconcerting is that they are also accredited by self serving accreditation boards which have the blessings of the U.S. Department of Education.

Since "accredited" schools can have approval for federal funds, some of the enterprising schools are offering hospitals their subsidized graduates on a full or part time basis (see copy of letter attached). The temptation to take on such "cheap" help by hospital laboratories, which are not in a position to improve the student's competence, must be great.

In New York City the *Eastern School for Physicians Aides* has been accredited by the National Association of Technical and Trade Schools (NATTS), for training Medical Laboratory Technicians, as well as technicians in Hematology, Serology, Bacteriology, Clinical Chemistry and Histology. The American Medical Technologists (AMT) has accredited this school in more general terms, "Medical Laboratory Technology." Other schools accredited in New York by NATTS are *Mandl School for Medical and Dental Assistants* (in N.Y.C. and Hempstead), *Manhattan Medical and Dental Assistants School*, and in Newark, Lyons Institute.

It appears quite evident that a close look at the entire accreditation procedure is necessary and that new legislation is needed to protect the students who are paying large sums of money for little in return. And what about the patients whose erroneous laboratory tests can have life threatening consequences?

The new legislation is needed principally to set higher standards for the education and training of personnel upon whose performance the doctor's decision and patient's life so often depends.

There are three major national professional organizations which have, over the years, acquired the knowledge and experience necessary for the development of appropriate standards for technical personnel in the clinical laboratory. One of these is the College of American Pathologists (and American Society of Clinical Pathologists) represented by Careers in the Medical Laboratory, 9650 Rockville Pike, Bethesda, Maryland 20014, Thomas M. Peery, M.D., Chairman. The second is the American Chemical Society (and American Association of Clinical Chemists), 1155 16th Street, N.W., Washington, D.C. 20036, David A. H. Roethel, Executive Director. The third is the American Society forMicrobiology (and the American Academy of Microbiology), 1913 I Street, N.W., Washington, D.C. 20006, Asger F. Langlykke, Ph.D., Executive Director.

I urge that you call upon these organizations for their valued advice on the proper criteria to be established. In addition, I offer my services and those of my staff for any assistance we can provide in this matter.

Sincerely yours,

MORRIS SCHAEFFER, M.D.,
Assistant Commissioner and
General Director of Laboratories.

PREPARED STATEMENT BY MORRIS SCHAEFFER, M.D., PH.D., ASSISTANT COMMISSIONER OF HEALTH, AND GENERAL DIRECTOR, BUREAU OF LABORATORIES, NEW YORK CITY DEPARTMENT OF HEALTH, ON THE QUALITY OF PROPRIETARY MEDICAL LABORATORY SCHOOLS IN NEW YORK

There are three commercial Medical Laboratory schools in New York City. These schools accept students who have little or no background in scientific subjects and the curriculum is too large in scope for the time available for training. The instructors generally lack adequate credentials, the equipment is poor, there is frequently a lack of practical material, so that the students are not exposed to actual clinical situations and a real experience with abnormalities with which they should become familiar.

In New York City, for an individual to receive a certificate of qualification (license) to be employed as a clinical laboratory technician, he must meet one of the following requirements:

(1)(a) He has successfully completed sixty (60) semester hours in an institution accredited by an appropriate agency of the State or by the Association of American Universities or by any other equivalent accrediting agency acceptable to the Department or from an institution which, in the opinion of the Department, maintains standards equivalent to those of an institution accredited as aforesaid and (b) has successfully completed the following courses: general chemistry, one year; mathematics, one year; biology or microbiology, one year; and (c) has been employed as a clinical laboratory technician or trainee for one year in a clinical laboratory acceptable to the Department or has been employed for a period of at least six (6) months immediately prior to February 4, 1963 as a laboratory technician in a clinical laboratory under permit issued by the Commissioner or has been awarded a degree of Associate in Science with a specialty in Medical Technology or an equivalent degree after a two (2) year course in a college accredited by the Middle States Association of Colleges and Secondary Schools, or other similar regional commission for the accreditation of institutions of higher education acceptable to the Department, or

(2) He is a high school graduate and has been employed for a period of at least six (6) months immediately prior to February 4, 1963 as a laboratory technician in a clinical laboratory under permit issued by the Commissioner and had been employed for a period of at least five (5) years as a laboratory technician in a clinical laboratory acceptable to the Department, or

(3) He is a high school graduate and subsequent to graduation has served two (2) years as a technician trainee in a clinical laboratory with a training program approved by the Department, or

(4) He is a high school graduate and has passed a written examination given by the Department. The written examination may be supplemented by such oral or practical examinations as the Department may determine upon the recommendation of the Board of Examiners.

In 1969, 577 individuals filed for examination for the technician's certificate. Of the 157 who failed this examination, 128, or 81%, were those who attended proprietary vocational schools, but had no practical experience in clinical laboratory work. Only 71% of the examinees having only a high school education failed the same examination.

Early in 1970, a minimum of 6 months of experience following the academic training period was included among the requirements for eligibility to take the examination for technician.

Of 182 individuals examined thus far this year, 58 of the 94 who failed, or 62%, came from vocational schools. This 19% improvement is not great, but it clearly illustrates the importance of practical experience.

The following is a statement given us by Dr. Henry Isenberg, Director of the microbiology Laboratory at the Long Island Jewish Hospital in New York.

"Over the last 15 year period, I have provided laboratory training for approximately 50 people with various backgrounds. Of these, about 30 were summer trainees from high school or college programs. All of these went on to complete their formal education and their laboratory exercises, and subsequently got good jobs. Of the 20 which came from commercial training schools, only one had sufficient recognition of his need for further training to progress. The remaining 19 from the proprietary schools were non-utilizable.

"The chief problem with the commercial school students is their lack of background education, so that they fail to grasp the basic elements of laboratory work. Many realized this and begged out of the program. Some took jobs as clerks and one went on to college. By contrast, the Community College graduates are well prepared and make good students in the working laboratory.

"It is a grave injustice to lead a vocational school graduate to think he is prepared for a job or can be a 'physicians assistant' and command a good salary, when in truth he is *not* ready to do reliable work. Such students require the closest of supervision by people with a real professional interest in training them. If they work in physician's offices or in laboratories where they do not have such supervision, they could be a positive hazard to the patient.

"The misleading advertising with which such schools recruit gullible students entices them to spend money and time for totally inadequate training. This is often heart breaking to individuals who cannot get a good job or are unable to demonstrate competence when they do get a job which they cannot hold."

A similar criticism comes from Dr. Frederick Traub, Laboratory Director of the Brooklyn Jewish Hospital.

"During the past 8 years, time and again I have interviewed many students from commercial schools, but never employed any because they were so obviously unsatisfactory. They are uniformly without knowledge as compared to the excellent quality of graduates of Community College programs."

Dozens of other similar disenchantments with the products of commercial schools can be documented.

The point that becomes painfully clear is that graduates of these commercial schools are not passing their licensure examinations, and of those who do, many are found to be unacceptable to discriminating employers of laboratory technicians.

Despite this poor showing, these schools seem to satisfy the criteria established by the State Department of Education. They are also accredited by the Accrediting Bureau of Medical Laboratory Schools (an agency of the American Medical Technologists) and the National Association of Technical and Trade Schools. Both of these accrediting agencies have the approval of the United States Department of Education.

These facts should be the cause of great concern and the entire accreditation procedure of the United States Office of Education must therefore be seriously questioned and thoroughly reviewed

It should be noted that with the rigid licensure and proficiency testing program which we were fortunate enough to have established in New York City, we prevent licensed laboratories from employing unqualified technicians However, the technician in the doctor's office is exempt from such scrutiny. Moreover, most of the states in this country do not have adequate laboratory licensing regulations, and therefore lack the protection such a program can afford. Doctors and clinical laboratories are thus at the mercy of the conscience of the vocational schools and their accrediting agencies.

The extent of danger to life and limb created by this situation is difficult to estimate. But, if our data, indicating errors in laboratory procedures of between 25 to 50%, even in laboratories with more adequately trained technical personnel is accurate, then the potential menace to the public health is great indeed.

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United States Senate
COMMITTEE ON
AGRICULTURE AND FORESTRY
WASHINGTON, D.C. 20510

March 8, 1971

Dear Mr. Chairman:

I am gratified to note that the Education Subcommittee has under consideration the bill I introduced to provide funds, under the Vocational Education Act of 1963, for the purpose of constructing student union rooms or buildings for area vocational schools.

An excellent example of the need for this legislation is the situation of the Lake Area Vocational-Technical School in Watertown, South Dakota. Mr. Robert H. Cockle, the Superintendent of Watertown Public Schools, has been in the forefront of the effort to provide suitable student union facilities. His correspondence with me testifies to the belief that the vocational education program in his community and in many others would be considerably improved by the availability of such meeting places on campus. I ask that his letters be included in the printed record of your hearings and I would be grateful to you and the committee for favorable action on S.374.

With every good wish,

Sincerely yours,

George McGovern

Honorable Claiborne Pell
Chairman
Subcommittee on Education
Senate Committee on Labor and Public Welfare
Washington, D.C.

ROBERT H. COCKLE
Superintendent

WATERTOWN PUBLIC SCHOOLS
WATERTOWN, SOUTH DAKOTA 57201

September 22, 1970

Honorable George McGovern
United States Senator
Senate Office Building
Washington, D. C.

Dear George:

As we move onward in education many perplexing problems arise to challenge and to solve.

I am sure this is true of every area of human endeavor but we do have one problem we would like to have you and your office assist us in solving.

Public vocational-technical education at the post-secondary level in South Dakota has gone from nothing to a rather comprehensive program in the past five years as you well know. Our Lake Area Vocational Technical School in Watertown has grown from 25 students in a Manpower Development Training activity to our fall of 1970 enrollment of over 500 one and two year students. Your assistance in providing the impetus to this amazing needed expansion for our State is greatly appreciated by South Dakota, more particularly our area of North-Eastern South Dakota. We now have the following programs:

Health Occupations

1. Licensed Practical Nursing
2. Dental Assistant
3. Dental Lab. Technician
4. Medical Assistant
5. Certified Lab. Assistant
6. Radiology Technician
7. Operating Room Technician

Trade & Technical

1. Agri-Business
2. Auto Mechanics
3. Aviation Mechanics
4. Building Trades Technology
5. Business Machines Technology
6. Cosmetology
7. Drafting Technology
8. Electronics Technology
9. Farm Equipment & Diesel Mechanics
10. Machine Shop Technology
11. Radio & T.V. Servicing

Honorable George McGovern
Page two
September 22, 1970

This is a terrific program, George, and one suited to the needs of the citizens of today and tomorrow. The greatest number of our students live at home and drive to school for the six to eight hours a day of instruction. Others live in private apartments and rooms, of which there is an ample supply. We do not favor dormitories for this type of a school.

However, we have one giant problem. We need a day-Student Union. A place where students can have lunch, a resource-study-lounge area to relax prior to classes, between classes and after classes while waiting for those who share rides. We are not talking of an elaborate recreation type building as needed by a college with a large number of residence students.

A four year college, private or public, finances Student Unions through a program of Federal and State matching funds, and by student Union fees, which pay back loan amounts. We have pursued this course but immediately get the explanation, "Funds for the Student Union type facility are only available to colleges or universities that provide two or more years of transfer of credit training."

This is our problem, George. What you can do to assist us I do not know, but we need help. Every post-secondary institution in South Dakota has participated in a federally financed Student Union Building. Some institutions had less students at the time than we have now.

We have a program that is badly needed, one that has grown from 25 students to 500 students in five years and will continue to serve a national, state and local need for our citizens. We hope you can find time to review our problem and perhaps suggest ways we might proceed to solve our problem.

Sincerely,

Bob

Robert H. Cockle
Superintendent

RHC/mj

ROBERT H. COCKLE
Superintendent

WATERTOWN PUBLIC SCHOOLS
WATERTOWN, SOUTH DAKOTA 57201

March 5, 1971

Senator George McGovern
U.S. Senate Office Building
Washington, D.C.

Dear Senator McGovern:

Thank you for your efforts in introducing legislation for an opportunity to construct day type student union rooms or buildings for the Area Vocational Schools.

We have a very successful program in the Lake Area Vocational-Technical school. Over the past five years we now have a total of 500 students enrolled in 19 separate vocational-technical program.

In South Dakota we find that students travel up to 75 miles per day to go to the classes and that the original movies were exclusively for classroom and shop buildings. Due to the tremendous growth we now feel the need for a day-time student center. Our classes start at 7:00 A.M. and run until 5:00 P.M. which makes necessary waiting areas, lunch facilities and modified recreation areas necessary.

At the present time all assistance for post-secondary student unions through grants, loans or vocational funds do not apply to vocational-technical schools, but only to schools which provide classes for transfer of credit.

Our Vocational school is limited to providing only courses that are vocational technical in nature and for no transfer of credit courses.

We have investigated thoroughly all avenues and come up against a blank wall. Our student body has gone on record as advocating a per-pupil student union charge to finance a portion of a student union but the complete facility is beyond the means of this group.

The one and two year vocational programs are important in the field of post-secondary education and our students do need this type of facility.

The concept of the day student union we have is to provide a quick lunch area, a resource-lounge area and limited recreation spaces. We realize we do not need many of the facilities found on a residential student campus.

Your efforts on the behalf of the Lake Area Vocational-Technical School in making this type of facility available through the vocational-technical Act of 1968 would be greatly appreciated by all students and many similiar schools.

Again, it would serve to take vocational technical education out of the "basement" and put it in the position it has earned.

Sincerely,

Robert H. Cockle
Superintendent.

RHC:dlm

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United States Senate
COMMITTEE ON
INTERIOR AND INSULAR AFFAIRS
WASHINGTON, D.C. 20510

March 31, 1971

Hon. Claiborne Pell
Chairman, Education Subcommittee of
Labor & Public Welfare Committee
Washington, D.C.

Dear Mr. Chairman:

Enclosed is a letter from Alaska's Director of Vocational Education setting forth both concerns and recommendations he has for the future of this urgent program. I know that you are deeply involved in weighing the future direction of this program and felt you should have the benefit of Mr. Ridle's experience and recommendations in this regard.

May I also say that I too, strongly object to any cut in Alaska's program level of funding. We are looking into this very closely now to see if indeed this may happen in FY '72 under the current budget.

With best wishes,

Cordially,

Ted Stevens

TED STEVENS
United States Senator

Enclosure

STATE OF ALASKA

DEPARTMENT OF EDUCATION

WILLIAM A. EGAN, Governor

POUCH F — ALASKA OFFICE BUILDING
JUNEAU 99801

March 9, 1971

The Honorable Ted Stevens
United States Senator
317 New Senate Office
Building
Washington, D. C. 20510

Dear Senator Stevens:

As a courtesy to the State, the American Vocational Association keeps the State Directors posted as to the pending Federal legislation and budgets. It is through this avenue of information that we just received the attached schedule of apportionments for Vocational Education.

We are both distressed and angry to learn that Alaska, with its current serious financial picture, is to receive the largest percentage cut in Federal revenue. Also, on a percentage basis, we are evidentally going to receive less than any other state on the basis of FY-70 apportionments. We cannot understand what sort of logic it is that would take what is already a minuscule apportionment and then reduce it to the extreme noted on the attached.

Vocational Education is extremely crucial to the State's general development at this point in time. A reduction of funds such as this will completely eliminate many critical programs in our smaller schools. We would appreciate your assistance in alleviating this unjustified reduction in the Federal apportionment. Any assistance from your office would be more than greatly appreciated.

The second item I might address myself to: As you are no doubt aware, in the near future the Vocational Education Act of 1963 and the 1968 Amendments will be up for either revision or passage of new legislation. I would like to take this opportunity to request your offices to support continuing the Vocational Education Act of 1963 and the 1968 Amendments and to continue to provide categorical funds for Vocational Education, as such.

Third item: To the best of my knowledge in most all states, Vocational Education comes under the administration of State Boards for Vocational Education and directed and supervised through the State Departments of Education. I would highly recommend for the State of Alaska that this operation continue for the main reason that it provides articulation of Vocational Education programs from kindergarten through grade 14 with the academic program. If Vocational Education should be separated from the State Department of Education, as such, I feel that a tremendous fragmentation of programs would be the result.

Fourth item: As proposed by the administration and Congress during the past session, indications are that the education component under MDTA might be removed from Vocational Education. I would strongly urge, again for the reasons of articulation between high school, post-high school, and adult programs, that MDTA education components remain with the Division of Vocational Education throughout the State system.

Fifth item: In the past some indications have been made that there is a possibility that the administration of the educational components under Manpower programs on the national level may be removed from the Departments of Health, Education, and Welfare, and the U.S. Office of Education. Again, as mentioned in the two previous paragraphs, it would be my feeling that fragmentation of programs would result in overlapping of both programs and facilities that are now being provided by the State Divisions of Vocational Education as well as the U.S. Office of Education.

Sixth item: Over the past years the State Departments of Education have been charged with the responsibility of providing occupational training for secondary, post-secondary, and adult education. Even though the State offices have been charged with this responsibility, very little attention has been given to the funding of such programs. As a result of this, over the years there has been a lack in training that has lead to a number of programs under the Manpower Development Training Act. I will refer to these programs as prevention vs. treatment, prevention being the educational programs in the early years under secondary and post-secondary, and treatment being the programs offered after-the-fact.

During the current year some nine billion dollars has been spent on treatment as opposed to nine hundred million dollars on prevention, under Vocational Education. To make it even simpler, it's like a faucet dripping water. If you do not shut off the drip, the bucket will continue to fill up and run over.

If Congress does not provide more funds under prevention in the secondary and post-secondary levels, my prediction would be that in the years to come the treatment for those persons who have finished school and not had the opportunity for occupational training will continue to grow to the point that unemployment will rise to such a degree that our nation will end up in a tremendous turmoil because of unemployment. For that reason, I would strongly suggest that Congress fund programs on the secondary and post-secondary level to the degree that adequate programs can be provided on those levels and thus reducing the prevention costs in years to come.

In order to provide adequate program on a prevention level, position staffing in the U.S. Office of Education, and particularly in the offices of Vocational Education on a national level, should be increased in order to provide adequate program assistance to the States. In addition to that, I would recommend very strongly that Vocational Education be put in a prominent place in the structure of the U.S. Office of Education.

I realize that I have covered many different areas in this letter; however, I was of the opinion that if our Congressional Delegation was made aware of some of the concerns on the part of the State educational systems that

it might help them in their decision making as they go on with the chore of Federal legislation for the coming year.

If this office can be of any further assistance, please feel free to contact us at any time for additional information.

Thank you very much for your consideration of the previous points.

Sincerely,

Cliff R. Hartman
Commissioner of Education

By: Louis D. Ridle
Louis D. Ridle, Director
Vocational and Adult Education

LDR:vr

Enclosure

Senator PELL. The subcommittee is recessed until this coming Tuesday at 10 in the morning.

(Whereupon, at 11:45 a.m., the hearing in the above-entitled matter was recessed, to reconvene at 10 a.m., Tuesday, April 27, 1971.)

EDUCATION AMENDMENTS OF 1971

TUESDAY, APRIL 27, 1971

U.S. SENATE,
SUBCOMMITTEE ON EDUCATION OF THE
COMMITTEE ON LABOR AND PUBLIC WELFARE,
Washington, D.C.

The subcommittee met at 10 a.m., in room 3110, New Senate Office Building, Senator Claiborne Pell (chairman of the subcommittee) presiding.

Present. Senators Pell and Williams.

Committee Staff Members Present: Stephen J. Wexler, subcommittee counsel; Richard D. Smith, associate counsel; and and Roy H. Millenson, minority professional staff member.

Senator PELL. The Subcommittee on Education hearing on the Education Amendments of 1971 will come to order.

The first witnesses who will testify as a panel are, Dr. Osborn Fuller, president of Fairleigh Dickinson University, Rutherford, N.J.; Dr. Paul Miller, president of the Rochester Institute of Technology and Dr. Roy Wooldridge, vice president, Northeastern University, Boston, Mass.

Senator WILLIAMS. I do have to apologize that I cannot be here. Of course, we will follow the testimony later, but I have a resolution before another committee, Mr. Chairman, and I am certainly pleased, indeed, our friends from New Jersey are here. It will be most helpful to our committee in the Senate's deliberations.

Senator PELL. I do not know how you would like to proceed. I see your testimony here. I have your remarks, which, if they are not given in full, will be printed into the record. Who is the chairman?

Dr. FULLER. I am J. Osborn Fuller. I think I would like to start, and I would like to make a correction in the record.

STATEMENT OF DR. OSBORN FULLER, PRESIDENT, FAIRLEIGH DICKINSON UNIVERSITY, RUTHERFORD, N.J.; ACCOMPANIED BY DR. PAUL MILLER, PRESIDENT, ROCHESTER INSTITUTE OF TECHNOLOGY, AND DR. ROY WOOLDRIDGE, VICE PRESIDENT, NORTHEASTERN UNIVERSITY

Dr. FULLER. On my left is Roy Wooldridge, of the Northeastern University; he is vice president and dean of the cooperative education program. On my right is Paul Miller, who is president of Rochester Institute of Technology.

These institutions are a little bit offbeat compared to what we normally think of when we are talking about institutions of higher education. They are a development that has come into existence in relatively

recent years and have grown in strength in recent years. I think they have also started to develop their concept of their mission in recent years, and we very much appreciate the opportunity to tell you something about the kind of institutions we are and how we relate to the problems as we see them, the problems your committee faces, and the problems the Government faces.

My slight correction is a change in the agenda which you have presented to us. You have me listed as Farleigh Dickinson; it is Fairleigh Dickinson, and I think there is some distinction. I think we like to preserve the idea of "Fair." We are trying to be very fair with our community constituency.

I appreciate this opportunity to appear before the committee, an invitation which, you know, has been extended by Senator Williams, our State Senator, to share with you my thoughts of a constructive relationship between government and the university.

This is my maiden appearance before a Senate committee, and I hope it will be the first of many because I believe that government, business, and education must work more closely together to solve the many problems which we face today.

Since my ideas, like those of everyone else, are strongly influenced by my past experiences, I think it might be helpful for you to know a bit about my experience in higher education. I went to college and to graduate schools at traditional prestigious eastern colleges, and this means I had the typical private kind of education background. Next, I moved to the land-grant institutions and served as professor at Ohio State University and then West Virginia. After my return to Ohio State, I went into administration, the last 11 years of which were spent as dean of the College of Arts and Sciences, Ohio State University.

In 1967, I became president of Fairleigh Dickinson University. This, then, is one of those institutions I mentioned a moment ago, quite different from the private colleges and universities, and quite different from the land-grant institutions. It is oriented toward serving the needs of the immediate community and has a large part of the student body that is a part-time student body, working in the evenings. It is best classified, then, as an urban university.

You have invited me to give my ideas about how the Federal Government can best exercise its role to the benefit of independent private institutions. In my response, I wish to concentrate on a private urban university as an illustration.

I think I can do this best by describing some of the programs at Fairleigh Dickinson University, which typify the urban university. Then I want to tell you how the urban university relates to the problems of the times and how, in my opinion, the Government can best aid these institutions.

Fairleigh Dickinson has an enrollment of about 20,000 students. It is on three main campuses located in Rutherford, Teaneck, and Madison, N.J. The student population is almost equally divided between day and evening students, with the result that each unit is a relatively small unit. Therefore, contact between the faculty and the students is frequent and understanding is good. The location of the centers encourages interreaction with the communities. The relatively small size of the individual units permits innovation and a flexibility of operation not normally associated with institutions as large as this. Our

multiple campus organization gives us, therefore, many of the advantages of the small colleges and at the same time of the large university.

All of these features are illustrated by the wide range of programs we have developed. For those students who, because of a poor start or slow maturity, have difficulty, we have a number of special programs. At Wayne, N.J., on an old missile site which we acquired from the Government we have a Reading and Study Institute, which was started in 1958 to prepare for college those students who have a poor high school record. In the 12 years since it began, 1,530 students have benefited from this 1-year program. Over 80 percent go on to accredited colleges after completing the program. We also have used this program to assist the disadvantaged.

In 1964, we started a 2-year experimental program for students who had not yet decided on a specific field, or whose performance in high school was below what was their true potential. Utilizing small classes, and to a large extent the tutorial process, 900 have gone on to accredited colleges to earn a degree.

We have also pioneered in specific response to community needs. We began one of the first dental hygiene programs. We also added a pilot program in nursing crisis in the fifties, and graduated some 406 associates in arts as qualified registered nurses. We are now moving into a 4-year program of nursing because the trend seems to be moving this way.

This fall, the college of science and engineering developed a bachelor of science in technology program, with the aid of teachers from the 2-year technical institutes. Transfers from these 2-year programs who have shown promise, can now come to Fairleigh Dickinson and earn a 4-year degree in technology. There is a tremendous demand in industry for these educated and high trained semiprofessionals. Over 200 students registered in the first semester, far exceeding our expectations. Other institutions are now following our lead.

We also developed two exciting programs overseas. There is one at Wroxton, England, where we offer undergraduate and graduate programs in English literature, history and government for American students on a one-semester basis. More than 500 from many colleges have studied at Wroxton since its inception in 1965. At St. Croix, in the Virgin Islands, we are building facilities to operate an undergraduate teaching laboratory in the sciences related to oceanography. When these facilities are completed, which will be sometime this summer, we will be able to expand the oceanography program which we have conducted for three summers in a local hotel. The new laboratories will also be used by other affiliated universities. In the West Indies Laboratory, as we call it, we will have the first oceanographic laboratory built without a large government grant. We were so convinced of the importance of this new field of oceanography that we proceeded with our plans despite the fact that sea grant funds had been exhausted.

At the graduate level, we have also developed innovative programs in response to community needs. We have one of the first master of arts in teaching programs. In 1964, we developed the program of orthodontics. All participants in this program have between 6 to 8 years of training, including 2 years of practice before entering the program.

Next year we have announced a unique program for the degree of doctor of education. It builds on a master's degree regardless of major, gives credit for work experience in any phase of educational service; the program is designed by the student and approved by an intercollege advisory committee, and the courses may be used from any college in the university or from other universities.

Two programs which are a complete departure from the normal collegiate patterns of operation are the Saturday college and the volunteer community service program.

The Saturday college is designed for the adult who wants to upgrade himself, and classes are offered late Friday afternoon and on Saturday. There are no admission requirements and when performance standards are met, full college credit is awarded and is transferable. The response to this concept has been so tremendous that we are expanding our offerings. Two other local colleges are initiating similar programs as a result of our success.

Finally, I want to tell you about the volunteer community service program. At my suggestion, we started this program last fall. The university faculty and administration offer guidance, and help make agency and community contacts for the students who want to contribute volunteer service. With little publicity the program keeps growing. At last count, we had over 400 students who had responded on one campus alone. Students are operating a 24-hour "Hot Line" on two campuses for people undergoing severe personal stress; and tutorial service for preschool Blacks in Newark; Big Brother and Big Sister units in cooperation with the national organizations, and working with a local town council and numerous other projects.

We are pleased that our students, who are of all political persuasions, are actively helping to solve community problems on a volunteer basis. We feel it is an important part of their education.

These examples illustrate why we feel that we are innovative and responsive to community needs. We are not an intellectual island, but a center from which we reach out into the communities to use them as our laboratories, while simultaneously responding to their needs. We are not unique in practicing this philosophy. The urban universities have been the leaders in this movement, although other universities are improving their community involvement.

You will remember that my second purpose today was to tell you how the role of the urban university relates intimately with the problems of the times. From the descriptions of some of the Fairleigh Dickinson University programs and those of the institutions which my colleagues represent, many relationships are immediately obvious. However, I want to paint the picture with a broader brush. To do this, I want to take you back a bit in history. How has the Federal Government helped higher education in the past? From the beginning, higher education has received continuous support from the Federal Government. However, there have been noticeable peaks in the quantity of support.

In the middle of the nineteenth century, there was a clamor for education for more than the elite. There was a cry, too, for a different kind of education. The country's food needs were expanding. Industrial needs were expanding rapidly. The Federal Government responded to these needs, and the land-grant colleges came into existence

in 1861. Low cost education in the "agricultural and mechanical arts" became a reality for a large number of students. The land-grant institution, with its government-supported agricultural and engineering experiment stations, flooded the farmer and industrialist with new ideas and new products. Industry exploited these and a major revolution resulted. An unacknowledged partnership between Government and education and industry rocketed us toward world leadership. We became the first Nation to produce a surplus of food, while simultaneously becoming an industrial Nation.

During the Second World War, the Federal Government again gave significant support to higher education. This time the Government turned to a different group of institutions. The graduate departments and technical schools became the centers for significant research and development, and an unexcelled war machine resulted.

Another peak of Federal support occurred after Sputnik. Again the informal but effective partnership—government, business, and education—responded to produce an unbelievable number of successess in space exploration.

My third purpose is to give you my opinion of how the Government can best aid higher education at this time in history.

Today, our problems are primarily social problems. Is it not time for another peak Federal effort to support higher education? Is it not time for the Federal Government to take that bold step and invest in the search for solutions to the social problems through another partnership with higher education? I believe it is.

The two things the Federal Government must do is broaden the opportunities for higher education of its youth, and directly assist those universities which can best help in solving social problems. The need to develop opportunities for minority groups and expand technical education, especially through the 2-year institutions, is well known and I support the Government's effort to develop such programs.

Less well understood are the problems that are developing for the middle-income group. Rapidly rising tuitions in the private institutions, and the present criteria for obtaining financial aid, are steadily cutting down on the choice of opportunities for the middle-income group. If the present trend continues, the rich and some of the poor will be able to choose their institutions and their role in life, but members of the middle-income group, if they can afford to go to college, will be limited to the low-cost institutions regardless of what educational programs they may wish to pursue. In considering the problem of expanded student financial aid, this middle-income group must not be forgotten. New Jersey has a plan to help. It is called the fee equalization plan, through which grants are made to cover the tuition difference between public and private institutions, so that the student is better able to go to the institution of his choice. The difficulty with the plan is that the income cutoff is so low that it eliminates most middle-income students from qualifying; and, second, insufficient funds for the total program.

I also want to make a special plea for the part-time student. Not many years from now, the importance of continuous upgrading through part-time education will be accepted as a desirable feature in the development of our human resources. At present, the large number

of part-time students who are upgrading themselves, except for veterans, are given no help by the Government. The numbers of working students who would take courses part-time would be greatly increased if there were financial assistance for them.

Broadening opportunities for the youth can be helped by increased direct student aid. However, direct student aid alone is not sufficient. Each institution spends more on educating the student than he pays in tuition and fees. Therefore, there must be aid to institutions in order to keep them viable and innovative. While the simplest way to solve this problem would be direct aid on the basis of head count, I do not believe this is the best way.

Our problems are social problems—urban problems. Therefore, now, as in the past, a major portion of the funds must flow to those institutions which, through experience, show they are capable and willing to do the job. The urban universities, as a group, have the most experience in working with community problems. It is my opinion that through Government support they will be able both to speed up the work they are already doing, and explore new solutions. They will develop the team research necessary to analyze and tackle community problems. They will expand their service as a resource bank, ready to answer the call for expertise from the Government and the community.

The urban universities stand ready to respond to the national need, but they cannot do it alone. They need business—and most importantly—they need Government support.

I hope, gentlemen, that this committee will agree with me and my colleagues and recommend provisions in S. 659 which will provide not only direct aid to students, but will also grant major support to those universities best suited by experience and philosophy to educate and serve in the area of urban problems. Thank you very much.

(The prepared statement of Dr. Fuller follows:)

Remarks by J. Osborn Fuller, President, Fairleigh Dickinson University
Rutherford, New Jersey

10 A.M. - April 27, 1971

Mr. Chairman and members of the Subcommittee on Education of the Labor and Public Welfare Committee. I appreciate the committee's kind invitation, extended so graciously by Senator Williams, to share with you my thoughts concerning a constructive relationship between the government and the university.

This is my maiden appearance before a Senate Committee. I hope it will be the first of many because I believe that government, business and education must work more closely together to solve the many problems which face us today.

Since my ideas, like those of everyone else, are strongly influenced by my past experiences, I think it might be helpful for you to know a bit about my experience in higher education.

I went to college and to graduate school at traditional prestigious eastern colleges - Lehigh and Columbia. Then I taught geology at a small private college in the midwest - Mount Union.

Next, I moved to the land-grant institutions, serving as a professor at Ohio State University and West Virginia University. Shortly after my return to Ohio State, I went into administration and later became Dean of the College of Arts and

Sciences for eleven years.

In 1967, I became President of Fairleigh Dickinson University. This institution is entirely different from the private colleges and universities with which most of us are familiar, and also different from the large land grant universities. It is oriented toward serving the needs of the immediate community and has a large working part-time student body. It is best classified as an urban university.

You have invited me to give my ideas about how the federal government can best exercise its role to the benefit of independent non-profit institutions. In my response, I wish to concentrate on the private urban university as an illustration.

I think I can do this best by describing some of the programs at Fairleigh Dickinson University which typify the urban university. Then I want to tell you how the urban university relates to the problems of the times and how, in my opinion, the government can best aid these institutions.

Fairleigh Dickinson University, with an enrollment of 20,000, is the 9th largest private institution in the country. On the three main campuses, located at Rutherford, Teaneck and Madison, New Jersey, the student population is almost equally divided between day and evening students, with the result that each unit is relatively small. Therefore, contact between students and faculty is frequent and understanding is good. The locations of the centers encourage interreaction with the communities. The relatively small size of the units permits innovation and a flexibility of operation not normally associated with a large institution. Our multi-campus organization gives us many of the advantages of both the small college and the large university.

All of these features are illustrated by the wide range of programs we have developed. For those students who, because of a poor start or slow maturity, have difficulty, we have a number of special programs. At Wayne, New Jersey, we have a Reading and Study Institute which was started in 1958 to prepare for college those students who had a poor high school record. In the twelve years since it began, 1530 students have benefited from this one-year program. Over 80 percent go on to accredited colleges after completing the program. We have also utilized this program to assist the disadvantaged.

In 1964, we started a two-year experimental college for those students who had not yet decided on a specific field, or whose performance in high school was below what we felt was their true potential. Utilizing small classes, and to a large extent the tutorial process, nine hundred have gone on to accredited colleges with full credit transferred.

We have also pioneered in specific response to community needs. We began one of the first programs for dental hygienists, training more than 500 since 1948. We also had one of two pilot programs designed to meet the nursing crisis in the early fifties. From this program, 406 received associate in arts degrees and qualified as registered nurses. Because the demand for nurses having four years of training was increasing, we now have a baccalaureate program. However, we are still providing, on a cooperative basis, the liberal arts courses for the nursing programs run by two local hospitals.

This fall the College of Science and Engineering developed a bachelor of science in technology program, with the aid of teachers from the two-year technical

Institutes. Transfers from their two-year program who have shown promise, can earn a four year degree in technology. There is a tremendous demand in industry for these educated and highly trained semi-professionals. Over 200 students registered in the first semester, far exceeding our expectations. Other institutions are now following our lead.

We have also developed two exciting programs overseas. At Wroxton, England, we offer both undergraduate and graduate programs in English Literature, history and government for American students on a one semester basis. More than 500 have studied at Wroxton College since its inception in 1965.

At St. Croix, Virgin Islands, we are building facilities to operate an undergraduate teaching laboratory in the sciences related to oceanography. When these facilities are completed, we will be able to expand the oceanography program which we have conducted for three summers in a local hotel. The new laboratories will also be used by other affiliated universities. The West Indies Laboratory, as we call it, will be the first laboratory built without a large government grant. We were so convinced of the importance of the new field of oceanography, that we proceeded with our plans despite the fact that Sea Grant funds had been exhausted.

At the graduate level we have also developed innovative programs in response to community needs.

In 1964 we started a Master of Arts in Teaching program with help from the Ford Foundation. Over 300 students have graduated in the program.

In 1964 we initiated an orthodontics degree program. All participants have

between 6 to 8 years of training, including two years of practice before entering this program.

For next year we have announced a unique program for the degree of Doctor of Education. It builds on a master's degree regardless of major, and gives credit for work experience in any phase of educational service. The program is designed by the student and approved by an intercollege advisory committee. Courses may be used from any college in the University or from other universities.

Two programs which are a complete departure from the normal collegiate patterns of operation are the Saturday College and the volunteer community service program.

The Saturday College is designed for the adult who wants to upgrade himself, and classes are offered late Friday afternoon and on Saturday. There are no admission requirements and when performance standards are met, full college credit is awarded and is transferrable. The response to the concept has been so tremendous that we are expanding our offerings. Two other local colleges are initiating similar programs as a result of our success.

Finally, I want to tell you about the volunteer community service program. At my suggestion we started this program last Fall. The University faculty and administration offer guidance, and help make agency and community contacts for students who want to contribute volunteer service. With little publicity the program keeps growing. At last count, over 400 students had responded on one campus alone. Students are operating a 24 hour "Hot Line" on two campuses for people undergoing severe personal stress; a ~~tuitional~~ tutorial service for preschool blacks in Newark; Big

Brother and Big Sister units in cooperation with the national organizations; working with a local town council, and numerous other projects.

We are pleased that our students, who are of all political persuasions, are actively helping to solve community problems on a volunteer basis. We feel it is an important part of their education.

These examples illustrate why we feel we are innovative and responsive to the community needs. We are not an intellectual island, but a center from which we reach out into the communities to use them as our laboratories, while simultaneously responding to their needs.

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more than the elite. There was a cry, too, for a different kind of education. The country's food needs were expanding. Industrial needs were expanding rapidly. The federal government responded to these needs, and the land grant colleges came into existence in 1861. Low cost education in the "agricultural and mechanical arts" became a reality for a large number of students. The land grant institution, with its government supported agricultural and engineering experiment stations, flooded the farmer and industrialist with new ideas and products. Industry exploited these and a major revolution resulted. An unacknowledged partnership between government and education and industry rocketed us toward world leadership. We became the first nation to produce a surplus of food, while simultaneously becoming an industrial nation.

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I also want to make a special plea for the part-time student. Not many years from now the importance of continuous upgrading through part-time education, will be accepted as a desirable feature in the development of our human resources. At present, the large number of part-time students who are upgrading themselves, except for veterans, are given no help by the government. The numbers of working students who would take courses part-time, would be greatly increased if there were financial assistance for them.

Broadening opportunities for the youth can be helped by increased direct student aid. However, direct student aid alone is not sufficient. Each institution spends more on educating the student than he pays in tuition and fees. Therefore, there must be aid to institutions in order to keep them viable and innovative. While the simplest way to solve this problem would be direct aid on the basis of head count, I do not believe this is the best way.

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The urban universities stand ready to respond to the national need, but they cannot do it alone. They need business - and most importantly - they need government support.

I hope, gentlemen, that this committee will agree with me and my colleagues and recommend provisions in Bill S659 which will provide not only direct aid to students, but will also grant major support to those universities best suited by experience and philosophy to educate and serve in the area of urban problems.

Thank you very much.

Senator PELL. Thank you very much, Dr. Fuller. Would either of the other two members of the panel care to give their testimony.

Dr. WOOLDRIDGE. Mr. Chairman, I am Roy Wooldridge, Northeastern University. I guess I would like to be next. I would like to take advantage of the offer that you made at the beginning of the meeting to have the entire paper entered into the record and perhaps not read the whole thing.

Senator PELL. That will be done.

Dr. WOOLDRIDGE. I will read from parts of it.

I am Roy L. Wooldridge, vice president of Northeastern University in Boston, Mass., where 47,000 students are enrolled in various educational programs. Of these students, 15,000 are full-time undergraduate students enrolled in cooperative education programs, 20,000 are part-time evening undergraduates, 7,000 are pursuing graduate education, and 5,000 are enrolled in special off-campus courses.

It is a privilege to have this opportunity to express my views on S. 659 and urge your support of a Federal program to give much needed assistance to higher education. My testimony is specifically directed at that portion of the bill that authorizes the extension of Federal support for the expansion and development of cooperative education programs and the portion that authorizes direct Federal subsidy to higher education institutions.

Under the provisions of S. 659, the existing legislation in section IV–D of the 1968 amendments to the Higher Education Act would be extended for another 3 years. This would authorize expenditures of $10 million per year for the expansion and development of cooperative education programs and $750,000 per year for research and training. In my judgment, this is a desirable formula and the amounts of money seem reasonable to meet the need.

The cooperative plan of education is a distinctly American philosophy of higher education and was invented here over 60 years ago. It includes all of the academic requirements of the traditional types of higher education, plus learning while doing, and applying what is being studied while still a student.

Most people admit that "working for an education" is part of an education, but in cooperative education the work experience becomes an important part of the entire educational process in which the student is engaged. The cooperative job assignment is carefully planned. It is not just part-time work or a summer job; it involves a formal sequence of work and study following a freshman year of full-time study. Two students are assigned to a job and are paid the going rate of pay for the job. While one is on the job, the other is at school. At the end of the term they exchange places. This gives the employer full coverage of his job and he looks upon the cooperative plan as a unique partnership between industry and the college in a superior kind of training program. The student gains valuable experience related to his field of study and earns all or a major share of his college expenses. It is called cooperative education because it is dependent upon the cooperation of employers and educators in combining to form a superior total educational program for the students. This program has an interrelated work and study content, carefully planned and supervised to produce optimum educational results for each student involved.

Unfortunately, there has been a great deal of confusion between the Federal work-study program and cooperative education. Under cooperative education, the institution assumes the responsibility for finding assignments which are related to the student's professional objectives and integrates these experiences into the total educational program. The assignments may be with either profit or nonprofit organizations, depending on the circumstances. The Federal work-study program, on the other hand, is essentially a financial-aid program wherein the educational benefit to the student is secondary to the financial benefit.

Many of the distinguished Members of Congress have heard testimony in the past on cooperative education from eminent educators such as Dr. Ralph W. Tyler of the Center for the Advanced Study of the Behavioral Sciences, Dr. Asa S. Knowles, president of Northeastern University, and Dr. John S. Allen, president of the University of South Florida. Their testimony, which was based on the research findings of Dr. Tyler's national study of cooperative education, gave strong support to the expansion of this educational method.

Cooperative education unites jobs and learning and creates highly motivated students. Our research and experience is that these students are more mature. Recently, Congress wisely began a program of aid in expanding cooperative education—a form of higher education that leads to more mature students. Cooperative education also creates greater economic efficiency in the educational institutions because they are able to serve two student bodies. Greater maturity in our college students and greater economic efficiency in the educational process are both highly important developments that merit congressional support at this time. As one Congressman told me, he did not know of any program of expenditures of Federal dollars in higher education that got as great a return on the tax dollars as do the expenditures for cooperative education.

Since 1964 to the present time, 200 institutions of higher education have adopted some form of cooperative education, bringing the current total to over 250 colleges, community colleges, and universities. A significant number of these new entrants have been aided by financial support from either the Federal Government or private foundations. In most cases, the seed money grant covers the conversion costs over the first 3 years of the program. Usually, the cooperative program becomes self-supporting after this initial period. For this reason, it can be looked upon as a good investment which allows the development of a program that can stand on its own feet after the first few years.

In 1968, Congress passed the amendments to the Higher Education Act of 1965. One of these amendments made it possible for higher education institutions to apply for Federal grants to support the establishment and expansion of cooperative programs. Authorization called for $8 million in fiscal 1970 and $10 million in fiscal 1971. In addition, some $750,000 each year was authorized for training and research.

The funds for this program have not been appropriated in the authorized amounts. In both fiscal 1970 and fiscal 1971, the administration and Congress substituted for these needed funds an allocation of 1 percent of the work-study funds for the support of cooperative education programs. This meant $1,540,000 in fiscal 1970 and $1,600,000 in fiscal 1971, with no provision in either year for the training of coordinators or research.

In response to the first general announcement by the Office of Education in the spring of 1970, 194 colleges, community colleges, and universities applied for funds with the requests totaling $8,500,000. Clearly, there was a greater need for funding than could be provided by the available funds. After much sifting, the Office of Education narrowed the list to 74 institutions that received grants totaling $1,540,000.

In fiscal 1971, 345 applications have been received from universities, colleges, and community colleges requesting grants to establish and expand cooperative education programs. These 345 institutions have requested a total of nearly $13 million in grants. I am informed by the Office of Education that one-fourth of these institutions are community colleges, and 45 of them are predominantly black colleges. It is obvious that many institutions have learned of the advantages of successful cooperative education programs and recognize them as responsive to the needs for individualizing education, bringing greater relevancy to education and meeting the rising costs of education.

I would like to point out that the expansion and extension of work-study cooperative education provides an excellent answer to the problem of making higher education available to a wider cross section of capable students, while at the same time enhancing and enriching the educational content of their program. Cooperative education provides the opportunity for many to attend college who would not otherwise be able to do so. Currently, 85,000 students are earning over $200 million this year. It also motivates many to stay in college, because they see the relationship between study and work. It has particular advantages, too, for the culturally deprived and economically underprivileged students who are thoroughly capable of profiting from a college education but cannot afford it.

Institutions of higher education must be encouraged to examine this system through financial assistance for the first 3 years of exploration and transition. I urge you to provide significant support for this worthwhile undertaking as authorized in S. 659.

In closing, I would like to ask respectfully you to support the concept of direct financial aid to colleges and universities as proposed in S. 659.

As an administrator in a large private institution, I am acutely aware of the financial plight facing our institutions of higher education. Furthermore, I have served as a consultant to over 200 colleges and universities from 1965 to the present. I might say parenthetically that the University of Rhode Island in Kingston is one of the 200 universities I have visited in the past year to help them install this cooperative program that I spoke of earlier. In this capacity, I have visited all types of campuses across the length and breadth of this Nation. Everywhere there is distress and alarm about the financial support of our system of higher education. There is serious question whether most of our private institutions will survive through the next decade. It seems to me that we must find a way to continue the pattern of offering our young people either public or private higher education as best suits their needs. A great deal would be lost if we allow the virtual elimination of private education.

Each year, college administrators find themselves caught more and more in the squeeze between rising costs and salaries on one hand, and the need for low-cost education on the other hand. There is a limit on

the amount of tuition that can be charged to the student and his family. This is particularly true in a time when more and more young people are being encouraged to pursue higher education. I see no other solution except direct Federal aid.

My final plea to you is to give careful thought to the development of a suitable formula for the equitable distribution of Federal aid. All too often, formulas are developed to include only full-time students on a given campus. I would like to draw your attention to a large and vital job being done by institutions like my own in the education of adults on a part-time basis. This should be recognized by taking these students into account in the distribution of funds.

Thank you very much.

(The prepared statement of Roy O. Wooldridge follows:)

STATEMENT BY

ROY L. WOOLDRIDGE
Vice President and Dean of Cooperative Education
Northeastern University
Boston, Massachusetts

Before the
Subcommitte on Education
of the
United States Senate

April 27, 1971

Mr. Chairman and Distinguished Members of the Committee:

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It is a privilege to have this opportunity to express my views on S 659 and urge your support of a federal program to give much needed assistance to higher education. My testimony is specifically directed at that portion of the bill that authorizes the extension of federal support for the expansion and development of cooperative education programs and the portion that authorizes direct federal subsidy to higher education institutions.

Under the provisions of S 659, the existing legislation in Section IV D of the 1968 Amendments to the Higher Education Act would be extended for another three years. This would authorize expenditures of $10,000,000 per year for the expansion and development of cooperative education programs and $750,000 per year for research and training. In my judgment this is a desirable formula and the amounts of money seem reasonable to meet the need.

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requirements of the traditional types of higher education, plus learning while doing, and applying what is being studied while still a student.

Most people admit that "working for an education" is part of an education, but in cooperative education the work experience becomes an important part of the entire educational process in which the student is engaged. The cooperative job assignment is carefully planned. It is not just part-time work or a summer job, it involves a formal sequence of work and study following a freshman year of full-time study. Two students are assigned to a job and are paid the going rate of pay for the job. While one is on the job, the other is at school. At the end of the term they exchange places. This gives the employer full coverage of his job and he looks upon the cooperative plan as a unique partnership between industry and the college in a superior kind of training program. The student gains valuable experience related to his field of study and earns all or a major share of his college expenses. It is called "cooperative education" because it is dependent upon the cooperation of employers and educators in combining to form a superior total educational program for the students. This program has an interrelated work and study content, carefully planned and supervised to produce optimum educational results for each student involved.

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called for $8,000,000 in fiscal '70 and $10,000,000 in fiscal '71. In addition, some $750,000 each year was authorized for training and research.

The funds for this program have not been appropriated in the authorized amounts. In both fiscal '70 and fiscal '71, the Administration and Congress substituted for these needed funds an allocation of 1% of the Work-Study funds for the support of cooperative education programs. This meant $1,540,000 in fiscal '70 and $1,600,000 in fiscal '71 with no provision in either year for the training of coordinators or research.

In response to the first general announcement by the Office of Education in the spring of 1970, 194 colleges, community colleges and universities applied for funds with the requests totalling $8,500,000. Clearly, there was a greater need for funding than could be provided by the available funds. After much sifting, the Office of Education narrowed the list to 74 institutions that received grants totalling $1,540,000.

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I would like to point out that the expansion and extension of work-study cooperative education provides an excellent answer to the problem of making higher education available to a wider cross-section of capable students, while at the same time enhancing and enriching the educational content of their program. Cooperative education provides the opportunity for many to attend college who would not other wise be able to do so. Currently 85,000 students are earning over 200 million dollars this year. It also motivates many to stay in

college, because they see the relationship between study and work. It has particular advantages, too, for the culturally deprived and economically underprivileged students who are thoroughly capable of profiting from a college education but cannot afford it.

Institutions of higher education must be encouraged to examine this system through financial assistance for the first three years of exploration and transition. I urge you to provide significant support for this worthwhile undertaking as authorized in S 659.

In closing, I would like to respectfully ask you to support the concept of direct financial aid to colleges and universities as proposed in S 659.

As an administrator in a large private institution, I am acutely aware of the financial plight facing our institutions of higher education. Furthermore, I have served as a consultant to over 200 colleges and universities from 1965 to the present. In this capacity I have visited all types of campuses across the length and breadth of this nation. Everywhere there is distress and alarm about the financial support of our system of higher education. There is serious question whether most of our private institutions will survive through the next decade. It seems to me that we must find a way to continue the pattern of offering our young people either public or private higher education as best suits their needs. A great deal would be lost if we allow the virtual elimination of private education.

Each year, college administrators find themselves caught more and more in the squeeze between rising costs and salaries on one hand, and the need for low cost education on the other hand. There is a limit on the amount of tuition that can be charged to the student and his family. This is particularly true in a time when more and more young people are being encouraged to pursue higher education. I see no other solution except direct federal aid.

My final plea to you is to give careful thought to the development of a suitable formula for the equitable distribution of federal aid. All too often, formulas are developed to include only full-time students on a given campus. I would like to draw your attention to a large and vital job being done by institutions like my own in the education of adults on a part-time basis. This should be recognized by taking these students into account in the distribution of funds.

Senator PELL. Thank you very much indeed.

We will now hear from the third member of the panel, Dr. Miller, from the Rochester Institute of Technology.

Dr. MILLER. It is a pleasure joining my colleagues. I, too, have submitted a brief statement for the record, and I will be simply supplementing it and supplementing the remarks of my colleagues.

I think both of them have really made two important points—one that describes some of the character of quite distinctive urban universities in this country, of which the institution I represent, the Rochester Institute of Technology, is one, and Northeastern and Fairleigh Dickinson are among others. I think, secondly, my colleagues have commented to the point of cooperative education as not only an important educational venture, but also an important part of the financing of the students' education and institutions themselves.

I should like to say, to support President Fuller, that not unlike him, my own career has been shaped by public higher education, having served at Michigan State University, the University of West Virginia, the University of North Carolina. It was during service in Washington, from 1966 to 1968, in the Department of Health, Education, and Welfare, that it grew in my mind that the institutions which are being represented here today had an enormous contribution to make to American urban life at this time of our history, and it was that thought which led me to the presidency of the institution which I am representing today.

I think back to the reports made by my colleagues, also contained in my own paper submitted for the record, that in addition to the urban nature of our institutions, in addition to the importance of cooperative education, we are also stressing what one might call the nontraditional student, the part-time, evening, often adult student. As one looks back over the emergence of student aid programs at both State and Federal levels, on the whole, the nontraditional student has been overlooked. We are also subscribing to the principle of interweaving—as they are—these institutions with the communities of which they are part, and by the services which they render, in these days to the disadvantaged, to minority groups, and with reference to other problems now in our cities.

I want to say just a few words taken from my own testimony, again quite informally and given in supplement to the testimony of my colleagues, because it is, in a way, an example of how distinctive institutions come into being and often are overlooked in the community fabric of the country.

The Rochester Institute of Technology really has three traditions in its composition. In 1829, Nathaniel Rochester, who founded the city of Rochester, desirous of bringing music and culture to Rochester, organized the Rochester Athenaeum. In 1885, Mr. Lomb, of Bausch and Lomb, returning from England, worried about the stream of immigrants to places like Rochester, and he helped organize the Mechanics Institute, that would devote itself to upgrading young men and women through education, who came in the immigrant streams from Europe. Those two traditions were fused together into a rather interesting community institute of higher learning, and remained as the Rochester Institute of Technology until it added its third tradition 3 years ago, which is the National Technical Institute for the

Deaf, authorized by the Congress and chartered through the Department of Health, Education, and Welfare.

Here still is another attempt to somehow reach out to the deprived, to the disadvantaged, and build upon the traditions of the past. I can give other details about the institutions which I represent. But it would really not contribute very much to repeat what my colleagues have said in characterizing these institutions. I do want at least to close with the statement of the problem, without getting into technical specifics for the solution.

We have 5,000 full-time students. We have up to 11,000 students at night. Fully 40 to 50 percent of the people of Rochester, in every walk of life, have for over 140 years been touched in some way educationally by their attendance at this institution.

This year, our budget is $25 million; 62 percent of this is paid by the students, including the debt service on a $50 million mortgage on a new campus, onto which we moved some 2 years ago. Ten percent of the budget is drawn from the endowment; 10 percent from local, annual private giving to the institution; 5 percent is made up by grants from the corporations of the city; some 3 percent comes in from Federal research grants. I should make the point—and I think it is true—that the type of institutions represented here, these are institutions which have, over the years, mainly contributed to the teaching of students, and have not, on the whole, stressed research in the sense we have normally come to think of it in American colleges and universities.

If you add all of this up, you will find that this makes about 95 percent, which leads one to say that this institution operates, and has operated for the last several years, at about $1 million a year deficit.

In a sense, we are here today, as many others who appear before you and other committees, to simply say that in these institutions, if it were not for the cooperative education feature, they would be in very, very serious trouble. Our students pay $2,100 a year tuition. The feature of a cooperative education is simply fundamental to the type of institution which I now represent.

So I join with my colleagues in saying that whatever the specifics and the techniques turn out to be, certainly we need soon a threefold kind of Federal aid: To continue the support for the students in ways that we have developed and others that might be derived; second, we do need to introduce an imaginative form of direct aid to the institutions in the way of institutional grants, and, finally, we should continue support to the development of needed facilities on these and other campuses across the land.

Senator PELL. Thank you very much, all three of you.

(The prepared statement of Dr. Miller follows:)

ROCHESTER INSTITUTE OF TECHNOLOGY
ROCHESTER, NEW YORK

THE MEANING OF R.I.T.

The Founding - The Rochester Institute of Technology owes its history to the merging of two Rochester institutions. In response to community needs in 1829, Colonel Nathaniel Rochester and others founded the Rochester Athenaeum to improve the cultural life of a then frontier village through forums, concerts, and lectures. In 1885, under the leadership of Capt. Henry Lomb, Frank Ritter, and other industrialists, the Mechanics Institute began to supplement the labor force with technical training. In 1891 the two institutions merged, and in 1944 the name was changed to the Rochester Institute of Technology.

The Purpose - The Rochester Institute of Technology has always derived its strength from its responsiveness to changing needs. The Institute has continued to be committed to an educational philosophy which asserts that our primary obligation is to prepare our constituents to be constructive members of society. In our view, the effective citizen is a productive one, and hence, R.I.T. places occupational competence first among our educational objectives. But the Institute has always recognized that occupational competence alone is not sufficient in the education of the citizen. The Institute has therefore consistently interwoven in each of its curricula the study of significant human and social values.

The Setting - The Rochester Institute of Technology is a privately endowed, coeducational, accredited college granting associate, bachelors, and masters degrees in business, engineering, engineering technology, fine and applied arts, photography, printing, social work, and the basic sciences. Over 5,000 students are enrolled full-time, and over 10,000 part-time students are enrolled annually in a comprehensive college of continuing education.

R.I.T. has an established metropolitan center on the site of its former campus and an all-new, $65 million, 1300 acre campus on the southern edge of Rochester. The two campuses allow R.I.T. to meet urban needs in the inner city and to serve certain educational needs of our city, state, and nation.

The Programs - The Rochester Institute of Technology has over fifty different curricula which in the main focus upon technical or technological education, general studies, and cooperative work study. Several of our schools are virtually unique in the United States and have national and international reputations. R.I.T. has comprehensive curricula in the School of Photographic Arts and Sciences and the School of Printing, and the School for American Craftsmen has programs in wood, metal, textile, and ceramic design. In curriculum development, our efforts attempt to meet a demonstrated need for graduates and career opportunities thereafter. Unlike most other collegiate programs, R.I.T.'s curricula are designed with an applications or applied emphasis. Since 1912, the Institute has been one of the proponents of the cooperative or work-study plan, whereby students benefit from the reinforcement of concepts and skills in a work environment. R.I.T.'s cooperative plan is the third oldest continuous work-study program in the country.

The National Technical Institute for the Deaf - The Rochester Institute of Technology houses NTID, a challenging experiment in education of the handicapped. Supported by federal funds, NTID is the only post-secondary, technical,

and technological institution for deaf students in the country. NTID offers evidence of the Institute's increasingly national scope. RIT-NTID's chief objectives are to provide technical education programs which prepare post-secondary deaf students for successful employment and to provide special support services which will facilitate and encourage deaf students to achieve a high degree of personal, social, and cultural development.

The Benefitted - The Rochester Institute of Technology, within our resources and sphere of purpose, focuses upon occupational goals. Those benefitted are not limited to the full-time, typical college student. The average R.I.T. student upon entry has a commitment to a particular field of study and an occupational goal in mind. Moreover, our College of Continuing Education is dedicated to serving community needs; hence R.I.T. presents opportunities to all area residents - craftsmen, technicians, businessmen, housewives - to upgrade skills, earn a degree, and explore new academic and cultural horizons. Overall, the Rochester area business, industrial, and scientific communities have benefitted greatly from R.I.T.'s full and part-time programs.

The Benefactors - The Rochester Institute of Technology benefits greatly from its impressive ties to the local community. The greater Rochester area is exemplary among major metropolitan cities in its support of community projects, as has been demonstrated numerous times by Rochester's corporate and individual citizens. Such support was again demonstrated by the success of the New Campus Fund campaign, which exceeded its original goal of $18.8 million. Further, having the support of such firms as Eastman Kodak, Xerox, Gleason Works, Gannett Publishing and Sybron provides a solid base from which the Institute seeks to encourage the support of firms located elsewhere in the nation.

The Future - The Rochester Institute of Technology, like most private colleges and universities, faces an uncertain financial future with some confidence and great determination. With financial support from the citizen and corporate communities already well utilized, we have an urgent need for increased state and federal support. R.I.T. will strive to continue the meeting of our community and society's basic occupational needs.

With the precedent established in NTID, the Rochester Institute of Technology would be an ideal site for a federally sponsored technical institute for our nation's disadvantaged. A national Center for Career Opportunities for the Disadvantaged would serve as a pilot project of federal-private cooperation to fulfill the critical educational needs of disadvantaged people. Training and research would be the central purposes of the center.

Submitted by: Dr. Paul A. Miller
President, Rochester Institute of Technology
April 27, 1971

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Senator PELL. I think the institutions you represent play a very special role in that they service the urban communities, which is where the majority of our young people are, and also they take into account the special needs of those who are not able to take advantage of the normal—as it is now being called—lockstep approach to education.

NEWMAN REPORT

Speaking of lockstep, I wonder if any of you have any particular thoughts with regard to the Newman Report which is presently being widely discussed.

Dr. MILLER. Not only with the Newman Report, but also other commission reports in the last year or so, the Carnegie Reports. All of them, it seems, are directing our attention to the fact that we have, indeed, made the educational system in this country much more of a lockstep than it ought to be. We do have more students in college involuntarily because it does not fit with their felt stage in the life cycle.

Sponsored by the kinds of institutions we represent this morning, education is viewed as a part of life, continuing education throughout life, the opening of doors to the nontraditional student, increasing of flexibility for students to leave as it may suit their own lives and to return without loss, all of these principles are absolutely fundamental to the purposes of education as it serves the population of this country.

It would be my wish—and I hope led by the kinds of institutions here, because we have been practicing this for decades—that we would discourage the lockstep, increase the flexibility, and have a coming and going for a day, a week, a month, or for 4 years, whatever it might be, of people, young and old, men and women from all walks and stations of life, without loss and with encouragement.

Dr. FULLER. I would simply like to say that it seems to me the Newman Report is putting in nice language—really a beautiful job—what we have been practicing for a great many years. We are extremely pleased to see this kind of stand come out of the Government.

Dr. WOOLDRIDGE. The only thing I would add is that I think there are at least three outstanding reports, of which the Newman Report is one and the Carnegie Report is another, and then the report from the Assembly on the Goals of Higher Education of the American Academy of Arts and Sciences. All point to some form of breaking the lockstep, which to us is a very broad definition of cooperative education, which started as a form of engineering education, very much job related, but has broadened in recent years to include a great many things.

I had the privilege of spending a half-day with the the Newman Committee during the time they were preparing the report and gathering the data. They came up to Boston to see some of us, and I think you will find my particular university was twice cited by name in the Newman Report, once pertaining to the cooperative program, and another time to the rather high level of retention that is allowed in the institution by this kind of education for a given level of students. We have a very high retention rate, and this was cited.

Senator PELL. How many students at Northeastern University come from the Rhode Island area?

Dr. WOOLDRIDGE. I wish I could say.

Senator PELL. It is quite a lot.

Dr. WOOLDRIDGE. The night section is 20,000. It is easy to commute up from the Providence area along the highways, but I guess of the 15,000 students, there might be 1,000 or so. I am just taking a guess. I have no way of knowing. We have quite a number of, as we call it, cooperative firms in the Greater Providence area that employ the students.

Senator PELL. Do you still give any advanced degrees, such as a law degree?

Dr. WOOLDRIDGE. Yes, we have a law school which has a cooperative program. We had a law school years ago. As you may realize, it was closed out in the fifties, and then reopened about 3 years ago as a graduate law school. At one time we had a division in Providence. I do not know whether your memory goes back that far.

Senator PELL. My senior colleague, Senator Pastore, received his law degree from Northeastern.

Turning to Fairleigh Dickinson College, I greatly admire Senator Dickinson. Is he still the Chairman?

Dr. FULLER. Yes, and he sends his regards to you.

Senator PELL. Is he chairman of the board of trustees?

Dr. FULLER. Chairman of the board of trustees, and still takes a very active part in developing the university. These concepts are, as you probably know, that he came up in a quite different way, being a man with what we might call born with a silver spoon in his mouth. He is very much in sympathy with what we are doing and has given us tremendous support as the institution has advanced to try to serve the total community needs.

Senator PELL. How did it start, Fairleigh Dickinson, what year?

Dr. FULLER. 1941.

Senator PELL. As Fairleigh Dickinson from the beginning?

Dr. FULLER. It started out as Fairleigh Dickinson 2-year community college; in other words, a 2-year institution; but it never finished with the 2-year program because the clamor for the students to continue on to a 4-year program was so great. It was a typical trolley car college, commuting students to start with, no dorms, and it has developed then in these some 30 years to this 20,000 enrollment.

Senator PELL. It was started then by Senator Dickinson's father?

Dr. FULLER. Yes.

Senator PELL. I am familiar with the college and also with your West Indies Laboratories. You were kind and asked me to cut the ribbon when it opened. I think Chancellor Martino——

Dr. FULLER. Sammartino, Chancellor Sammartino.

Senator PELL. He is your Chancellor?

Dr. FULLER. That is right.

SEA GRANT PROGRAM

Senator PELL. In the West Indies Laboratory are you trying to move ahead into the Sea Grant college program?

Dr. FULLER. Yes.

Senator PELL. Have you received any grants from them?

Dr. FULLER. We have not gotten any grants up to now. You see, we have been using the hotels for our facilities in the off-season. Senator Dickinson has given us the land and the money to develop the lab and

we are building five buildings down there now and we will develop a year-round program. That year-round program we hope to be using in affiliation with other institutions.

I hasten to add that this is not a program in competition with the typical Woods Hole, Miami and Scripps program. It is a teaching laboratory for the oceanography sciences.

S. 1453

Senator PELL. Dr. Miller, I was just curious in the light of your stress of the part-time students, would you support Senator Javits' bill in particular, S. 1453, which extends the eligibility for educational opportunity grants to include part-time as well as full-time students?

Dr. MILLER. That is right. Senator, I serve as Chairman of the Committee on Higher Continuing Education for the American Council on Education. That Committee would be interested in such a feature. When we speak of greater flexibility, we increase the invitation to develop more nontraditional students. The aid programs have to take this into consideration.

Senator PELL. Basically, this bill of Senator Javits is an excellent idea and we could very easily pull it into either of the bills as an amendment. I think we should. We will iron that out in the executive session. Basically we face a choice between two broad approaches. One is the administration's proposal embodied in S. 1123, and that of the bill that the subcommittee is looking at in particular, S. 659.

CHOICE OF PENDING BILLS

I was wondering if each of you three gentlemen could express a preference for one over the other. Are you familiar with both bills?

Dr. MILLER. I am not personally familiar with all of the comparisons.

Senator PELL. Well, it helps us to have a rather clear statement of "We prefer this one" or "We prefer that one."

Dr. MILLER. Yes, I think my own view offhand, without being competent to really make the judgment, is I understand S. 1123 does include a feature of the direct institutional aid in the way that the other one does not.

Senator PELL. What was that? Would you repeat that?

Dr. MILLER. I am not quite sure that I am able to judge the contrast of provision in the two with reference to institutional aid.

Senator PELL. The administration bill has no institutional aid. The bill that we are working on supports the concept of a grant to the Institution following each student who receives Federal assistance.

Dr. MILLER. Well, my own choice would be on the side of the bill that would add direct institutional aid to the Federal financing assistance of higher education.

Senator PELL. Are you familiar with both of those?

Dr. WOOLDRIDGE. On the two parts that I am concerned with, Senator, I could only second what Dr. Miller just said, that I would favor S. 659 because of the concept of the direct aid to institutions. I am more familiar perhaps with the cooperative education portion of it. The administration bill calls for support of cooperative education but designates 3 percent of work study funds to do it. It does not extend

the previous Higher Education Act provisions for cooperative education but really makes cooperative education part of the work study phase. I think I can certainly say for myself and my colleagues in the field that all strongly prefer the S. 659 approach where it remains a line item and stands on its own feet and looks for its own appropriation.

We think in the long run that is going to best serve the higher education institutions in this country. That is a very definite stand.

Dr. FULLER. The bill that you are talking about, S. 1123, is that the one with the matching concept?

Senator PELL. Matching concept for what?

Dr. FULLER. For the States.

Senator PELL. No. That is another bill of Senator Javits. The two overall bills are S. 1123 and S. 659 which are basically going in the same direction. S. 659 has the approach of helping the students by granting to them the difference between the income tax paid and $1,200 along with a matching grant to the institution. The emphasis in the administration bill is more towards extending the loan program in general, and these are the two different approaches.

Do you have a preference between these two?

Dr. FULLER. Well, I feel very strongly that you have got to have not only the student aid grant to the students—I think this gives them a choice that is necessary—but you also must have direct aid to the institutions. The two cannot be separated and my plea then was to look at the problems at the time that relate to the social problems and support those institutions. I feel I cannot say any more.

Senator PELL. But, in general, then, as I said, the panel supports S. 659 over the other approach?

Dr. FULLER. Yes.

PROBLEMS OF DISADVANTAGE PUPIL

Senator PELL. Now, one final question. Do you find that undergraduates who normally would not be in college but who are now attending, have problems adjusting to the theoretical life and the extra demands that are made on them?

Dr. FULLER. Very definitely, but this is one of the reasons that we have developed a slightly different approach to what the New York City schools have called open admission. We have developed a special program at Wayne where if a young man or woman is not ready for college we can give them this adjustment phase. The same thing is true with our experimental college, the 2-year, and the Edward Williams, and even when we bring the students in to the regular programs we try to be aware of this through our counseling programs.

I think we get more of this kind of student in the urban institutions than is typical of other institutions where the selection is so great. I think where you take the top 10 percent of the high school class you have a different set of programs and problems and maybe more emotional adjustments, but it is not a total cultural adjustment when you have essentially open admission type.

Dr. MILLER. I want to say, Mr. Chairman, having gone to a conventional college, having worked in conventional institutions, I was not prepared for what has happened to institutions which have been

sometimes called shirt-sleeved institutions; and how for so many decades they have worked with young people of disadvantaged groups.

In our place we have something called the Vestibule program introduced by our work with deaf students into which students who are not really prepared for conventional college work are admitted and are given extensive help through educational technology and other features. We have more than the normal college in counseling services and remedial centers. In our metropolitan center we have representatives from minority groups coming there to take remedial work and to conduct seminars on community problems.

I am saying that often we have placed too much emphasis upon rather formal admissions procedures, now challenged by open admissions policies. We should also look at what we know about human learning that can help young men and women who have been deprived, who have been handicapped, who have been retarded in some way from normal learning opportunities; and there is much we can do that we are not doing in American colleges and universities to help young people move into the mainstream of higher education. Cooperative education is also a way that a student can move gradually into formal education.

Dr. WOOLDRIDGE. I would again add my voice to say that I think all of us represent institutions that are very unique and different urban schools that have always catered to working class students or short-sleeve institutions, as Dr. Miller said. I think through the years we have developed techniques in teaching to address ourselves to that problem, and they are very useful today.

I do not think you can just take youngsters who normally would not have gone ahead to higher education and put them in a conventional institution in a typical campus setting and expect them to survive. In many urban institutions we have had this. The cooperative education plan, the alternation of work and study does allow adjustments.

I would like to mention the evening and part-time student again, in that the great tendency on the part of accrediting agencies and Federal agencies, too, is to try to equate the evening student with the day student, and this cannot be done. This is an adult and mature student. His education program has to be set up on a different basis entirely. He is often a young person who has other responsibilities and is struggling to get an education, and I think we have not in the past given due recognition to this in many institutions. All of us are heavily involved in that kind of education as well as cooperative programs and special teaching in the freshman year.

INSTITUTIONAL AID

Senator PELL. Thank you very much. Now, one final question, and this involves assistance to educational institutions. The approach that we have in our bill provides for an amount of $1,000 for each student who receives a basic educational opportunity grant. President Hester of New York University has suggested another approach which would grant for example $100 for each student in the first and second year, $150 for the third and fourth year, $200 for the graduate year.

The amount of money would not be too different. In S. 659 the larger amount would follow those who receive the basic educational oppor-

tunity grants. The Hester approach is to all students but a smaller amount.

Do you have any preferences between these two approaches? Are you familiar with them? If you are not, do not worry, but I was just curious if you had any thoughts about whether assistance should be rendered on the basis of the student or a bloc grant to the university.

Dr. MILLER. I would select the option—and that is embodied I think in the Hester approach—of being as straightforward as possible. I think the efforts can be audited better. I think it leads less to ways to beat the game. From what you said and from what little I know about it—and I have read of President Hester's suggestion on this—I think I would like his option on the basis of what I know about it simply in terms of the straightforward ways for properly accounting and auditing for it. It is, therefore, better public policy.

Dr. FULLER. Saying the same thing in a slightly different way, I think our problem is to get the money wherever it will do the most good as rapidly as possible. The more checks and balances in the way of bureaucracy that are built into the distribution of money, the less money is going to get to the school.

Dr. WOOLDRIDGE. I would tend to agree with what my colleagues have said. I must say I would not wish to pretend to be an expert in this area and I suppose no one is because it is a brand new approach. I think the direct aid based on enrollment at much less per head than is called for in the Senate bill that is under consideration here is probably a better way.

I have some difficulty in understanding S. 659 on the direct aid formula because of the problems of the income tax of the parent of the student and some of the tuition that is paid by the student is subtracted—it is a rather complex formula. As best I can understand it, there might be some penalty to a cooperative education student who works 6 months a year. In other words, our students, because they work hard and go out on job assignments, which is taxable by the Federal Government, might find themselves at a disadvantage in terms of these basic educational grants and, therefore, since the grant in aid to the institution is dependent upon that basic educational grant the institution would be disadvantaged. I am not absolutely sure of that but that is the way I have interpreted it on a quick glance and, therefore, I suppose I would favor the other system of direct grants based on the per head enrollment.

Senator PELL. I see the problem that we have. We have some cleaning up to do on our own drafting to simplify what we are doing and make sure as few abuses could take place as possible. What I have sought to do is make it very simple and to try to help those who most need the assistance. So this is why we opted for the income tax as a measure.

I realize there could be an occasional abuse such as the family whose total holdings are in municipal bonds, but I think that is the exception.

I thank all three of you for coming. This has been a very good panel and you have made a particular contribution representing as you do those institutions serving the urban areas where problems are becoming more and more representative of the United States as a whole. I thank each of you very much.

The next witness will be Mr. Joseph Angland, a student at Massachusetts Institute of Technology.

I would like to express the apologies of Senator Kennedy who sent me a statement that I will read into the record.

I regret not being able to attend the hearing this morning and to personally welcome the representatives of the Coalition for Aid to Private Higher Education. The coalition was organized last year as evidence as the financial crisis of higher education became increasingly apparent to the university community. The rising cost of education to students and their families has been matched with an associate increase in the financial burden on institutions.

As a Senator from Massachusetts and a Member of the Subcommittee on Education, I applaud your concern, your goals, your determination to involve yourself in the struggle to meet those goals.

I believe the bill before you begins to meet the crisis. To the aspiring college student from a poor or lower middle class background, this bill offers a guarantee of financial assistance. It also expands and extends student loans, educational opportunity grants and work-study programs which have already begun to open the doors of our universities to all economic groups. But much more still must be done.

Your testimony here this morning is critically important because you have been bearing the burden of higher tuition costs. Year by year, tuition has climbed at every university, public and private, all but the affluent have had to mortgage their future to pay those costs.

So again, I commend you on your initiative in bringing to the Committee a perspective on the financial crisis in higher education and your views on the impact of current bills on private higher education in this country.

Would you proceed, Mr. Angland.

STATEMENT OF JOSEPH ANGLAND, STUDENT, MASSACHUSETTS INSTITUTE OF TECHNOLOGY

Mr. ANGLAND. My name is Joe Angland and I represent the Coalition for Aid to Private Higher Education. With me today are three other representatives of the coalition: Miss Jane Docktor from Emmanuel College; Fred Anderson of Tufts University; and Michael Grealy of Boston College.

The very basic presumption which underlies the philosophy of our organization is that private education is a worthwhile investment for the Government and that increased funding should be available. Certainly the philosophy of this committee and Congress as demonstrated by the legislation of recent years would demonstrate your position is constant with ours.

The rationale for this increased funding of private higher education devolves from considerations which are both economic and social in nature. Economically, it is obviously more efficient that the Federal Government help subsidize existing private colleges rather than to bear the entire cost of putting those people through college who otherwise would be forced to go to the public universities. Socially, there are strong reasons on the basis of giving options in terms of geography, style and size for having private as well as public education. Present State restrictions make it difficult for a person to go to a public school outside of his own State, while, if anything, the opposite is true of private institutions which tend to seek a wide geographic distribution.

In terms of style it is all too often the case that State schools are under the strict control of a legislature or political board of trustees which tends to enforce a rather narrow range of flexibility in allowing new programs or experiments in education.

In terms of size, it is also obvious that if private schools no longer were available to the majority of students, then they would be left to choose from schools in the 10,000 to 40,000 student enrollment range of the State universities and the consequent lack of interpersonal relationship and form that tend to make the existence of private education a worthwhile supplement.

Public and private education, we feel, must exist as competing systems leading each other into innovation and progressive change. Much like a two-party system of Government, a dual system makes education responsive to the needs of individuals and society.

Without increased aid to private higher education, we risk the destruction of this complementary function between the two systems. The legislation this committee is considering, specifically S. 659, does go a long way toward helping colleges to meet at least their shortrun crises in higher education.

The coalition shall defer comment to many aspects of the bill which are far better dealt with by people who are more familiar with the internal economics of the university and consider, instead, those aspects of the bill that relate directly to students through institutional grants.

The coalition strongly endorses S. 659's extension of Educational Opportunity Grants, Work Study Grants, and other forms of Federal loan subsidies. These programs have contributed substantially to the ability of needy and lower-middle class students to pursue educations in the private universities. To the extent that there are problems with these particular programs, they call for improvements in the program, certainly not their abolition.

We find grossly unacceptable the Administration's proposal to phase out National Defense loans. Such a move would aggravate the already severe problems confronting a student of middle-class background. For example, a student who borrows $2,500 a year for his education may wind up repaying $30,000 by the time the interest stops compounding. In light of such statistics, to say that the student has real freedom of choice is to perpetuate a myth.

Senator PELL. By this, you mean if he borrows $10,000, he has to pay back $30,000?

Mr. ANGLAND. $12,500 over a 5-year program and the figure comes out to $29,000 over a 20-year repayment period. Startling, but true.

The coalition further believes, and very strongly, that in the administration of the several forms of student assistance, the financial aid officers at the individual schools should be given the maximum possible discretion. Implicit in this position is a rejection of the proposal to tie all student assistance to a rigid function of the family's adjusted income. This approach—as advocated by the Administration—drastically oversimplifies some of the complex issues involved.

First of all, adjusted income is a very crude measure of need. Considerations such as family size, number of college-age students, debt structure and the liquidity of assets are of great importance in determining whether or not the need exists, but they are not readily reducible to a formula. Moreover, countless intangibles impinge on any particular student's case. In other words, a Federal formula would have to be condemned as being either grossly simplistic or hopelessly complex.

Our study of existing programs indicated that even the very broad eligibility requirements which exist now can in many cases exclude students who exhibit undeniable need. To extend these requirements to include not only eligibility of the programs but also to let them specify exactly how much a given student could receive would greatly exacerbate the problem that exists today, that is, the mismatch of real need and the availability of assistance.

Our second major complaint about a federally prescribed formula concerns the redistribution of funds from the middle class to the lower class. That the needy require more assistance is undeniable. That these funds can be reasonably obtained at the expense of middle class students is open to serious doubt. This is particularly true when one examines the impact of such a scheme on the private universities. Many middle class families—even with present aid programs—find it very difficult to bear the costs imposed by private higher education. The honorable president of Northeastern University emphasized this this morning when he spoke of the stranglehold upon people in the middle income class.

There can be no doubt that a reduction in Federal aid to the middle class would mean fewer middle class would seek private higher education. At the same time, the needy, even with the incremental Federal assistance that such a formula provides, would in most cases not be able to afford a private higher education. So, while the number of needy enrolled in private schools might increase, the extent would not be very large. In effect, the middle class would be priced out of private higher education and the poor would not yet be priced in. It is unfortunate that 1970 America is characterized by a middle class that can barely afford private education and the poorer class that cannot afford it at all.

However, redistributing funds so that both classes could half-afford private higher education hardly seems to be a realistic solution. Its consequence would be a system of private higher education dominated by the very wealthy—a system which is to be condemned on both educational and social grounds.

So, both in terms of redistribution of funds among income classes and the distribution of funds to specific individuals within income classes, we strongly endorse maximum flexibility for the financial aid officer. The formula proposed by the Administration is simple and uniform. However, the needs and circumstance of the millions of students enrolled in our private universities are not. This calls clearly for more discretion at a lower level.

Beyond the general income requirement, our examination of existing Federal programs have led us to conclude that financial aid officers are often hamstrung by some of the stipulations attached to the programs. The difficulty in the use of work-study grants in the summer and the 15-hour/week limit on such grants are illustrative of the problem. We are of the opinion that Congress should reexamine the wisdom of these constraints. It appears that their main impact at this time has been to make things awkward for financial aid officials and frustrating for applicants.

While current programs of student assistance are, in general, laudable, they are, nonetheless, insufficient. Pleas for increased funding constantly plague this committee, as they do the other committees of the

Congress, but the dimensions of the crisis in private higher education are at this time awesome, and the response should be commensurate.

As students, we tend to view the problems of higher education not in terms of large aggregates, but in terms of the specific problems imposed upon individuals. We perceive the student with nine brothers and sisters who is denied aid because her parents' income of $10,000 is "inadequate" by some formula. We see the recipient of a National Defense loan receiving a maximum of $1,000 per year—the same maximum that was written into the law when it was passed in 1958, even though tuition for him may have tripled since that time. We see 58 percent of those students in the forthcoming fiscal year who can meet the already stringent requirements for educational opportunity grants being denied these grants because the amount of appropriations recently passed by the House of Representatives could finance absolutely no more. Were these examples isolated exceptions, we could perhaps live with them. As it is, the fact that they are so commonplace demands remedial action.

S. 659 is to be commended for extending the magnitude of the Federal Government's commitment to the problems of higher education. The provision for supplemental grants geared to the income tax will provide funds direly needed by the lower and lower-middle class. While we realize the income tax is an imperfect measure of need, it is a plaudable indicator for the lower income brackets to which this provision applies. Again, the mechanism of providing this additional assistance seems less important than the commitment to provide assistance. Perhaps the additional funds could be channeled through existing programs in an equitable manner to achieve the desired result.

As regards the cost-of-education allowances, we have some serious reservations. S. 659 would provide such funds only where the student is charged less than $1,000 tuition. Now, while virtually all State universities would reap the benefits, aid for private schools would be minimal. It appears a drastic misordering of priorities to provide a bonanza for State supported schools where tuition is minimal while denying additional moneys to private universities who are in an even more precarious position. By lowering the incremental cost of a student at a public university, such a proposal can only provide artificial incentives to use public rather than private universities.

The idea of institutional aid is one we sanction; however, this particular mechanism seems ill suited to the problems of our time. It would be relatively easy to restructure the distribution of funds between the public and private sector in an equitable manner. The crisis of private higher education demands as much.

Earlier this morning I heard you mention a proposal, I believe by a gentleman from N.Y.U., Mr. Hester, which perhaps would do that, if I heard the formula correctly. Indeed, a restructuring must be in order to get the correct balance.

By way of conclusion, I should like to emphasize one very important point, a point which was made by the gentleman earlier this morning and a point which is implicit in what I have to say, and I would do so by way of raising a very unpleasant spectre.

We have already established that private higher education is something that should exist. The question then becomes for whom? The spectre I would raise is one where private higher education became

the exclusive province of the wealthy few, and certainly such a situation smacks of elitism which does run against our egalitarian grain; however, it is much more realistic than you might expect. There are suggestions that such a trend is in the workings and some of the mechanisms I have talked about today could aggravate this trend.

Providing money to the public schools rather than the private schools would aggravate this trend. Similarly, starving the middle class and giving money to the poor could drive both groups to the public universities and again the private universities would be left only to the very rich. This would be intolerable.

The coalition believes this committee and the Congress and the entire Nation shares our disdain for such a situation. They will react when the crisis reaches crisis proportions, however, reaction times are often long and reactions after the fact, as we can see by taking a look at poverty programs and a few other areas, oftentimes lead to ad hoc measures, not a coherent plan for solving the basic problems.

The legislation this committee is considering now will shape the nature of the Federal Government's commitment to private higher education for some years to come. However, at this time, time is really of the essence. We strongly urge this committee and the rest of the Congress to not only act today but act tomorrow. It is much better for us to pass legislation which will let us anticipate a crisis of tomorrow rather than not doing so and having to react to it in the future.

Mr. Chairman, that concludes our testimony.

Senator PELL. I thank you very much for your testimony and for your strong support of S. 659.

I would add in this regard that the problem here of the cost of education to help the institutions is overly complicated in this bill and we intend to simplify it so it will be a straight $1,000 grant for each youngster that gets a basic cost of education grant. So the amounts will not be too different between this approach and President Hester's approach.

Mr. ANGLAND. To the extent that occurs, we would probably support it wholeheartedly.

Senator PELL. I am also delighted that Senator Kennedy, whose statement I inserted in the record, also supports this bill.

I have one question I wanted to ask your view on, and that is, do you subscribe to the basic philosophy of the bill which is before us, which is, that there should be a right to an education beyond high school—not necessarily a liberal arts education, it could be vocational education—but a right available to all American people. One provided to them if they can maintain their grades that are necessary and have a desire to do so?

Whether it is a private or public education is not the important point here. The point is that there must be a floor of post-high school education available to all people, just as probably 60, 70, 80 years ago the idea that a high school education would be available to all people was probably rather radical. If you went to high school that was considered a privilege and you had to pay for it. Today, if you want to go to Phillips Exeter Academy, that is a privilege and you pay for it; but you do have high school available to you.

This is what we are trying to get with post-high school education now.

Mr. ANGLAND. The coalition wholeheartedly endorses that sentiment. I was going to use the analogy of high school which you beat me to. It has been a long time now since we first granted people the absolute right to have a high school education. The only constraint upon offering more were financial constraints. If one looks at the wealth available to America now and the wealth available to America then, one would think some could be channeled to extending this opportunity a few grades higher.

Mr. Nixon emphasized this when he wanted to extend it 2 years higher when he proposed the Educational Opportunity Act of 1970. What we questioned is whether he provided the means and about that we have serious reservations.

Senator PELL. Do any of the others of you have any other thoughts you would like to bring out at this time? [No response.]

We are glad you are here. It is a rare privilege for us to hear from the consumers of the education programs. I thank you all.

This subcommittee is now in recess until tomorrow morning at 10:00 a.m.

(Whereupon, at 11:30 a.m., the subcommittee was recessed, to be reconvened at 10 a.m., Wednesday, April 28, 1971.)

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EDUCATION ENROLLMENTS OF 19

ED057753

EDUCATION AMENDMENTS OF 1971

HEARINGS

BEFORE THE

SUBCOMMITTEE ON EDUCATION

OF THE

COMMITTEE ON
LABOR AND PUBLIC WELFARE
UNITED STATES SENATE

NINETY-SECOND CONGRESS

FIRST SESSION

ON

S. 659

TO AMEND THE HIGHER EDUCATION ACT OF 1965, THE VOCATIONAL EDUCATIONAL ACT OF 1968, AND RELATED ACTS, AND FOR OTHER PURPOSES

AND RELATED BILLS

APRIL 28, 29; AND MAY 6, 1971

PART 4

Printed for the use of the
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EDUCATION AMENDMENTS OF 1971

WEDNESDAY, APRIL 28, 1971

U.S. SENATE,
SUBCOMMITTEE ON EDUCATION OF THE
COMMITTEE ON LABOR AND PUBLIC WELFARE,
Washington, D.C.

The subcommittee met, pursuant to recess, at 9:30 a.m., in room 4232, New Senate Office Building, Senator Claiborne Pell presiding.

Present: Senators Pell, Kennedy, and Mondale.

Committee staff members present: Stephen J. Wexler, subcommittee counsel; Richard D. Smith, associate counsel; and Roy H. Millenson, minority professional staff member.

Senator PELL. This morning the subcommittee on Education, of the Senate Committee on Labor and Public Welfare, will hear testimony on the Indian Education Act, Amendment 6 to S. 659, Education Amendments of 1971.

At this point in the hearing record I ask that a copy of the amendment sponsored by Mr. Kennedy, for himself, Messrs. Mondale, Byrd of West Virginia, Cannon, Cranston, Dominick, Eagleton, Gravel, Hart, Hughes, Humphrey, Inouye, Javits, McGovern, Muskie, Pastore, Stevens, and Tunney, be printed.

(The text of the amendment follows:)

92D CONGRESS
1ST SESSION

S. 659

IN THE SENATE OF THE UNITED STATES

FEBRUARY 25 (legislative day, FEBRUARY 17), 1971

Referred to the Committee on Labor and Public Welfare and ordered to be printed

AMENDMENT

Intended to be proposed by Mr. KENNEDY (for himself, Mr. MONDALE, Mr. BYRD of West Virginia, Mr. CANNON, Mr. CRANSTON, Mr. DOMINICK, Mr. EAGLETON, Mr. HART, Mr. HUGHES, Mr. HUMPHREY, Mr. INOUYE, Mr. JAVITS, Mr. MCGOVERN, Mr. MUSKIE, Mr. PASTORE, and Mr. TUNNEY) to S. 659, a bill to amend the Higher Education Act of 1965, the Vocational Education Act of 1963, and related Acts, and for other purposes, viz: On page 120, after line 21, insert the following:

Amdt. No. 6

1 TITLE V—INDIAN EDUCATION

2 PART A—REVISION OF IMPACTED AREAS PROGRAM AS

3 IT RELATES TO INDIAN CHILDREN

4 SEC. 501. (a) The Act of September 30, 1950 (Public

5 Law 874, Eighty-first Congress), is amended by redesig-

6 nating title III as title IV, by redesignating sections 301

7 through 303 and references thereto as sections 401 through

8 403, respectively, and by adding after title II the following

9 new title:

10 "TITLE III—FINANCIAL ASSISTANCE TO LOCAL

11 EDUCATIONAL AGENCIES FOR THE EDUCA-

12 TION OF INDIAN CHILDREN

13 "SHORT TITLE

14 "SEC. 301. This title may be cited as the 'Indian

15 Elementary and Secondary School Assistance Act'.

16 "DECLARATION OF POLICY

17 "SEC. 302. (a) In recognition of the special educational

18 needs of Indian students in the United States, Congress

19 hereby declares it to be the policy of the United States to

20 provide financial assistance to local educational agencies to

21 develop and carry out elementary and secondary school pro-

22 grams specially designed to meet these special educational

23 needs.

24 "(b) During the period beginning June 1, 1972, and

25 ending June 30, 1977, the Commissioner shall, in order to

1 effectuate the policy set forth in subsection (a), carry out a
2 program of making grants to local educational agencies
3 which are entitled to payments under this title and which
4 have submitted, and had approved, applications therefor,
5 in accordance with the provisions of this title.

6 "GRANTS TO LOCAL EDUCATIONAL AGENCIES

7 "SEC. 303. (a) For the purpose of computing the
8 amount to which a local educational agency is entitled under
9 this title for any fiscal year in the period during which grants
10 are to be made, as specified in section 303 (b), the Commis-
11 sioner shall determine the number of Indian children who
12 were enrolled in the schools of a local educational agency,
13 and for whom such agency provided free public education,
14 during such fiscal year.

15 "(b) (1) The amount of the grant to which a local
16 educational agency is entitled under this title for any fiscal
17 year shall be an amount equal to (A) the average per pupil
18 expenditure for such agency (as determined under paragraph
19 (3)) multiplied by (B) the sum of the number of children
20 determined under subsection (a).

21 "(2) A local educational agency shall not be entitled to
22 receive a grant under this title for any fiscal year unless
23 the number of children under subsection (a), with respect
24 to such agency, is at least ten.

25 "(3) For the purposes of this subsection, the average

1 per pupil expenditure for a local educational agency shall
2 be the aggregate current expenditures, during the second
3 fiscal year preceding the fiscal year for which the computa-
4 tion is made, of all of the local educational agencies in the
5 State in which such agency is located, plus any direct cur-
6 rent expenditures by such State for the operation of such
7 agencies (without regard to the sources of funds from which
8 either of such expenditures are made), divided by the aggre-
9 gate number of children who were in average daily en-
10 rollment for whom such agencies provided free public edu-
11 cation during such preceding fiscal year.

12 "(c) In addition to the sums appropriated for any
13 fiscal year for grants to local educational agencies under
14 this title, there is hereby authorized to be appropriated
15 for any fiscal year an amount not in excess of 1 per centum
16 of the amount appropriated for payments on the basis of en-
17 titlements under this section for that fiscal year, for the pur-
18 pose of enabling the Commissioner to provide financial
19 assistance to schools on or near reservations which are not
20 local educational agencies or have not been local educa-
21 tional agencies for more than three years, in accordance with
22 the appropriate provisions of this title.

23 "USES OF FEDERAL FUNDS

24 "SEC. 304. Grants under this title may be used, in ac-
25 cordance with applications approved under section 305,
26 for—

1 "(a) planning for and taking other steps leading to
2 the development of programs specially designed to meet
3 the special educational needs of Indian children, includ-
4 ing pilot projects designed to test the effectiveness of
5 plans so developed; and
6 "(b) the establishment, maintenance, and operation
7 of programs, including, in accordance with special regu-
8 lations of the Commissioner, minor remodeling of class-
9 room or other space used for such programs and acqui-
10 sition of necessary equipment, specially designed to meet
11 the special educational needs of Indian children.
12 "APPLICATION FOR GRANTS; CONDITIONS FOR APPROVAL
13 "SEC. 305. (a) A grant under this title, except as pro-
14 vided in section 303 (b) (3), may be made only to a local
15 educational agency or agencies, but only upon application
16 to the Commissioner at such time or times, in such manner,
17 and containing or accompanied by such information as the
18 Commissioner deems necessary. Such application shall—
19 "(1) provide that the activities and services for
20 which assistance under this title is sought will be ad-
21 ministered by or under the supervision of the applicant;
22 "(2) set forth a program for carrying out the pur-
23 poses of section 304, and provide for such methods
24 of administration as are necessary for the proper and
25 efficient operation of the program;

1 "(3) in the case of an application for payments for
2 planning, provide that (A) the planning was or will be
3 directly related to programs or projects to be carried out
4 under this title and has resulted, or is reasonably likely
5 to result, in a program or project which will be carried
6 out under this title, and (B) the planning funds are
7 needed because of the innovative nature of the program
8 or project or because the local educational agency lacks
9 the resources necessary to plan adequately for programs
10 and projects to be carried out under this title;
11 "(4) provide that effective procedures, including
12 provisions for appropriate objective measurement of
13 educational achievement, will be adopted for evaluating
14 at least annually the effectiveness of the programs and
15 projects in meeting the special educational needs of
16 Indian students;
17 "(5) set forth policies and procedures which assure
18 that Federal funds made available under this title for any
19 fiscal year will be so used as to supplement and, to the
20 extent practical, increase the level of funds that would,
21 in the absence of such Federal funds, be made available
22 by the applicant for the education of Indian children
23 and in no case supplant such funds;
24 "(6) provide for such fiscal control and fund
25 accounting procedures as may be necessary to assure

1 proper disbursement of, and accounting for, Federal
2 funds paid to the applicant under this title; and
3 "(7) provide for making an annual report and such
4 other reports, in such form and containing such infor-
5 mation, as the Commissioner may reasonably require to
6 carry out his functions under this title and to determine
7 the extent to which funds provided under this title have
8 been effective in improving the educational opportunities
9 of Indian students in the area served, and for keeping
10 such records and for affording such access thereto as the
11 Commissioner may find necessary to assure the correct-
12 ness and verification of such reports.
13 "(b) An application by a local educational agency or
14 agencies for a grant under this title may be approved only
15 if it is consistent with the applicable provisions of this title
16 and—
17 "(1) meets the requirements set forth in subsec-
18 tion (a);
19 "(2) provides that the program or project for which
20 application is made—
21 "(A) will utilize the best available talents and
22 resources (including persons from the Indian com-
23 munity) and will substantially increase the educa-
24 tional opportunities of Indian students in the area
25 to be served by the applicant; and

1 "(B) has been developed—

2 "(i) in open consultation with parents of

3 Indian children, teachers, and, where applica-

4 ble, secondary school students, including public

5 hearings at which such persons have had a full

6 opportunity to understand the program for

7 which assistance is being sought and to offer

8 recommendations thereon, and

9 "(ii) with the participation and approval of

10 a committee composed of parents of children

11 participating in the program for which assist-

12 ance is sought, teachers, and, where applicable,

13 secondary school students, of which at least half

14 the members shall be such parents;

15 "(C) sets forth such policies and procedures as

16 will insure that the program for which assistance is

17 sought will be operated in consultation with, and

18 the involvement of, parents of the children and repre-

19 sentatives of the area to be served, including the

20 committee established for the purposes of clause (2)

21 (B) (ii).

22 "(3) has been submitted to the appropriate State

23 educational agency for comment and recommendations.

24 "(c) Amendments of applications shall, except as the

25 Commissioner may otherwise provide by or pursuant to

1 regulations, be subject to approval in the same manner as
2 original applications.

3 "PAYMENTS

4 "SEC. 306. (a) The Commissioner shall, subject to the
5 provisions of section 307, from time to time pay to each local
6 educational agency which has had an application approved
7 under section 305, an amount equal to the amount expended
8 by such agency in carrying out activities under such appli-
9 cation.

10 "(b) (1) No payments shall be made under this title
11 for any fiscal year to any local educational agency in a State
12 which has taken into consideration payments under this title
13 in determining the eligibility of such local educational agency
14 in that State for State aid, or the amount of that aid, with
15 respect to the free public education of children during that
16 year or the preceding fiscal year.

17 "(2) No payments shall be made under this title to
18 any local educational agency for any fiscal year unless the
19 State educational agency finds that the combined fiscal
20 effort (as determined in accordance with regulations of the
21 Commissioner) of that agency and the State with respect to
22 the provision of free public education by that agency for the
23 preceding fiscal year was not less than such combined fiscal
24 effort for that purpose for the second preceding fiscal year.

1 "ADJUSTMENTS WHERE NECESSITATED BY
2 APPROPRIATIONS
3 "SEC. 307. (a) If the sums appropriated for any fiscal
4 year for making payments under this title are not sufficient
5 to pay in full the total amounts which all local educational
6 agencies are eligible to receive under this title for that fiscal
7 year, the maximum amounts which all such agencies are
8 eligible to receive under this title for such fiscal year shall
9 be ratably reduced. In case additional funds become avail-
10 able for making such payments for any fiscal year during
11 which the first sentence of this subsection is applicable, such
12 reduced amounts shall be increased on the same basis as
13 they were reduced.
14 "(b) In the case of any fiscal year in which the maxi-
15 mum amounts for which local educational agencies are eligi-
16 ble have been reduced under the first sentence of subsection
17 (a), and in which additional funds have not been made
18 available to pay in full the total of such maximum amounts
19 under the second sentence of such subsection, the Commis-
20 sioner shall fix dates prior to which each local educational
21 agency shall report to him on the amount of funds available
22 to it, under the terms of section 306 (a) and subsection (a)
23 of this section, which it estimates, in accordance with reg-
24 ulations of the Commissioner, that it will expend under
25 approved applications. The amounts so available to any local

1 educational agency, or any amount which would be available
2 to any other local education agency if it were to submit an
3 approvable application therefor, which the Commissioner
4 determines will not be used for the period of its availability,
5 shall be available for allocation to those local educational
6 agencies, in the manner provided in the second sentence of
7 subsection (a), which the Commissioner determines will
8 need additional funds to carry out approved applications,
9 except that no local educational agency shall receive an
10 amount under this sentence which, when added to the amount
11 available to it under subsection (a), exceeds its entitlement
12 under section 303.

13 "DEFINITION

14 "SEC. 308. As used in this title, the term 'Indian' means
15 any individual who is an enrolled member of a tribe, band,
16 or other organized group of Indians, or who is a descendant
17 of any such enrolled member, or who is considered by the
18 Secretary of the Interior to be an Indian.".

19 (b) (1) Paragraph (1) of section 103 (a) of title I of
20 the Elementary and Secondary Education Act of 1965 is
21 amended—

22 (A) by striking out subparagraph (B), and by
23 striking out "(A)" where it appears after "SEC. 103.
24 (a) (1)";

1 (B) in the fourth sentence thereof, by striking out
2 "and the terms upon which payment shall be made to
3 the Department of Interior"; and
4 (C) by striking out the third sentence thereof.
5 (2) Paragraph (1) of section 303 of the Act of
6 September 30, 1950, is amended—
7 (A) in the second sentence, by striking out "(A)
8 except for the purposes of section 6, real property held
9 in trust by the United States for individual Indians or
10 Indian tribes, and real property held by individual
11 Indians or Indian tribes which is subject to restrictions
12 on alienation imposed by the United States," and by
13 redesignating clauses (B), (C), and (D) therein, and
14 all references thereto, as clauses (A), (B), and (C),
15 respectively; and
16 (B) in the fourth sentence, (i) by inserting before
17 the period at the end thereof the following: ", or (C)
18 Indian reservations, or other property held (i) in trust
19 by the United States for individual Indians or Indian
20 tribes or (ii) held by individual Indians or Indian
21 tribes which is subject to restrictions on alienation im-
22 posed by the United States", and (ii) by striking out
23 "and (B)" and inserting in lieu thereof ", or (B)".

1 PART B—SPECIAL PROGRAMS AND PROJECTS TO IMPROVE
2 EDUCATIONAL OPPORTUNITIES FOR INDIAN CHILDREN
3 AMENDMENT TO TITLE VIII OF THE ELEMENTARY AND
4 SECONDARY EDUCATION ACT OF 1965

5 SEC. 521. (a) Title III of the Elementary and Sec-
6 ondary Education Act of 1965 is amended by adding to the
7 end thereof the following new section:

8 "IMPROVEMENT OF EDUCATIONAL OPPORTUNITIES FOR
9 AMERICAN INDIAN CHILDREN

10 "SEC. 810. (a) The Commissioner shall carry out a
11 program of making grants for the improvement of educa-
12 tional opportunities for American Indian children—

13 "(1) to support planning, pilot, and demonstration
14 projects, in accordance with subsection (b), which are
15 designed to test and demonstrate the effectiveness of
16 programs for improving educational opportunities for
17 American Indian children;

18 "(2) to assist in the establishment and operation of
19 programs, in accordance with subsection (c), which are
20 designed to stimulate (A) the provision of educational
21 services not available to American Indian children in
22 sufficient quantity or quality, and (B) the development
23 and establishment of exemplary educational programs to

1 serve as models for regular school programs in which
2 American Indian children are educated;
3 "(3) to assist in the establishment and operation of
4 preservice and inservice training programs, in accord-
5 ance with subsection (d), for persons serving Indian
6 children as educational personnel; and
7 "(4) to encourage the dissemination of informa-
8 tion and materials relating to, and the evaluation of the
9 effectiveness of, education programs which may offer
10 educational opportunities to American Indian children.
11 In the case of activities of the type described in clause (3),
12 preference shall be given to the training of Indians.
13 "(b) The Commissioner is authorized to make grants
14 to State and local educational agencies and other appropriate
15 public and private educational and research agencies, organi-
16 zations, and institutions (including federally supported ele-
17 mentary and secondary schools for Indian children) to sup-
18 port planning, pilot, and demonstration projects which are
19 designed to plan for, and test and demonstrate the effective-
20 ness of, programs for improving educational opportunities
21 for American Indian children, including—
22 "(1) innovative programs related to the educational
23 needs of educationally deprived children;
24 "(2) bilingual and bicultural education programs
25 and projects;

1 "(3) special health and nutrition services, and other
2 related activities, which meet the special health, social,
3 and psychological problems of Indian children; and
4 "(4) coordinating the operation of other federally
5 assisted programs which may be used to assist in meet-
6 ing the needs of such children.
7 "(c) The Commissioner is also authorized to make
8 grants to State and local educational agencies and to the Na-
9 tional Board of Indian Education to assist and stimulate them
10 in developing and establishing educational services and pro-
11 grams specifically designed to improve educational opportuni-
12 ties for American Indian children. Grants may be used—
13 "(1) to provide educational services not available
14 to such children in sufficient quantity or quality, in-
15 cluding—
16 "(A) remedial and compensatory instruction,
17 school health, physical education, psychological, and
18 other services designed to assist and encourage In-
19 dian children to enter, remain in, or reenter ele-
20 mentary or secondary school;
21 "(B) comprehensive academic and vocational
22 instruction;
23 "(C) instructional materials (such as library
24 books, textbooks, and other printed or published
25 or audiovisual materials) and equipment;

1 "(D) comprehensive guidance, counseling, and
2 testing services;
3 "(E) special education programs for handi-
4 capped and preschool children;
5 "(F) bilingual and bicultural education pro-
6 grams; and
7 "(G) other services which meet the purposes
8 of this subsection; and
9 "(2) for the establishment and operation of exem-
10 plary and innovative educational programs and centers,
11 involving new educational approaches, methods, and
12 techniques designed to enrich programs of elementary
13 and secondary education for Indian children.
14 "(d) The Commissioner is also authorized to make
15 grants to institutions of higher education and to State and
16 local educational agencies, in combination with institutions
17 of higher education, for carrying out programs and projects—
18 "(1) to prepare persons to serve Indian children
19 as teachers, teacher aides, social workers, and ancillary
20 educational personnel; and
21 "(2) to improve the qualifications of such persons
22 who are serving Indian children in such capacities.
23 Grants for the purposes of this subsection may be used for
24 the establishment of fellowship programs leading to an

1 advanced degree, for institutes and, as part of a continuing
2 program, for seminars, symposia, workshops, and conferences.
3 "(e) The Commissioner is also authorized to make
4 grants to, and contracts with, public and private agencies,
5 organizations, and institutions (except that no grant may be
6 made to an agency, organization, or institution other than
7 one which is nonprofit) for—
8 "(1) the dissemination of information concerning
9 education programs, services, and resources available to
10 Indian children, including evaluations thereof; and
11 "(2) the evaluation of the effectiveness of federally
12 assisted programs in which Indian children may partici-
13 pate in achieving the purposes of such programs with
14 respect to such children.
15 "(f) Applications for a grant under this section shall be
16 submitted at such time, in such manner, and shall contain such
17 information, and shall be consistent with such criteria, as may
18 be established as requirements in regulations promulgated
19 by the Commissioner. Such applications shall—
20 "(1) set forth a statement describing the activities
21 for which assistance is sought;
22 "(2) in the case of an application for the purposes
23 of subsection (c), subject to such criteria as the Com-
24 missioner shall prescribe, provide for the use of funds

1 available under this section, and for the coordination of
2 other resources available to the applicant, in order to
3 insure that, within the scope of the purpose of the proj-
4 ect, there will be a comprehensive program to achieve
5 the purposes of this section;
6 "(3) in the case of an application for the purposes
7 of subsection (c), make adequate provision for the
8 training of the personnel participating in the project;
9 and
10 "(4) provide for an evaluation of the effectiveness
11 of the project in achieving its purposes and those of this
12 section.
13 The Commissioner shall not approve an application for a
14 grant under subsection (b) or (c) unless he is satisfied that
15 there has been participation by tribal communities and
16 parents of the children to be served in the planning and
17 development of the project, and that there will be such a
18 participation in the operation and evaluation of the project.
19 In approving applications under subsection (a) or (b), the
20 Commissioner shall not approve an application from non-
21 Indian educational agencies, organizations, and institutions
22 until all approvable applications from Indian educational
23 agencies, organizations, and institutions have been approved.
24 "(g) For the purpose of making grants under this sec-
25 tion there are hereby authorized to be appropriated $25,000,-

1 000 for the fiscal year ending June 30, 1972, and $35,000,-
2 000 for each of the four succeeding fiscal years.".
3 (b) (1) Effective after June 30, 1972, the Elementary
4 and Secondary Education Act of 1965 is amended—
5 (A) in section 202 (a) (1), by striking out "(A)
6 the Secretary of the Interior the amount necessary for
7 such assistance for children and teachers in elementary
8 and secondary schools operated for Indian children by
9 the Department of the Interior, and (B)" and by strik-
10 ing out "Secretary of the Interior and the".
11 (B) in section 302 (a) (1), by striking out "(A)
12 the Secretary of the Interior the amount necessary to
13 provide programs and projects for the purpose of this
14 title for individuals on reservations serviced by elemen-
15 tary and secondary schools operated for Indian children
16 by the Department of the Interior, and (B)" and by
17 striking out "Secretary of the Interior and the".
18 (2) Effective after June 30, 1972, the second sentence
19 of paragraph (1) of section 612 (a) of the Education of the
20 Handicapped Act is amended to read as follows: "The Com-
21 missioner shall allot the amount appropriated pursuant to
22 this paragraph among Puerto Rico, Guam, American
23 Samoa, the Virgin Islands, and the Trust Territory of the
24 Pacific Islands, according to their respective needs.".

1 PART C—SPECIAL PROGRAMS RELATING TO ADULT EDU-
2 CATION FOR AMERICAN INDIANS
3 AMENDMENT TO TITLE III OF THE ELEMENTARY AND
4 SECONDARY EDUCATION ACT OF 1965
5 SEC. 541. Title III of the Elementary and Secondary
6 Education Amendments of 1966 (the Adult Education Act)
7 is amended by redesignating sections 314 and 315, and all
8 references thereto, as sections 315, and 316, respectively, and
9 by adding after section 313 the following new section:
10 "IMPROVEMENT OF EDUCATIONAL OPPORTUNITIES FOR
11 ADULT AMERICAN INDIANS
12 "SEC. 314. (a) The Commissioner shall carry out a pro-
13 gram of making grants to State and local educational agencies
14 and other appropriate public and private educational and
15 research agencies, organizations, and institutions to support
16 planning, pilot, and demonstration projects which are de-
17 signed to plan for, and test and demonstrate the effectiveness
18 of programs for providing adult education for American
19 Indians—
20 "(1) to support planning, pilot, and demonstra-
21 tion projects which are designed to test and demonstrate
22 the effectiveness of programs for improving employment
23 and educational opportunities for adult American In-
24 dians;
25 "(2) to assist in the establishment and operation of

1 programs which are designed to stimulate (A) the pro-
2 vision of basic literacy opportunities to all nonliterate
3 Indian adults, and (B) the provision of opportunities to
4 all Indian adults to qualify for a high school equivalency
5 certificate in the shortest period of time feasible;
6 "(3) to support a major research and development
7 program to develop more innovative and effective tech-
8 niques for achieving the literacy and high school equiv-
9 alency goals;
10 "(4) to provide for basic surveys and evaluations
11 thereof to define accurately the extent of the problems of
12 illiteracy and lack of high school completion on Indian
13 reservations;
14 "(5) to encourage the dissemination of information
15 and materials relating to, and the evaluation of the effec-
16 tiveness of, education programs which may offer educa-
17 tional opportunities to Indian adults.
18 "(b) The Commissioner is also authorized to make
19 grants to, and contracts with, public and private agencies,
20 organizations, or institutions (except that no grant may be
21 made to an agency, organization, or institution other than
22 one which is nonprofit) for—
23 "(1) the dissemination of information concerning
24 educational programs, services, and resources available
25 to Indian adults, including evaluations thereof; and

1 "(2) the evaluation of the effectiveness of federally
2 assisted programs in which Indian adults may participate
3 in achieving the purposes of such programs with respect
4 to such adults.
5 "(c) Applications for a grant under this section shall be
6 submitted at such time, in such manner, and contain such
7 information, and shall be consistent with such criteria, as
8 may be established as requirements in regulations promul-
9 gated by the Commissioner. Such applications shall—
10 "(1) set forth a statement describing the activities
11 for which assistance is sought;
12 "(2) provide for an evaluation of the effectiveness
13 of the project in achieving its purposes and those of
14 this section.
15 The Commissioner shall not approve an application for a
16 grant under subsection (a) unless he is satisfied that there
17 has been participation by tribal communities and individuals
18 to be served in the planning and development of the project,
19 and that there will be such a participation in the operation
20 and evaluation of the project. In approving applications
21 under subsection (a), the Commissioner shall not approve
22 an application from non-Indian educational agencies, or-
23 ganizations, and institutions until all approvable applica-
24 tions from Indian educational agencies, organizations, and
25 institutions have been approved.

1 "(d) For the purpose of making grants under this sec-
2 tion there are hereby authorized to be appropriated $5,-
3 000,000 for the fiscal year ending June 30, 1972, and
4 $8,000,000 for each of the four succeeding fiscal years.".

5 PART D—NATIONAL BOARD OF INDIAN EDUCATION;
6 BUREAU OF INDIAN EDUCATION; MISCELLANEOUS

7 NATIONAL BOARD OF INDIAN EDUCATION

8 SEC. 561. (a) There is hereby established the National
9 Board of Indian Education (referred to in this title as the
10 "National Board"), which shall consist of fifteen members
11 appointed by the President of the United States, with the
12 advice and consent of the Senate. Such appointments shall
13 be made by the President from lists of nominees furnished,
14 from time to time, by Indian tribes and organizations, and
15 shall represent diverse geographic areas of the country.
16 (b) Members of the National Board shall be appointed
17 for terms of three years; except that the terms of office of
18 the members first taking office shall expire, as designated by
19 the President at the time of appointment, five at the end of
20 one year, five at the end of two years, and five at the end
21 of three years. No member shall serve for more than two
22 consecutive terms. Any person appointed to fill a vacancy
23 occurring prior to the expiration of the term for which his
24 predecessor was appointed shall be appointed for the re-
25 mainder of that term. The President shall designate one of

1 the members to serve as Chairman and one to serve as Vice
2 Chairman. The Vice Chairman, during the absence or dis-
3 ability of the Chairman, shall act for, and exercise the powers
4 of, the Chairman. The Vice Chairman shall perform such
5 duties as the Chairman may prescribe from time to time.
6 (c) Members of the National Board shall be com-
7 pensated at the rate prescribed for grade GS–18 of the
8 General Schedule under section 5332 of title 5, United
9 States Code.

10 STAFF OF NATIONAL BOARD

11 SEC. 562. Subject to such rules and regulations as it
12 may adopt, the National Board shall be authorized to—
13 (1) appoint and fix the compensation of an
14 Executive Director, and such additional staff personnel
15 as the Chairman deems necessary, without regard to
16 the provisions of title 5, United States Code, governing
17 appointments in the competitive service, and without
18 regard to the provisions of chapter 51 and subchapter
19 III of chapter 53 of such title relating to classifications
20 and General Schedule pay rates, but at rates not in
21 excess of the maximum rate for grade GS–18 of the
22 General Schedule under section 5332 of such title;
23 (2) appoint and affix the compensation of a
24 Superintendent of Indian Education, without regard to
25 the provisions of title 5, United States Code, governing

1 appointments in competitive service, who shall be
2 compensated at the rate prescribed for grade GS–18 of
3 the General Schedule under section 5332 of such title,
4 and who have such duties as the National Board
5 shall prescribe; and
6 (3) procure temporary and intermittent services
7 to the same extent as is authorized by section 3109 of
8 title 5, United States Code, but at rates not to exceed
9 $100 a day for individuals.
10 POWERS AND DUTIES OF NATIONAL BOARD
11 SEC. 563. The National Board is authorized and
12 directed—
13 (1) to carry out the functions transferred to the
14 National Board pursuant to section 404 of this title;
15 (2) to establish and support local school districts
16 comprising Federal Indian schools over which it has
17 jurisdiction and control;
18 (3) to establish and support local school boards,
19 who shall be selected at the local level in accordance
20 with regulations promulgated by the National Board,
21 having administrative control and direction over Federal
22 Indian schools located within districts established pur-
23 suant to clause (2) of this section;
24 (4) to advise the Commissioner of Education with
25 respect to the administration of any program in which

1 Indian children participate, including title III of the Act
2 of September 30, 1950 (Public Law 874, Eighty-first
3 Congress), as added by this Act, and section 810, title
4 VIII of the Elementary and Secondary Education Act
5 of 1965, as added by this Act; and
6 (5) to submit to the Congress not later than March
7 31 each year a report on its activities, which shall in-
8 clude any recommendations it may deem necessary for
9 the improvement of Federal programs in which Indian
10 children participate.
11 FUNCTIONS OF NATIONAL BOARD
12 SEC. 564. (a) (1) There are hereby vested in the Na-
13 tional Board all functions which were carried out immedi-
14 ately before the effective date of this Act by the head of
15 any agency in the executive branch of the Government,
16 except the Department of Health, Education, and Welfare
17 and the Office of Economic Opportunity, relating to the edu-
18 cation of Indians in any elementary, secondary, or voca-
19 tional school, or any institution of higher education, including
20 all such functions being administered through any agency,
21 service, bureau, office, or other entity of any such agency.
22 (2) All functions of any agency of the United States,
23 except the Office of Education and the Office of Economic
24 Opportunity, relating to the education of Indians in any
25 elementary, secondary, or vocational school, or any institu-

1 tion of higher learning, are hereby transferred to, and vested
2 in, the National Board.
3 (3) All orders, determinations, rules, regulations, per-
4 mits, contracts, grants, certificates, licenses, and privileges—
5 (A) which have been issued, made, granted or al-
6 lowed to become effective in the exercise of functions
7 transferred by this section; and
8 (B) which are in effect at the time this section takes
9 effect,
10 shall continue in effect according to their terms until modi-
11 fied, terminated, superseded, set aside, or repealed by the
12 National Board, by any court of competent jurisdiction, or
13 by operation of law.
14 (4) All personnel, assets, liabilities, contracts, property,
15 and records as are determined by the Director of the Office
16 of Management and Budget to be employed, held, or used
17 primarily in connection with the functions transferred under
18 this section are transferred to the National Board. Person-
19 nel engaged in functions transferred under this section shall
20 be transferred in accordance with applicable laws and regu-
21 lations relating to transfer of functions.
22 (5) As used in this section, the term "functions" in-
23 cludes powers and duties.
24 (b) The National Board is directed—
25 (1) to conduct, in concert with a team of profes-

1 sional consultants competent in areas of personality de-
2 velopment and mental health, a detailed investigation of
3 the off-reservation boarding schools to determine which
4 ones should be converted into therapeutic treatment
5 centers, and to cooperate with the Public Health Service
6 to the extent necessary to bring about such conversion;
7 (2) to examine the present distribution and location
8 of Federal boarding schools and the pattern of student
9 placement, with the view to developing and implement-
10 ing a new rationale and plan with regard to such schools;
11 and
12 (3) to submit to the Congress on or before Jan-
13 uary 1, 1973, a report on its activities under this sub-
14 section.
15 BUREAU OF INDIAN EDUCATION
16 SEC. 565. (a) There is hereby established, in the Office
17 of Education, a bureau to be known as the "Bureau of
18 Indian Education" which, under the direction of the Com-
19 missioner, shall have the responsibility for administering
20 the provisions of title III of the Act of September 30, 1950
21 (Public Law 874, Eighty-first Congress), as added by this
22 Act, section 810 of title VIII of the Elementary and Second-
23 ary Education Act of 1965, as added by this Act, and section
24 314 of title III of the Elementary and Secondary Education
25 Amendments of 1966, as added by this Act. The Bureau shall

1 be headed by a Deputy Commissioner of Indian Education,
2 who shall be appointed by the President of the United States
3 from a list of nominees submitted to him by the National
4 Board of Indian Education.

5 (b) The Deputy Commissioner of Indian Education
6 shall be compensated at the rate prescribed for grade 17 of
7 the General Schedule of the Classification Act of 1949 and
8 shall perform such duties as are delegated or assigned to him
9 by the Commissioner.

10 PART E—MISCELLANEOUS PROVISIONS

11 AMENDMENT TO TITLE V OF HIGHER EDUCATION ACT
12 OF 1965

13 SEC. 581. (a) Section 503 (a) of the Higher Education
14 Act of 1965 is amended (1) by inserting after "and higher
15 education," the following: "including the need to provide
16 such programs and education to Indians," and (2) by in-
17 serting after "the Department of Labor," the following:
18 "the National Board of Indian Education,".

19 (b) Section 504 (a) (1) of such Act is amended by
20 inserting after "secondary schools" the following: "(in-
21 cluding such schools operated by the National Board of In-
22 dian Education or by an agency of an Indian tribe.)".

23 (c) Section 505 of such Act is amended by inserting
24 after "shall consult with" the following: "the Chairman of
25 the National Board of Indian Education,".

1 (d) Subsections (a) and (d) of section 552 of such
2 Act of 1965 are each amended by inserting after "in all
3 the States" a comma and the following: "including such
4 needs in schools operated by the National Board of Indian
5 Education, or by an agency of an Indian tribe.".
6 (e) Section 553 (a) of such Act is amended by insert-
7 ing at the end thereof the following: "The Commissioner
8 may also enter into arrangements with the National Board
9 of Indian Education, or with an agency of an Indian tribe,
10 and use funds appropriated for the purpose of this section,
11 for carrying out the purpose of this section with respect to
12 schools operated by the National Board of Indian Educa-
13 tion, or by an agency of an Indian tribe or tribes.".

14 AMENDMENT TO TITLE III OF HIGHER EDUCATION ACT
15 OF 1965

16 SEC. 582. Section 302 (d) of the Higher Education Act
17 of 1965 is amended by inserting before the semicolon at the
18 end thereof a comma and the following: "except that the
19 Commissioner may waive the five-year requirement of this
20 clause with respect to an institution located on or near an
21 Indian reservation in any case in which he determines that
22 such action will increase the availability of higher education
23 to Indians".

24 INSTITUTE OF AMERICAN INDIAN ARTS

25 SEC. 583. The National Board of Indian Education is
26 directed and authorized to raise the Institute of American

1 Indian Arts at Santa Fe, New Mexico, to the level of a
2 4-year college.

3 COMMUNITY COLLEGES

4 SEC. 584. (a) The National Board of Indian Educa-
5 tion is directed and authorized to provide continuing sup-
6 port for the community colleges in which a substantial num-
7 ber of Indian students are enrolled.

8 (b) The National Board is directed to conduct a study
9 exploring the feasibility of Indian community colleges, to
10 work toward the establishment of such Indian-controlled in-
11 stitutions, and to submit a report respecting such study to
12 the Congress on or before July 1, 1972.

13 AMENDMENT TO THE ELEMENTARY AND SECONDARY
14 EDUCATION ACT OF 1965

15 SEC. 585. Section 706 (a) of the Elementary and Sec-
16 ondary Education Act of 1965 is amended to read as follows:

17 "(a) For the purpose of carrying out programs pursu-
18 ant to this title for individuals on or from reservations serv-
19 iced by elementary and secondary schools operated on or
20 near such reservations for Indian children, a nonprofit insti-
21 tution or organization of the Indian tribe concerned which
22 operates any such school and which is approved by the
23 Commissioner for the purpose of this section, may be con-
24 sidered to be a local educational agency, as such term is
25 used in this title.".

1 On page 3, above line 1, add the following at the end
2 of the table of contents:

TITLE V—INDIAN EDUCATION

PART A—REVISION OF IMPACTED AREAS PROGRAM AS IT RELATES TO INDIAN CHILDREN

Sec. 501. Revision of Public Law 874 provisions relating to Indians.

PART B—SPECIAL PROGRAMS AND PROJECTS TO IMPROVE EDUCATIONAL OPPORTUNITIES FOR INDIAN CHILDREN

Sec. 521. Addition of Indian education program part to title III, ESEA.

PART C—SPECIAL PROGRAMS RELATING TO ADULT EDUCATION FOR AMERICAN INDIANS

Sec. 541. Addition of Indian program part to Adult Education Act.

PART D—NATIONAL BOARD OF INDIAN EDUCATION; BUREAU OF INDIAN EDUCATION; MISCELLANEOUS

Sec. 561. National Board of Indian Education.
Sec. 562. Staff of National Board.
Sec. 563. Powers and duties of National Board.
Sec. 564. Functions of National Board.
Sec. 565. Bureau of Indian Education.

PART E—MISCELLANEOUS PROVISIONS

Sec. 581. Inclusion of Indians in Higher Education Act.
Sec. 582. Waiver of five-year requirement of Higher Education Act for Indian schools.
Sec. 583. Elevation of Institute of American Indian Arts.
Sec. 584. Support and study of Indian community colleges.
Sec. 585. Expansion of Indian eligibility under section 706(a), Elementary and Secondary Education Act.

Senator PELL. I wish to welcome our witnesses, the Honorable Sidney P. Marland, Jr., U.S. Commissioner of Education, Department of Health, Education, and Welfare, and the Honorable Louis R. Bruce, Commissioner of Indian Affairs, Department of Interior.

Before we proceed with the testimony, Senator Kennedy would like to make an opening statement.

Senator KENNEDY. Thank you, Mr. Chairman.

It has been said that the decade of the seventies is the decade of the Native American. Fringes, beads, headbands, and other Indian-inspired fashions abound in the boutiques. Movies about Indians are playing at the theaters around the country, and an Indian was nominated for an academy award. Indians have made the cover of Ramparts, Saturday Review, Look, Time, and other national magazines.

Television networks cannot get enough topical Indian materials. The President sent a special Indian message to Congress last summer; the Vice President's daughter was photographed visiting a pueblo in New Mexico. Indian singers tour the country and appear on talk shows. And a book about Indians is almost assured national reviews.

Yet despite the ruffles and flourishes in the media, Indian children continue to drop out of school, commit suicide, or at best remain undereducated and alienated. Indian illiteracy remains high, housing inadequate, health substandard, employment marginal. Meanwhile, our Government spends less than $300 million annually—probably much less—for the education of American Indians. The administration requested almost five times that much for 1 year's development of the Antiballistic Missile System. The Bureau of Indian Affairs requested $100 million less for Indian education than the Department of Transportation requested for the SST last year. The Defense Department spends annually on public relations about half what the Office of Education allots for Indian programs. I do not need to belabor the point that this Nation has misplaced its priorities. American Indians and Alaska Natives already know this. I am saying, however, that we have before us today an opportunity to examine and reorder our priorities, and I believe that Indian education should come high on the list.

Over 3 years ago a Special Subcommittee on Indian Education opened hearings—in the words of the resolution setting up the subcommittee—"into any and all matters pertaining to the education and related problems of Indian children." My brother, Senator Robert Kennedy, chaired that hearing, and in his opening statement he made the following observations:

> The American vision of itself is of a nation of citizens determining their own destiny; of cultural difference flourishing in an atmosphere of mutual respect; of diverse people shaping their lives and their children's. This subcommittee today begins examination of a major failure in this policy; not in some distant land, but within our own borders here in the United States.
>
> We begin today a look at the education of American Indian children in the United States. We have chosen a course of learning as obvious as it has been ignored: We are going to listen to the Indian people speak for themselves about the problems they confront, and about the changes that must be made in seeking effective education for their children.

The subcommittee spent almost 2 years listening to Indian people, and putting together reports, studies, and evaluations of Indian education programs. The record of its activities, in large part, stands as a

foundation for our hearings today. The subcommittee issued its final report over a year ago, with specific recommendations for administrative and legislative reforms of the structure of Indian education. The legislation we are considering today—Amendment No. 6 to S. 659—reflects the legislative recommendations of that report. I hope that we can get reports from the departmental officials with us today on the implementation of those administrative recommendations.

There have been a number of significant developments since the Indian Education Subcommittee began its activities in 1967. This administration has announced an important shift in emphasis in national policy. Public support for Indian programs and issues has reached a new high. Indians have become more articulate in their demands and have shown an increasing capability to manage their own affairs. The time is now ripe for Congress to undertake the job of providing substance behind its own often-voiced commitment to improving Indian education. That is the reason for this legislation; that is why we are here today.

The work of the Indian Education Subcommittee was, I believe, to some extent responsible for bringing about the shift in emphasis in national policy and in generating public support for Indian issues. The report of the subcommittee characterizing Indian education as a national tragedy and a national challenge was widely distributed and well-received. The seeds for change were planted.

Last summer the President repudiated termination as a national goal and committing his administration to self-determination and local control of Indian programs.

In the fall, Congress generally indicated a new interest and involvement in Indian matters when it settled the 64-year-old claim of the Taos Pueblo to their sacred lands by transferring Blue Lake in trust to the Pueblo.

Over the past few years Indian communities have begun to take over control of their local schools. Community control of Rough Rock, Ramah, and Rocky Boy schools is complete. Local school boards are exercising policy control at Busby and Rock Point schools. Petitions to take over other schools have been filed, from the Micasoukies in Florida to the Eskimo community of Kotzebue in northwestern Alaska.

Indian communities are now looking upon local control of education as a right, not a privilege, and are pressing for more flexibility and wider opportunities and options in the educational process.

Despite the failures of Indian education in the past, it is clear that educational failure is not inherent or built-in for Indian children. But neither is success, without two important elements: Indian control and adequate funding. These two elements must be built into the Federal policies, in every agency, at every level, where Indians are involved. They certainly underlie the legislation we are considering today.

I want to make clear at the outset of these hearings that the amendment before us has been and will continue to be, throughout the hearing process, open to suggestions for revision to accommodate the many unique needs and considerations of Indian education. The complexities and difficulties of coming up with legislation that deals adequately with the educational problems of all native Americans are

not underestimated. Fortunately we have had the advice and assistance of many Indian and Alaska native people so far in shaping and developing the amendment. I have received a number of letters, resolutions, and statements with substantive suggestions and criticisms on the amendment, and I would like for these to be made a part of the hearing record at the appropriate place. These hearings continue the legislative process.

(See additional information at the end of the hearing record.)

Senator KENNEDY. Education American-style has failed the Indian and Alaska native. We must be willing now, indeed we must demand, that federal policies accommodate themselves to Indian education Indian-style. In the hearings today and tomorrow we will be asking native Americans and Government officials what should be done to reverse the failures of the past. What kind of education should Indian education be? Who should run the system and the schools? How should programs be funded? What kind of new programs should be developed? How should old ones be changed?

Over 10 years ago President Kennedy said that "Indians have heard fine words and promises long enough." I am certain that Goveriment officials for decades past have made this same observation. On each occasion, task forces are mounted, commissions appointed, studies contracted for, and finally recommendations made. But the transition from recommendations to policy is not easy. So far, in fact, it has been nonexistent.

If we are to learn from history, we must realize that we cannot expect this transition from reccommendations to policy to occur mechanically. For history has shown us that Government agencies charged with the responsibilities relating to the education of Indian children either cannot, or will not, respond adequately to the educational needs of native Americans. Congress must act now. Indian people have become experts at being patient. We have told their grandparents to wait; we have told their parents to wait. We must not make their children wait.

Senator PELL. Thank you, Senator Kennedy.

I shall now call on our first witness, Honorable Sidney P. Marland, Jr., U.S. Commissioner of Education, Department of Health, Education, and Welfare.

Before you proceed with your testimony, would you please introduce your associates.

Mr. MARLAND. Yes. I have with me this morning Mrs. Helen Schierbeck, Mr. Hays and Mr. Alford.

STATEMENT OF HON. SIDNEY P. MARLAND, JR., U.S. COMMISSIONER OF EDUCATION, DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Mr. MARLAND. Mr. Chairman and members of the subcommittee, I appreciate this opportunity to discuss with you and your committee the problem of Indian education in the United States. As Commissioner of Education I feel a compelling personal responsibility to help redress injustices against the first Americans.

Current estimates indicate that two-thirds of the Indian children of school age are enrolled in the Nation's public schools. The U.S. Office of Education has the prime Federal responsibility for the support of education of Indian children in public schools. Consequently, my formal presentation to the committee will focus on the education problems of public school Indian children.

It is deplorable that in this age of rapidly accelerating sophistication the American Indians often receive an education that is generally inadequate to meet their needs. The statistics documenting this inadequacy are all too convincing. Recent studies tell us that 43 percent of the Indian children in the Western United States will drop out of school between the eighth and twelfth grades, compared to a 27 percent national dropout rate. Less than 10 percent of Indian high school graduates obtain a 4-year college degree. The average level of educational attainment among young Indian people is 8.4 years compared to a national average of 10.4 years.

What are the problems which bring about such appalling statistics? What kinds of solutions are possible in our public schools? The studies of Indian education, such as those completed by the Office of Education, the Special Subcommittee on Indian Education, and the NAACP legal defense and educational fund, clearly indicate the magitude of the problems.

In looking at these problems, we find that one of the most pervasive factors is the lack of Indian control over the programs that affect their children. President Nixon, in his recommendations for Indian policy in July 1970, said that the goal of any new national policy for Indians must be to "strengthen the Indian's sense of autonomy without threatening his sense of community." Parental participation in the development and evaluation of Federally financed programs at the local level should be strongly encouraged.

The uniqueness of the Indian's culture also presents a challenge to our public schools as do other racial and ethnic heritages. It is often the case that the cultural background of the Indian student differs from the cultural assumptions included in the curriculum and values of the public school system, which is primarily created and controlled by persons of the white middle class. A lack of knowledge about local Indian culture on the part of public school personnel too often creates an alien environment for Indians. Schools then become "the enemy" to the child and his parents. This problem is compounded by the multitude of cultural and linguistic differences within the American Indian and Alaska native communities.

We need to develop a multilingual, cross-cultural, approach to teaching Indian children. Teachers and administrators must be given training to help them appreciate the cultural diversity offered by their Indian pupils. The development of culturally sensitive curricula is urgently needed. The Indian child should be given a sense of his rich cultural heritage, and at the same time, given the skills to participate in the dominant society around him to the extent that he may choose.

Unfortunately, a third major problem is administrative in nature. There is a misunderstanding on the part of some administrators about the purposes of compensatory education funds. There are well-known instances of title I funds being used for general aid purposes. Recipi-

ent education agencies must be made clearly aware of the purpose of compensatory education funds.

The legislation now before the committee attempts to meet these problems. The Indian education amendment is laudable for its stated intent to provide for the special education needs of Indian children. While we share the subcommittee's concern, we have serious objections about specific provisions of the bill. We therefore recommend against passage of the Indian education amendment.

The Office of Education is not by any means unconcerned or unresponsive to the problem of Indian education. In fiscal year 1970, $25,660,333 in OE funds went to schools under title I of the Elementary and Secondary Education Act for compensatory programs for educationally disadvantaged Indian children. It is estimated that over $18 million in Public Law 874 impact aid funds were allocated on the basis of Indian children in the same year.

In fiscal year 1969, 2,300 Indian students in institutions of higher education received an estimated $1.8 million in student assistance under the equal opportunity grant, college work-study, and national defense student loan program. In response to Congressional concern, expressed in the Elementary and Secondary Education Amendments of 1969, fiscal year 1971 funds for Indian bilingual education projects have nearly doubled from the previous year to over $2 million.

The Office of Education is participating in some excellent Indian education projects—exciting projects. I would like to share some of these with you:

Some 415 children, three-fourths of them Cherokee-speaking, receive instruction in both Cherokee and English at kindergarten through third grade. In addition, 210 parents are participating in activities designed to encourage interest in their children's progress.

This project has enjoyed the continued support of Northeastern State College, which is currently training 44 staff members from participating schools and developing a program of formal teacher education leading to certification for Cherokee-speaking people. In recognition for this contribution to Cherokee bilingual education, Northeastern State College received second-place honors in the 1971 Distinguished Achievement Award Program of the American Association of Colleges for Teacher Education.

In hogans, church basements, unused school rooms and homes, an adult basic education project is attacking illiteracy on the vast Navajo Reservation. A group of dedicated Navajo teachers are diligently striving to bring older Indians, 18 to 85 years of age, into the Twentieth Century. In fiscal year 1971, a total of $1,060,000 will be obligated for the adult education of Indians.

Two of our most exciting efforts among the American Indians have been teacher corps and the career opportunities programs. These programs have utilized Indian people as aides and teachers in both the BIA and public schools educating Indian children.

Eastern Montana College, in cooperation with communities and local schools, is operating a teacher corps program. During the academic years 1970–71 and 1971–72 Corps members, working for their M.S. degrees, will live, learn, and work in several Indian communities. Sixty percent of their time will be spent in elementary school. Forty

percent of their time will be spent in the community and educational activities.

A career opportunities program is in operation on the Crow and Northern Cheyenne Indian Reservations in southern Montana. The purpose of the program, jointly funded with OEO, is to improve the education of Indian children by increasing the number of Indian teachers who will be eligible for employment in schools serving predominantly Indian populations. Public, private, and BIA schools, including the Headstart programs on both reservations, are participating.

In addition, the Bureau of Education Professions Development has begun a number of efforts which train Indians as educators in counseling and administration. In fiscal year 1972, OE and BIA will continue the sponsorship of programs at the Minnesota, Arizona State, Harvard, and Pennsylvania State universities to train Indian education administrators. This program, funded this year by OEO, will produce approximately 80 American Indians with M.A. degrees.

Senator MONDALE. Would you yield there, please?

Has a decision been made to extend those programs?

Mr. MARLAND. The decision has been made, as I think it will unfold in my testimony, to shift as near as possible within our means, responsibility for raising funds to extend those programs. I count them as urgently needed. I am not prepared to say where the money will come from.

Senator MONDALE. But they will be extended?

Mr. MARLAND. I will answer you this way. We will make every effort to extend.

I have asked OE budget and program administrators to investigate the means of funding this program on a continuing basis starting in fiscal year 1973.

Senator MONDALE. I am glad to see that because it is a good program.

Mr. MARLAND. I believe that. There is some danger of it faltering for lack of money. By that statement, however, I am not evading the question.

Senator MONDALE. I understand.

Mr. MARLAND. Mr. Chairman, given the nature of Federal treatment of Indians, it is fair to question to what extent existing authority will continue to be translated into significant action. I suggest, however, that two very strong determinants, the work of the Special Indian Education Subcommittee and the President's July 1970 Message, constitute powerful guidelines in the use of these authorizations.

In response to these developments, I have convened an Indian education policy task group within the Office of Education to advise me on policy development and the most effective use of OE resources in the pursuit of quality Indian education.

Senator KENNEDY. Is that in operation now?

Mr. MARLAND. It is, sir.

Senator KENNEDY. How long has it been in operation?

Mr. MARLAND. Some months. I have referred to their report which I will refer to in a few minutes.

Senator KENNEDY. I see.

Mr. MARLAND. Consultants from the Indian communities will be brought in to work with the group. Three of these consultants have

already been appointed in the Indian community. They are in the midst of their work. Nevertheless, they offered a preliminary policy outline and an initial OE strategy.

In outline, the proposed strategy recommends that: OE policy distinguish and acknowledge OE's respective responsibilities to Indian children presently served by Federal (BIA) schools and the more than two-thirds of Indian children in public schools.

Regarding present BIA schools that:

OE support BIA in fulfilling the policy of self-determination and community control developed by the President in his July 1970 message.

OE fulfill its national responsibility to promote equal educational opportunity and quality education for all the children of this country.

OE cooperate with BIA in data collection, evaluation, and program development.

OE and BIA engage in joint planning and joint funding in fiscal year 1972, for the pursuit of Indian community control and bicultural education.

Regarding non-BIA Indian students that:

OE improve its knowledge concerning the conditions and particular educational problems of American Indian children living in various parts of the country. This is especially critical since more than two-thirds of the American Indian children attend public schools and an estimated 38 percent or more of the Indian population now resides in urban areas.

OE support the further development of bilingual and bicultural programs, that would enhance the education of non-BIA American Indian children.

OE cooperate in the support of urban Indian education centers as a base for: educational program development in urban areas; developing American Indian participation in local educational affairs; educational program evaluation in urban areas, conducted in conjunction with the regional officers.

OE encourage SEA's and LEA's to incorporate bicultural Indian programs into their educational offerings.

For both BIA and non-BIA Indian children:

OE assist in the development of more Indian educational personnel at all levels.

OE pursue a policy of awarding policy development grants to Indian groups.

Mr. Chairman, this outline is tentative and needs much more specification. Nevertheless, it indicates that our Indian education policy task group is at work.

The strategy envisioned to promote this policy relies, where possible, on our discretionary project grant programs.

Senator KENNEDY. Just a reaction. I haven't had a chance to get into the latter part of your testimony. These recommendations seem sound. They are not unlike the recommendations that were made by the Special Committee on Indian Education. Now, this task force is making recommendations again. We see in your testimony that the outline is tentative and needs more specification. This indicates that your Indian education policy task group is at work. I think the real point is this:

We have seen these same recommendations made time and time again. This is interesting rhetoric, but what is really going to be done?

I believe you have shown a great sincerity in terms of the problems of Indian education. But I think it is fair for us to ask that at sometime in the near future you are going to come back to this subcommittee and report on what steps you have taken on each one of these recommendations and why you implemented some and have been unable to implement others. Otherwise we just go on interminably. Every 2 years we will have these recommendations. You can understand the frustration of the Indian people. They say this is the third or fourth time we have seen these recommendations. And yet when it comes to implementation we see langauge like your: "The strategy envisioned to promote this policy relies, where possible, on our discretionary project grant programs."

So you are going to do the best you can. This doesn't tie down as much as I would like to see tied down. I wonder what your reaction is.

Mr. MARLAND. I hope some of my further testimony will help respond to concerns and express frustrations which you see and of which I am aware as well. I am fully aware of the rhetoric, as you call it, implicit in some of these documented expressions that have been documented before still seem to be unreal.

I think I would answer your question very briefly and then return, if I may, to the prepared testimony.

Senator KENNEDY. Yes.

Mr. MARLAND. Where we have a caveat that says "where possible", we have to acknowledge that the Office of Education has very little real influence under the law or historically, in effecting the local distribution of moneys beyond delivery, and that where I have a caveat that says "where possible" concerning discretionary moneys, I must admit to you, sir, although the name implies considerable freedom, it is in short supply in the Office of Education.

Senator KENNEDY. You are a professional educator of considerable achievement. As the Commissioner of Education, you feel that these recommendations represent the best possible recommendations in terms of meeting the national need, and I would hope that you would recommend to us the best way to insure implementation of them. If you are unable to do it in terms of the restrictions in existing statutes, then I would hope that you would be able to recommend to us how what changes can be made so that they can be implemented.

I think you can understand the frustrations of many of the Indian people, and of us, when you have some sound recommendations and you say they are worthwhile and they are valuable but that you can't carry them out because you haven't got the wherewithal. So the question comes back: How should it be done? All of us are searching for that answer and you are, too. This is no reflection on you, because you just recently assumed your responsibility. I would certainly hope in trying to approach problems and fashion programs which we are attempting to do in our amendment, you would give us the insight with all the resources you have available as to how best this can be done. Otherwise we will just have continued frustration and despair.

Mr. MARLAND. I believe the remainder of my testimony will point to some concrete action.

Senator KENNEDY. I apologize for interrupting. We only received the testimony this morning. When these points come up, I will try to flag them.

Mr. MARLAND. I welcome the interludes of discourse on this, Senator Kennedy.

The strategy envisioned to promote this policy relies, where possible, on our discretionary project grant programs. While these programs do not constitute the major source of Federal educational funds, they do represent OE's most direct and responsive delivery and development capacity. Given the significant and growing number of Indian children who are dispersed within our cities, the need increases to apply flexible funds that can be directed to their problems. If well planned and used in a coordinated manner, these funds, though limited in comparison to formula grant resources, can be equally effective in playing an important catalytic role in furthering Indian self-determination and in developing effective bicultural education programs.

Within the prerogatives afforded the Secretary of Health, Education, and Welfare, we have taken vigorous administrative action to insure that present programs will provide even more substantial benefits to these children. One of the unanimous recommendations of all the studies conducted on Indian education has been the need for increased involvement of Indian parents with the schools. Title I regulations published yesterday in the Federal Register, will insure that for parents whose children receive benefits under present compensatory education programs, parental participation will be a fact.

Senator KENNEDY. Do you state later in the testimony how you are going to set that up?

Mr. MARLAND. I will be pleased.

Senator KENNEDY. I don't know if you do it in the formal testimony.

Mr. MARLAND. Not in the formal testimony, but I will be glad to respond to it if you like. The regulations will require for every local education agency receiving title I funds, there will be required an advisory counsel of parents, guiding the local administration faculty, or board of education, in the use of title I moneys. They will be assisting in the construction of programs, assisting in the evaluation of programs, and giving overall surveillance of programs in title I.

Senator KENNEDY. You know some years ago the President made a statement about turning over Indian education to local control. People might think that if the President of the United States can't effectuate local control of Federal Indian education programs, why should we believe a regulation printed in the Federal Register is going to achieve it?

How would you respond to that?

Mr. MARLAND. I will respond very directly, sir. Consistent with the President's admonition and charge, the Office of Education has proceeded to adopt a very firm regulation that requires the establishment of these councils and failing the establishment of these councils, the money simply will not be delivered and that, I feel, is our hold on the insistence of the establishment of these councils.

Senator KENNEDY. What about other programs administered out of the Office of Education?

Mr. MARLAND. Those regulations apply only to Office of Education title I affairs.

Senator MONDALE. Who picks the council?

Mr. MARLAND. The local board of education is required to name them. We have not mandated a procedure for picking them. We have mandated a criteria as to who they shall be. The normal procedure would be for the board of education to develop with a slight majority of poor and disadvantaged.

Senator MONDALE. This follows in the heels of the amendment in the last extension of the ESEA Act.

Mr. MARLAND. It does and it spells out in detail how that works.

Senator KENNEDY. In the Indian participation under the title programs, research programs, impact programs, do you have any guidelines for local involvement in those other programs that come out of OE?

Mr. MARLAND. The research?

Senator KENNEDY. Yes.

Mr. MARLAND. I would have to ask for help.

Senator KENNEDY. Bilingual, impact assistance, research programs?

Mr. MARLAND. The regulations do not require the existence of a parental advisory council in those cases.

Senator KENNEDY. Do you think it would be useful?

Mr. MARLAND. You now have working in the Office of Education, as I described earlier, the task force concerned with Indian education which will have a very substantial input to the discretionary funds which refers to where they would go.

Senator KENNEDY. Would you address that question to your advisory group, whether they feel that would be useful to have that kind of input? I would be interested in what their reaction and response would be. Maybe they would think about it and advise all of us.

Mr. MARLAND. We could determine that.

Senator KENNEDY. Thank you.

Mr. MARLAND. We could determine that and advise you.

Senator KENNEDY. Thank you very much.

Mr. MARLAND. I will close that paragraph.

These parents will have a strong voice in decisions affecting their children.

The NAACP legal and educational fund and other studies have properly criticized the misuse of compensatory education funds. These funds have often been used for general support purposes because of a lack of understanding about the purposes of compensatory education. The title I ESEA regulations now mandate school comparability within local districts as a condition for receiving funds under this program. There are also now in progress negotiations between the Office of Education and the Bureau of Indian Affairs.

I am happy to advise the subcommittee that Commissioner Bruce and his chief education officer, Mr. James Hawkins, are here participating in this hearing today culminating some weeks of collaboration with the Bureau of Indian Affairs on the subject before us.

This has established a memorandum of understanding between the two agencies to insure proper administration of compensatory education funds transferred to BIA under the set-aside provisions of title I ESEA. Over $11 million in title I funds will serve the Indian children in Federal schools this year.

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The Administration has also moved to protect the rights of school children of American Indian and other ethnic backgrounds, an area which has been shamefully neglected in comparison with the Federal effort toward black boys and girls. The Civil Rights Act makes no distinction between the different ethnic or national groups. Enforcement should proceed accordingly to protect the rights of the country's more than 2 million American Indian, Mexican-American, Puerto Rican, and Cuban children.

HEW's Office of Civil Rights has stipulated to school superintendents that national origin issues are, henceforth, part of all compliance reviews and the Department has asked the districts to take affirmative action to equalize access of non-English speaking youngsters to all education programs. This would include testing of non-English-speaking children in their own language rather than English, and interpreting tests with techniques that compensate for cultural differences. This will also prove of inestimable value to the Office of Education in identifying Indian children in public schools and assessing the impact of OE funds on the education of these students.

American Indians, as well as other minority groups, also have a strong and respected voice in the Office of Education through the newly created Office of Special Concerns, headed by Assistant Commissioner Dick Hays. Mr. Hays and Helen Scheirbeck, of the Office of American Indian Affairs, work hard to develop and coordinate OE program resources relevant to Indian education.

That office has been in establishment only the past 3½ months.

They also serve to educate and sensitize Office of Education personnel concerning the needs and aspirations of the Indian people.

Earlier, Mr. Chairman, I outlined a tentative policy offered by our Indian education policy task group. Suggestions of the type they have offered constitute a policy inasmuch as they relate to actions which the Office of Education can initiate and for which it can be responsible. In addition to such program elements, however, this Administration is proposing a number of legislative measures which can incorporate and augment a policy approach such as the one offered by the policy task group. Briefly, I will summarize these measures and their conceivable benefits to Indian education.

On July 8, 1970, President Nixon delivered a strong message favoring the concepts of local control and self-determination. He stated that "every Indian community wishing to do so should be able to control its own Indian schools. This control would be exercised by school board selected by Indians and functioning much like other school boards throughout the Nation." The Vice President, Chairman of the National Council of Indian Opportunity, has established a special education subcommittee of that Council, with which my office works closely. The subcommittee will provide technical assistance to Indian communities wishing to establish school boards as well as conduct a nationwide review of the educational status of Indian school children in whatever school they may be attending. The subcommittee will also evaluate and report to the President annually on the status of Indian education, including the extent of local control.

The legislative proposals being sponsored through the Department of Interior are yet another manifestation of the President's Indian policy being translated into a tangible program. These bills provide for improved programs and greater effectiveness in the coordination of Federal services on the reservations.

Proposed revision of the Johnson-O'Mally Act, and a bill to provide for the assumption of control and operation of certain Federal programs by the local Indian communities, seem particularly important in applying the President's concern specifically to Indian education.

S. 1123, the Higher Education Opportunity Act, sponsored by Senator Prouty, proposes far-reaching revisions in the structure of student financial aid. Many Indians cannot attend college due to lack of financial resources. Others although accepted cannot attend the college of their choice. Passage of S. 1123 would guarantee that no qualified student, including any Indian student, would be denied access to a post-secondary education due to lack of financial resources. Under this act, financial aid would go first, and in the largest amounts, to the neediest students, in order to give them a chance equal to that of the students from higher income families.

Two additional provisions of S. 1123 are especially revelant to Indian education. Navajo Community College would benefit from the provision to allow the Commissioner to make available support to developing institutions for 2-year institutions which have been in existence for fewer than 5 years. The other provision is an amendment to the Education Professors Development Act to make BIA teachers eligible for teacher training programs.

Under the Emergency School Assistance and Quality Integrated Education Act passed by the Senate, those funds not reserved for special activities are apportioned among the States on the basis of their relative proportions of minority group children, including American Indians. School districts with Indian children in racially isolated schools would be eligible to apply for assistance in a wide variety of activities related to desegregation and the elimination, reduction, and prevention of racial isolation.

Senator MONDALE. Would you yield there, sir?

Mr. MARLAND. Yes, sir.

Senator MONDALE. I am pleased to see that statement because one of the key concepts in the bill just passed the other day is that it should include all minorities and, of course, there are special difficulties where the minority has a different language and a different culture. I am glad to see this statement, and I am hopeful that proper concern will be shown to this part of the effort.

Now, we have the same inability to somehow see that other minorities have problems, too. Not enough is being done for the black community in my opinion, but in any event, I don't know of any Justice Department action that has been brought as to other minorities. I am not just talking about this administration. This is traditionally true. I think it is increasingly important that we focus on all minorities, that we have an even-handed national strategy in trying to assist. That is the first observation I make.

The other point: Would you prepare a table for us showing the estimated number of Indians in each of the school districts of our country or some other table which would give us an idea of the percentage in school, the numbers? We had a table you prepared for us in the school desegregation case, but it would be helpful if we had a table breaking this down.

Mr. MARLAND. Let me respond to both of your observations, Senator Mondale.

On the first count, the relationship between the ESAQI bill and the Indian children, I hope very much through your leadership and the companionship of the Office of Education and the Department knowing of your great concern for that legislation, there can be included in the legislative history a concern for the Indian children. The issue will be one of determining under the law the rightness of dealing with Indian boys and girls who may at the moment be in racial isolation and who may for the moment have to go through a period, whether it be bilingual, whether it be cultural, whether it be very basic educational services, where they are in remote locations, incapable at that time under any kind of administration of being in a literally integrated environment, still receiving the services of the ESAQI bill that will enable them to move up to an integrated environment. We hope the law, if it passes, will give us the freedom to support that kind of initiative.

The second part of your question, as to the table, in the present state of the art, the exact data both in the Bureau of Indian Affairs and our office leaves much to be desired as to where Indian children are. We will give you the best information we have. In many isolated areas and in urban situations where the Indian person may be absorbed in the local culture, it is difficult for us to give you the exact data. We will give you the best we have.

(The document requested, "Directory of Public Elementary and Secondary Schools in Selected Districts: Enrollment and Staff by Racial/Ethnic Group," was transmitted to Senator Mondale on May 19, 1971 by the Department of Health, Education, and Welfare.)

Senator KENNEDY. This is why part of your earlier testimony raises so many questions in my own mind. It is difficult for you to indicate where title I funds are going or where bilingual programs are going or whether they are actually affecting the Indian children. You can do it mathematically and say there are so many children in the school district, and so much funds go into title I, and since there are 45 percent Indians in that district and they are getting this amount of money, therefore this amount of money must be going to help Indians. I don't think that kind of information is valuable.

Mr. MARLAND. We don't make that statement for the very reason you suggest, Senator Kennedy, it would be stretching the exactness of our reporting, because there is a prorata population and prorata dollar, those ratios are compatible. We can't say it with integrity.

Senator KENNEDY. In your prepared statement you say:

> In fiscal year 1970, $25,660,333 in OE funds went to schools under title I of the Elementary and Secondary Education Act for compensatory programs for educationally disadvantaged Indian children.

How much of those funds are directed toward the needs of Indians?

Mr. MARLAND. That is our best estimate.

Senator KENNEDY. This is just what——

Mr. MARLAND. Well, let me see. I am being deliberately cautious and not giving you assertions that I cannot prove. I am giving you conservative estimates based upon the best wisdom we have. For example, we know that virtually all children served on reservations are indeed Indian children. Eleven million of those dollars go through the Bureau of Indian Affairs to serve directly the children on reservations, so that is unquestionably a sound figure. We know that of the remaining dollars, some 16 million, that they are indeed going to concentra-

tions of Indian children but, undoubtedly, there are other children in a given schoolhouse, hopefully integrated, also poor, always living perhaps as Mexican-Americans, living as other minorities or as poor Caucasian children and we cannot truly say because States do not always report by race the distribution of those children.

Now, as I have stated earlier, the establishment of our task force, with Helen Scheirbeck as one of our principal leaders, will endeavor to pin down the numbers and locations of all such children and see to it that the delivery of dollars is going to be compatible with the law.

Senator KENNEDY. This would be enormously helpful. In the information you provided earlier to my office on funds for the education of Indian children, this is DSAC 1967 to 1970, you have the caveat at the bottom that these estimates are based on the portion of the elementary and secondary school population which is Indian. (See appendices.) I am not saying there is a need to distinguish between poor Chicanos and poor whites and all the rest, but we want to know where the funds for Indians are going. We are convinced from earlier field hearings, reports, and other comments that have been made, that funds are not getting to the Indian children. If we are going to devise a program to meet the needs, we have got to know the dimension. I think it is terribly important.

Mr. MARLAND. We concur completely in your counsel and direction. As you raise other points beyond title I such as bilingual, such as title III, such as other discretionary programs, we can give you exact data.

Senator KENNEDY. Take bilingual. Will you get into your testimony later on that? Do you want to make a comment now?

Mr. MARLAND. I will be glad to answer a question now.

Senator KENNEDY. How many bilingual programs do you have?

Mr. MARLAND. I would have to ask Helen Scheirbeck for that advice.

Mrs. SCHEIRBECK. Last year we had 10 bilingual programs. The program has been doubled this year. However, those projects are in the process of being funded. They are being read and reviewed by OE right now.

Senator KENNEDY. What are those 10? They are school districts which are a heavy——

Mr. MARLAND. While Mrs. Scheirbeck is searching for those specific data, let me amplify, again, we believe very strongly in the bilingual program. We are doubling the resources to Indian children in 1972 over 1971. As noted earlier, the resources of the ESAQI bill will give us very substantial opportunity for increasing that. We are building on what has been a relatively modest start.

Mrs. SCHEIRBECK. Shall I read the names of the projects?

Senator KENNEDY. You can put those in the record. I don't question that there are bilingual programs taking place in a variety of school districts which have a heavy concentration of Indians, but if they had a heavy concentration of Indians, a heavy concentration of Chicanos and other poor, I would like to see if you could describe these and tell in what languages these programs are.

Mr. MARLAND. Certainly we will submit this for the record, Senator Kennedy.

Senator KENNEDY. What language are these programs in? Are they in the Indian language? If you could run down the list, you could

say such and such a district is Indian and how many are being served, if you give that now and then put in the broader description later.

Mrs. SCHEIRBECK. I do not have with me the number of participants, but I can give you the area and the languages: Grants, N. Mex., Spanish and Navajo; Ukiah, Calif., Spanish and Pomo; Tahlequah, Okla., Cherokee; Monticello, Utah, Navajo and English; Idabel, Okla., Choctaw; Chinle, Ariz., Navajo; Cortez, Colo., Spanish, Ute, and Navajo; Hardin, Mont., Crow, Northern Cheyenne, and Cree; and Anchorage, Alaska, Yuk Eskimo.

Senator KENNEDY. When Spanish is included in it, how does that work? It that a part of the program? They teach Spanish, English, and then another language?

It sounds to me as if we have trilingual and bilingual.

Mrs. SCHEIRBECK. I think it is because the environment in which these children are growing up. This is an experiment to see what we can do in the areas like the southwest where we have the trilingual situation in terms of oral language.

Senator KENNEDY. In terms of the number of children included, do you have that?

Mrs. SCHEIRBECK. We can submit these for the record.

(The information subsequently supplied follows:)

AMERICAN INDIAN AND ESKIMO PROJECTS FUNDED UNDER TITLE VII, ESEA, THE BILINGUAL EDUCATION ACT

	Fiscal year 1969	Fiscal year 1970
1. Number of projects serving Indian children	5	9
2. Number of children (Indian, not total project participants)	432	1,209
3. Funds, ESEA title VII	$275,461	$908,591
4. Languages (10): Cheyenne (northern), Cherokee, Choctaw, Cree, Crow, Keresan, Navajo, Pomo, Ute, and Yuk Eskimo.		

The number of children is necessarily low in relation to funds for Indian projects due to the need to develop materials before programs can become fully operational with a large number of children.

AMERICAN INDIAN AND ESKIMO PROJECTS FUNDED UNDER TITLE VII, ESEA, THE BILINGUAL EDUCATION ACT

Language(s)	1st year of funding	Name and address of LEA	Director
1. Yuk (Eskimo)	1970	State Operated Schools, District I, 650 International Airport Rd., Anchorage, Alaska.	Mr. James Henry.
2. Navajo	1970	DINE, Inc., Rough Rock Demonstration School, Chinle, Ariz.	Dr. E. Roby Leighton.
3. Spanish, Pomo [1]	1969	Ukiah Unified School District, School and Henry Sts., Ukiah, Calif.	Mr. Jose de la Pena.
4. Ute, Navajo, Spanish	1970	Montezuma-Dolores Board of Cooperative Services, 121 E st 1st St., Post Office Drawer 1420, Cortez, Colo.	Mr. Robert L. Werner.
5. Crow, Cree, Northern Cheyenne	1970	Hardin Public Schools, District 17-H, 522 North Center Ave., Hardin, Mont.	Mr. John Dracon.
6. Spanish, Keresian, Navajo	1969	Grants Municipal Schools, Post Office Box 8, Grants, N. Mex.	Mr. Arturo Mendez.
7. Choctaw	1970	McCurtain County, Superintendent of Schools, Idabel, Okla.	Mr. Gene Wilson.
8. Cherokee	1969	Cherokee County, Superintendent of Schools, Tahlequah, Okla.	Mr. Herbert Bacon.
9. Navajo	1969	San Juan School District, Post Office Box 218, Montecello, Utah.	Mr. Lynn Lee.

[1] Pomo Indian children participate in a bicultural program.

Senator MONDALE. These are children who are monolingual other than English, Mrs. Scheirbeck?

Mrs. SCHEIRBECK. Yes.

Senator MONDALE. Do you have any studies as to languages which are in disuse but under which children would gain greater pride?

Mrs. SCHEIRBECK. Under our Bureau of Educational Personnel Development we had about four projects last year, we will be expanding this year, which are doing that, writing it, getting the phonetic sound, the Indian language and developing dictionaries on this subject.

Senator MONDALE. You are not using bilingual funds for this?

Mr. SCHEIRBECK. No.

Senator MONDALE. With limited funds, I can understand that. I would like to see us move toward restoration of many of these languages and the cultures they imply restored. I don't think we have asked you to do that. Our bilingual educational bills don't call for that, I would like to see us do that.

Mr. MARLAND. It would be in keeping with our belief of emphasizing the many cultures of many people of Indian origins, and various different origins. The preservation of their language would be consistent with that by all means. I might add, as Mrs. Scheirbeck has cited, in the beginning of our activities in bilingual education for boys and girls, one of our serious problems is bilingual teachers who speak both of the languages and can be moved into the classroom to teach. The emphasis is particularly strong on our teacher development, as distinguished from building on weak foundations more bilingual programs that have a name only.

Senator KENNEDY. You have a Bureau of Education and Development. You have some training for teachers, administrators, and counselors?

Mr. MARLAND. Yes.

Senator KENNEDY. Can you tell us how many Indians are being trained?

Mr. MARLAND. Our Bureau of Educational Personnel Development takes this new thrust of our policy concern for development of a number of Indian aspects of their program quite seriously. In 1970, for example, in the teacher corps, $427,800,000 was expended in behalf of Indian education. This is for the development of people, either Indian or non-Indian personnel, to work with Indian children.

Senator KENNEDY. Do you know how many of those actually are Indian?

Mr. MARLAND. I can't say. Under some of the other areas, I can give you 100 percent accuracy. I would suspect—I may have said $427 million, it is $427 thousand. I am so accustomed to millions in this business, I didn't know we dealt in smaller figures.

Now, $427,800 in the teacher corps in 1970. We do not have complete figures for 1971, but most of those people would be Indians or paraprofessional Indian personnel coming up through the teacher corps.

Senator KENNEDY. Could you at a later time give us those figures?

Mr. MARLAND. We will. But continuing, $471,000 for attracting and qualifying teachers, $1 million for teacher trainers for Indians, $256,000 for early childhood education training for Indian teachers. Teacher training for special education or handicapped Indian chil-

dren, $326,000. These are commitments now being made out of our Bureau of Education Personnel Development which, in the course of the next year, will continue to be increased. We feel that we might strike at the development of staff, administration and faculty. I hope to continue the programs in Harvard, Minnesota, Arizona State, and other sites for development of school principals, counselors, teachers and others.

Continuing with the prepared testimony, supportable activities would include development and use of new curricula and instructional methods, including instruction in the language and cultural heritage of minority groups; remedial services designed to promote mutual understanding among minority group and non-minority group parents, children, and teachers; community activities; recruiting, hiring, and training of teacher aides, with preference being given to parents of children attending schools affected by the Act; and in-service teacher training. Under the Senate bill, 4 percent of the funds appropriated are earmarked for programs to meet the needs of minority group children who are from an environment in which a dominant language is other than English and who, because of language barriers and cultural differences do not have equality of educational opportunity. Programs under this authority could be conducted and curricula developed to meet the needs of Indian children and their classmates to understand the history and cultural background of American Indians.

The House of Representatives has not yet acted on similar legislation now before the Committee on Education and Labor, now having passed this committee. Yet both the Administration bill, H.R. 2266, and the Quality Integrated Education Act, H.R. 4847, contain authorizations of activities similar to those of S. 1557. Therefore, we can expect that passage of this legislation will be of significant importance to Indian education

Creation of a National Institute of Education as a vigorous national force in educational research and development would offer new opportunities to explore the problems and promises of education for the Indian child. Under the President's proposal to establish the new agency in fiscal year 1972, outstanding scholars, educators, and public officials would work together to design comprehensive research and development strategies for tackling our pressing educational problems.

We need better understanding of the learning styles and needs of Indian children, and to try new educational methods appropriate to those styles and needs. With its broad responsibilities, NIE could look at the needs of Indian education both in terms of its commonality with the education needs of all disadvantaged groups, and the needs unique to Indians and Alaska Natives. A comprehensive research and development program concentrating on education of the disadvantaged would certainly have extremely high priority for support under NIE's projected first year operational budget of $150–$200 million in fiscal year 1973.

The education revenue sharing bill would provide over $1.5 billion for education of the disadvantaged to be passed through to local educational agencies who are in compliance with comparability and parental participation standards.

Indian children would experience increased benefit from impact aid under education revenue sharing. Under present P.L. 874 provisions, the parents of an Indian child must both work and live on Federal property to earn full entitlement as an A category child. Education revenue sharing requires only that the parents live on Federal property for the child to earn full entitlement as an A category child. This means that local education agencies will receive 60 percent of the national average per pupil expenditure for all Indian children whose parents live on reservations.

Senator KENNEDY. Mr. Commissioner, what kind of assurances do you give to us that under the prospective revenue sharing program, that money is actually going to get passed through the local agencies? I think the history is quite clear, perhaps with Alaska and Minnesota being notable exceptions. When these moneys are made available to State educational agencies, the money goes to groups other than Indians. Here the administration proposes that a much higher percentage of resources will be made available to States. You state in your statement as long as they comply with parental participating standards, it will actually go to help Indian children. The record is clear to the contrary. What possible kinds of assurances can you give us that you are going to change this? I am thinking in terms of the NAACP report that talks about the failure of responsible Federal and State officials to: administer resources in the interests of Indian children, require that supplementary funds be truly compensatory, support innovative programs without demeaning Indian children, or to involve Indian communities in real decision-making.

I think the conclusions made by that report substantiate the findings of the Indian Education Subcommittee. Since you suggest we provide additional resources to the State, how can we give assurance that this won't happen again?

Mr. MARLAND. It is a fair question and I will try to answer it briefly and very directly. As you know, the President's philosophy underlying revenue sharing speaks for the issue of returning to the people discretion on the use of Federal funds. Yet, in spite of that very substantial overriding philosophy, he has declared in this bill that funds for the disadvantaged shall pass through directly and not go to the States. This is one proviso that is clearly established in the bill calling for education revenue sharing.

Senator KENNEDY. Directly to whom? Will it be the mayors or local governments? How far down the line are you prepared to pass it through?

Mr. MARLAND. To the local education agency.

Senator KENNEDY. Does that meet any of the objections? In terms of school districts, they have used money which has been intended for Indian education but diverted to other children, and so——

Mr. MARLAND. I understand the question. You will recall, I believe, that I answered it on two counts, now established in the Federal Register to be enforced by this office—comparability and parental participation. Even at the LEA level, let us take a given community, even a quite small community, perhaps half of the schools are eligible for title I, the other half are not. The comparability regulation will insist that those children in the disadvantaged neighborhood shall receive first the average cost per pupil for that entire community in terms of

delegated funds and support, as measured by teachers' salaries and cost of equipment and supplies. On top of that, first the base line or par having been determined by the community average cost per child, all funds coming under the disadvantaged category shall be added to the community. Funds will be withheld if that is not maintained. In addition to that, the establishment of the local parental council is the best possible action to assure and discipline the concurrence and compliance with those conditions to guarantee the delivery of moneys where they have not been totally delivered by law as intended in Congress. I feel we are in a strong position to improve greatly the delivery of disadvantaged money to the children for whom it is intended.

Senator KENNEDY. You don't think you will get a situation like the Gallup-McKinley School District where, according to the Legal Defense Fund report, Indian children bring in twice as much money as the other children and yet within the district the Indian school is inferior to the school attended by non-Indian students?

Mr. MARLAND. It would be impossible for schools to get that money unless they earn it under the law.

Senator KENNEDY. This has been a problem.

Mr. MARLAND. Yes; we have had enforcement actions around the country. There are actions that have escaped us that should be taken. We believe these safeguards now being built in will correct these conditions.

The work of the Senate special Indian education subcommittee and its probing report have refocused attention on a people and their problems which the Nation periodically forgets. Mr. Chairman, I sincerely believe that the President's message of July 1970 is consistent with and strengthens the basic intent of the subcommittee's 1969 report. Both efforts clearly challenge the termination period of the post-World War II 40's and 50's.

But as forceful as these two expressions are, the repudiation of termination and the faith which Indian people have in that repudiation are still delicate. And well they might be, for the history here is long and the record of Federal promises kept is shameful. I suggest, Mr. Chairman, that the fundamental task at this time is to solidify the national policy which is implicit in the work of this subcommittee and in the President's message. We intend to implement our policy. The authorizations that exist are adequate. They are strengthened by the administration bills now before Congress. Further, I suggest that to shuffle Federal responsibilities in the area of education at this time could detract from the most important need of delivering existing resources to a specific problem now. If we can begin to deliver Federal assistance in a manner which steadily enables Indian communities to develop the education that touches their children, and if we can develop educational approaches which build on rather than ignore the cultural strength of our Indian children, we will have demonstrated our real commitment to a new Indian education policy.

I would now like to turn to the specificc topical provisions of the bill. Part A proposes a new title III in Public Law 874 for meeting the special education needs of Indian children. If this title requires a separate authorization and appropriation for that provision, I must seriously question its wisdom. I believe that the proposed change aims

at difficulties which Indians face with regard to the local distribution of Public Law 874 funds.

These problems have been raised most pointedly by the NAACP legal defense fund study, "An Even Chance." We must address those problems, but I am not convinced that a separate authorization is the answer. I would rather approach those problems within the scope of OE's commitment to equal educational opportunity.

Parts B and C would authorize a broad range of flexible, discretionary grants for elementary and secondary education (part B) and adult education (part C). I suggest that the capacity here would not differ significantly from our present ability under cooperative research, bilingual education, EPDA, and curriculum development.

These authorizations enable us to direct assistance to particular areas with flexibility and precision. We can address ourselves to data needs, to personnel development, and to curriculum needs. And while it may be some time before all these needs are met, the Office of Education is working to use existing authorizations to strike at the multiple problems that beset Indian education.

Part D proposes a Bureau of Indian Education within OE that would administer the provisions of S. 659. It also establishes a National Board of Indian Education that would absorb all of the educational functions now exercised by BIA. While I acknowledge a need to make our agency more informed regarding Indian education needs, I am opposed to a legislated bureau to meet this need. I do not think that legislating administrative structures within the executive branch best serves the needs for comprehensive planning and flexibility to cope with changes in priorities and responses over time.

In addition, it is the policy of the Nixon administration to reduce, rather than expand, categorical authorities. We favor the concept of consolidation of authorities under existing programs wherever possible. But we favor consolidation on a vastly more comprehensive scale. In the narrow view, the consolidation of Indian education authorities may make the task of delivering funds to Indian children in public schools easier and more effective.

However, unlike our colleagues from the Bureau of Indian Affairs, the Office of Education is responsible for disadvantaged students of all racial and ethnic backgrounds, of which Indians are a relatively small percentage.

Earmarking funds for the disadvantaged by narrow ethnic differences will make meeting the greater commonality of need among the disadvantaged even, virtually impossible for State and local administrators.

Senator KENNEDY. I note that in the earlier part of your testimony you said:

> The Administration has also moved to protect the rights of school children of American Indian and other ethnic backgrounds, an area which has been shamefully neglected in comparison with the Federal effort toward black boys and girls.

We have certainly found that. It has been in light of that that the legislation which comes out of this committee has earmarking for Indians. The record has been disgraceful. Yet you point out: "Earmarking funds for the disadvantaged by narrow ethnic differences will make meeting the greater commonality of need among the disadvantaged even, virtually impossible for State and local administrators."

Unless you earmark, the record has been so bad in the past that the Indian interests are not going to be protected. What kind of assurances can you give us that this isn't going to happen again in the future, other than just good intentions. I am convinced of the sincerity of your and others. It just seems that the record has been so bad in this area, that this appeared to be the only way we could insure that there was going to be adequate recognition for this problem. Yet you dismiss it in your testimony.

I would like you to respond.

Mr. MARLAND. I certainly don't mean to dismiss it. I hold the mandate of this Congress, including the report of the subcommittee, I hold very high the mandate of the President as to the preeminence of this responsibility in the Office of Education. I do add one or two features that I will again state. I think the voices of other minorities have been heard more systematically and indeed more vigorously because of the presence of active and recognized groups of people engaged in the education process speaking for those minorities. It has been especially true of the black minority boys and girls, and there has been a response as you have cited. We are thinking about parallel structures for disadvantaged Indian boys and girls. This will be comparable to the recent history of other minorities.

I would add that the Office of Education, given the advantages, particularly implicit in special revenue sharing will now, I hope—and perhaps I am departing from the essential theme of this hearing at this time, but I think it is important for the Senators to hear—will now be able to depart from what has been largely a fund-administering agency in a system of delivering program support, to a system of delivering educational leadership, and persons now. I would add that creative and talented persons in the Office of Education, instead of managing papers, will be able to move out in the area of educational need in high priority concern, and work with local districts, local superintendents, work with State agencies and have a people-relationship as distinct from a paper or benevolent relationship out of this aspect. This is a new aspect that we call technical assistance out of our office where we see a lively role with respect to Indian boys and girls.

Local response to local needs is already hampered by burdensom and confusing Federal red tape. For the sake of all educationally disadvantaged children we can't afford to make the burden worse.

Other provisions of the amendment, such as the inclusion of BIA teachers under Education Professions Development Act programs, are already included in Administration proposal S. 1123 now before this committee.

Mr. Chairman, I think that the eyes of the Indian communities are on all of us. They are watching us to see if we will turn their problems into an issue among ourselves within the Federal Government or whether we will take this occasion to solidify a new policy and begin delivering real educational resources that meet concrete problems.

In sum, Mr. Chairman and members of the committee, we agree that there are crucial needs in Indian education, but we seem to disagree over the means to meet those needs.

I have tried to point out the new thrusts instituted by this Administration and the directions I would like to pursue as Commis-

sioner of Education. It is not enough for any of us to deplore the inadequacy of past efforts. In pledging to seek augmented and alternative responses for the future, it is my desire to work with the committee, and with our present and proposed legislation. The Office of Education shares wholly with you the goal of insuring that the First Americans are indeed given an even chance through education.

That completes my prepared testimony, Senator Kennedy and Senator Mondale.

Senator KENNEDY. Thank you very much, Mr. Commissioner.

As I understand, there have been a number of applications for experimental program in Indian education. Are you familiar with these experimental Indian education programs, and have any of these been funded?

Mr. MARLAND. Giving you the latest report I have, which is within two weeks, the substance of our progress in establishing experimental schools is as follows: We established the office formally in December of 1970. The office now consists of some 12 individuals headed by Dr. Binswanger as you say. They have published invitations to the Nation to create a first phase of immediate attention to experimental school models. Five hundred responses were received to those first invitations which went out in January and were reviewed in March. Those 500 first invitations are a response to the first phase of what I would call a relatively short and immediate approach to experimental schools, and not yet in the scope and frame of revolutionary change that is implicit in the experimental schools model.

Phase 2 is now starting to establish criteria and invitations are to be received next September or October. But in the first 500, I know of no Indian education experimental school cited, but I would add of these 500, only five are now being considered seriously for funding and, of those, probably less than the total five will be funded for next September. They are not yet of the order of revolutionary scale and we expect we will have to continue to press for more creative and responsive solutions.

Senator KENNEDY. I don't know what the revolutionary scale is if we have 500 applications and not one Indian request; it seems as if someone is not doing his job. You have got a recognized area of need in the country and everyone is talking about it. The President is talking about it, the Vice President is talking about it. This committee has recognized it. You stated it—yet in terms of the development of a program, out of 500 not even one of those is Indian—it seems to me that someone is falling down on the job.

Mr. MARLAND. Yes, I did not know of any specific Indian proposals a few weeks ago. I can add out of the advice of Mr. Hays——

Senator KENNEDY. A couple just came in?

Mr. MARLAND. No, they were not reported as Indian or any other set of circumstances. I should have filled myself in for this hearing, Mr. Hays did. There were eight of the 500 that were indeed specifically related to Indian situations.

Senator KENNEDY. Do you see affirmative responsibility in the terms of your department trying to work with these eight applicants or others interested in Indian education to try to insure that a substantial percentage of the resources which are available will go to Indians? Because you see, Mr. Commissioner, this is exactly the problem that

we have seen over the time. We find these programs are always general programs and Indians are always left out. You come up here and testify against allocation of percentages of the program for Indians and say "we don't need that." "We are interested in providing some help and assistance to the Indians." Then you have an experimental program and you get a very small percentage of Indian applicants, say eight of the 500. You talk about the inadequacies of the program and you are still moving ahead trying to develop programs. If we had been able to tie something in—a percent of those funds ought to be allocated to Indians, then you would have to take affirmative action to comply with the Congress and its mandate. We want to know if your organization is affirmatively going to try to stimulate Indian programs? I generally recognize this is an additional burden, but are you prepared to do that?

Mr. MARLAND. My testimony does assure you that I am prepared to give maximum attention to the Indian children, Senator Kennedy. I am not at all sure at this moment that the experimental schools operation is such as to give primary emphasis to Indian education. It is intended to turn education around in the United States including the education of the Indian boys and girls.

Senator KENNEDY. Can you think of any part of the educational system that has to be turned around more?

Mr. MARLAND. No.

Senator KENNEDY. Shouldn't you be prepared to indicate that some parts of those programs should be funded?

Mr. MARLAND. Some parts of our education should be turned around assuming they will include advantages to Indian boys and girls, such as discovering ways of teaching the disadvantaged how to read, how to bring them into the world with a proud skill. This cut across the entire spectrum.

Senator KENNEDY. Are you going to consider all disadvantaged?

I am just wondering whether Indian children are just going to be included in general programs for he disadvantaged—which they have been over a period of time, which are woefully inadequate, but they have been and this is part of the problem. Do you recognize a positive responsibility to develop special educational experimental programs for Indians? Do you see that as a responsibility or don't you?

Mr. MARLAND. I do. I do see the need of focusing on experimental——

Senator KENNEDY. Experimental programs?

Mr. MARLAND. Yes, indeed, broadly. Let me cite some figures. In fiscal 1970, we spent $25,660,000 in compensatory education for Indian boys and girls, this year it is $27 million, it is up considerably.

Library resources, $160,000, up more than double in 1971, at $333,000.

Supplemental education centers, that has to do with title III, strictly experimental, $564,000 in 1970 and $631,655 in 1971. NDEA, title III, guidance and counselling, $115,000 in 1970 and $184,000 in 1971.

Senator KENNEDY. We have been over this route.

Mr. MARLAND. We have not.

Senator KENNEDY. Knowing how much Indians are affected by these programs.

Mr. MARLAND. That was a small part of your question where you were dealing with the Bureau of Educational Personnel Development. I have been citing the more experimental type programs as being ways we have been substantially increasing our investment in Indian boys and girls in 1971 and 1972. I would go on, but I will submit it for the record. Bilingual education, double, I will submit it for the record if you wish in more detail.

Senator KENNEDY. I wish you would. I would like to get to the areas of school construction, to Public Law 815. Could you tell us what funds have been allocated for school construction to the Indian schools over recent years? What sort of requests have you had and what actually has been allocated?

Mr. MARLAND. I will have to ask for help on that as to details from my associates. While they are searching for that data, let me say first, under school construction authority, implicit in the SAPA legislation, in 1970, we afforded $934,000 for the construction of Indian schools, in 1971, that leaped over five times to five and one-half million dollars under the SAFA program for schools serving Indian children.

I think that the Senator should know that broadly speaking.

Senator KENNEDY. That would build a high school in Massachusetts. That is what they are costing now, one high school, so we get a sense of the dimension of the problems.

Mr. MARLAND. I realize that the scale is small. I would add, however, this is out of a total of $15 million available to this office for this purpose. I would add, it has been necessarily the posture of this administration to put its money into programs directly serving people as distinct from school construction.

Senator KENNEDY. What requests do you have for that?

Mr. HAYS. In a very general sense in the past year, we received requests for $11 million that would be related to school construction for Indians.

Senator KENNEDY. What about the backlog from previous years?

Mr. HAYS. We just haven't had much money, in terms of order of priorities as expressed in that legislation, the first priority goes to emergency assistance, disaster areas. Secondly, it has been to those construction needs for military bases.

Senator KENNEDY. The Congress brought Indians up to the first category?

Mr. HAYS. Right.

Mr. MARLAND. This has been treated by giving a third of this money to Indian schools. We have a backlog, I am advised now by Mr. Alford, of a quarter of a billion dollars in requests under this program on that, a quarter of a billion.

Senator KENNEDY. $250 million?

Have you just reached an arbitrary figure of a third even with that kind of backlog?

Mr. MARLAND. No, we have attempted to evaluate the need and distribute the money with emphasis on Indian children.

Senator KENNEDY. If you have a quarter of a billion dollars in terms of backlog——

Mr. MARLAND. No, it is the total United States.

Senator KENNEDY. What is it in terms of Indians?

Mr. MARLAND. We don't have it. It can be furnished to you.

(The information subsequently supplied follows:)

BACKLOG IN SCHOOL DISTRICT PROPOSALS

According to the Division of School Assistance in Federally Affected Areas there is a total backlog of $34,855,000 in proposals from school districts serving American Indian children. Due to limited appropriations under P.L. 81-815 the total amount of funded projects for Sections 14a and 14b was only $5 million. A conservative estimate therefore, is that $29 million in construction needs remains. It must be emphasized that this figure is based only on applications received by the Office of Education.

Senator KENNEDY. In considering disasters, there is perhaps nothing that is more a disaster than what we have done in terms of Indian education in the past. I am glad it is moved up to the five and a half. I realize the limitations of the total budget being $15 million. I think we realize what the needs are, what five and a half million purchases today in construction. I would certainly hope that would be increased.

Mr. Commissioner, I unfortunately have to leave. I would like to be able to submit some additional questions for you for the record and hope that those will be included in the record. I want to personally thank you very much for yor appearance here today.

Mr. MARLAND. Thank you. We will respond to your questions in the record.

Secretary MONDALE. Mr. Commissioner, I think the key issue here is one of philosophy. Hearing reports of the late 20's, the message by President Johnson in 1967, the basic finding of the Indian Education Subcommittee, and the message of President Nixon all seem to be saying that Indian education has been a tragic failure because we have not trusted Indians to control their own systems of education. The criticism has gone beyond the manner in which we have delivered this or that service, or the funding levels for this or that program, to a far more fundamental criticism, which I think says that the 130 years of white-dominated, white-controlled, parternalistic educational system delivered to the Indian has failed and will continue to fail.

Now, you point out that the work of the special Indian Education Subcommittee has refocused attention on the problem; that is correct, but that has been the story of Indian education. Every once in awhile we arouse ourselves, the white middle class; we go out and look at the Indian. We are appalled; everybody clucks their tongues and says, "My, isn't that awful."

A few things happen and we go back to sleep, because the attention we give to it is sort of spasmodic, periodic, erratic attention because they aren't our children.

There is one group that will continue to focus attention on the problems of their Indian children, and that is the Indian children and their parents because they live there. I visited Navajo for 3 days and thought the educational system was awful, but I haven't been back, and I probably never will. But those parents are still there, and those children are still going to that boarding school. We were in Alaska where Eskimo children are flown 500 miles to a desert school where they remain for 9 months. That appalls. I haven't focused as much on that problem as the Eskimo parents (who don't see their children for 9 months a year) and won't. We have got to understand for all of our best intentions, for all of the best speculations that the white man can muster, it is not going to be much different. That is the philosophy underlying this Kennedy bill.

Let us begin with the system which the Indian himself controls, and trust him to know what is best for his children. We should try to deliver the technical assistance and the funds that will permit him to do the job that is needed, in a way that is culturally sensitive, that responds to language problems and, above all, has in it the pride and self-esteem that comes once again of being in charge of your own life. I don't for a moment underestimate the degree of resistance we will meet. In '67 when President Johnson ordered all Federal Indian schools to be turned over to elective school boards to be run by the Indians themselves, I think I am right that one school elected one board. That only happened because OEO came along and gave them some money. President Nixon said the same thing. I applauded his message. I saw in it acceptance of the philosophy of local control.

I see there is one school in Ramah, New Mexico; maybe there is another one—I don't know. Not even the President of the United States seems to be powerful enough to pursue a policy which gives to the Indian the same thing that the white man has had and demanded from the beginning of education in America: control over the lives and education of his own children. I deeply respect you, Commissioner, for the work that you are doing and the commitment that you have for this issue. But I think it can be characterized as a more sophisticated effort to help the Indian, and what I think we need to do is permit the Indians to help themselves—by restructuring the power—control of the system. Unless we do that, you will be gone, I will be gone, and a new set of students will be studying this, a new set of experts will be aboard. You know, I would say if the Indian would list his No. 1 problem, it is the number of white men who come to study them. Last year on one reservation in South Dakota there were 64 federally funded studies of the Indians going on. If we turned over to the Indians on that reservation the money that was used studying them, they would be among the richest people in America, and they would be studying us.

This is what we found wherever we went with the Indian Education Subcommittee. A BIA school in the middle of the frozen tundra that wouldn't let the local citizens draw fresh water from the public school because this is "education water." Then the Public Health Service came trying to cure a tremendous amount of disease caused by drinking filthy water. If the Eskimos had something to say about their life, they would have done the obvious thing, used the fresh water from that tap.

I don't know. It doesn't seem to stop. I commend you for your work. I commend the comparability requirement. I commend the requirement of local committees because I think that is a step forward; but I think now is the time for all to, in effect, cut the cord, admit failure, and through the National Indian Education Board, through local control, permit, in a dramatic move, the Indians to control their own lives. Would you respond to that?

Mr. MARLAND. I couldn't agree with you more on the expression of, and frustration and dismay which you hold toward our record, Senator Mondale. I share it. I would say that if you characterize the position of the Office of Education at this time in your words as merely again helping the Indian, I would have to say that I differ with you there. We do not see the thrust of my message helping the Indian, we no longer believe that that is the solution, that is appropriate to

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the dignity of these citizens, nor do I think it would work. It hasn't. The major components which we move on at this time are three, you have cited two of them. One component is to demand the participation of local councils in the affairs of education. We think that is not helping the Indian. We think that is recognizing his freedom to concern himself with his own educational destiny and we have mandated it.

The second component is to mandate comparability so that the money does go where those to whom it is directed will have access to it and will apply it to those children.

The third factor, I ask that you hear me when I speak of the leadership that I expect to exert in the Office of Education, technical assistance, good men and women, like Mrs. Scheirbeck, Dick Hays, and others driving me to push others, to move into the field with counsel and help and support for States and local boards of education, to turn them around, to realize these needs—help them, yes, but not help Indians. Free the Indians to create their own educational destiny. That is the message of this paper.

Senator MONDALE. Those are encouraging words but, you know, even the committees we set up under title I are selected by the very power structure that has been doing these things or not doing them.

I think it is important that they be set up and I commend you for following through on it. I don't wish to deemphasize my support, but I will bet the reality in most of these school districts will be that the Indian would be a token member of those committees. After all, today the big problem in our bigger cities is whether the board of education is going to have anything to say about education. This is an advisory committee to the board of education, which may or may not have some Indians on it. In any event, Indians picked by the people asking for advice, are going to pick some pretty careful Indians, I think. I think it is still an advisory role to the power structure. We want power in the hands of the Indians themselves. It is a new step, it is one which I think runs against the grain of all—all of our historic efforts toward educating Indians because it assumes that the Indian parents know more about what their children need and indeed are far more deeply committed to the education of their children than we are or could be. I think that is the problem. I think that is the difficulty and the fundamental philosophical question that we have to deal with in this proposal.

You have been very kind, we have kept you here for nearly 2 hours and, characteristically, you have given us a fine statement, and we are most grateful. I am most grateful to Helen and her work and the work of her office with the Indian Education Subcommittee; in no way do I wish to do anything but express my admiration for her work.

Senator Kennedy had to leave. As I understand it, the best way to proceed is to reconvene at 3 o'clock.

Is Commissioner Bruce here? Commissioner, could you be here at 3?

Mr. BRUCE. Yes.

Senator MONDALE. Very well, I think that might be better, and Senator Kennedy could be back at that time. So if there are no objections, and I hear none from the committee, we will resume our committee meeting at 3 o'clock this afternoon.

(Whereupon, at 11:20 a.m., the subcommittee was recessed to reconvene at 3 p.m.)

AFTERNOON SESSION

Senator KENNEDY. The subcommittee will come to order.

The witness this afternoon is Commissioner Louis R. Bruce, Commissioner of Indian Affairs. We want to welcome you. We want to welcome your comments on this legislation. We appreciate your adjusting your schedule to accommodate us.

STATEMENT OF HON. LOUIS R. BRUCE, COMMISSIONER OF INDIAN AFFAIRS, DEPARTMENT OF THE INTERIOR; ACCOMPANIED BY JAMES E. HAWKINS, DIRECTOR OF EDUCATION; VICTOR E. HILL, CHIEF, PROGRAM DEVELOPMENT STAFF (LEGISLATION); MRS. BERNESE B. CROW, ACTING CHIEF, PROGRAM PLANNING AND ANALYSIS FOR EDUCATION; BILL KING, COMMUNITY DEVELOPMENT STAFF; HERSCHEL SAHMAUNT, DIRECTOR, LEGISLATIVE AND TRIBAL RELATIONS

Mr. BRUCE. Senator Kennedy, Senator Mondale, before I start with my statement, I would like to introduce the witnesses at the table with me. First, I would like to introduce you to our new Director of Education Programs, James E. Hawkins. He has his B.S. from Penn State, M.A. from Penn State, Education, advanced work at Stanford, and the University of Minnesota. He has had a great career in the field of education, starting with Alaska, and he was area director for the Bureau of Indian Affairs in Minneapolis. We are pleased and happy to have such an experienced person on our staff as Director of Education Programs.

Senator KENNEDY. I want to welcome particularly, Mr. Sahmaunt, who was on the minority staff of the Subcommittee on Indian Education. He was very helpful to all of us.

Mr. BRUCE. Mrs. Bernese B. Crow, acting chief for Program Planning and Analysis for Education.

On my right is Victor E. Hill, chief of the Program Development Staff, Legislation, and, of course, Herschel Sahmaunt, director of Legislative and Tribal Relations.

We are very happy to be here. I am pleased to testify before you on Indian education and the recent steps we have taken to bring these Indian people the benefits of the best America has to offer in this important field. Needless to say, I, as an American Indian, have a deep and abiding commitment to this ideal.

At the present time, the Bureau of Indian Affairs has direct educational responsibility for some 55,000 Indian children from kindergarten through high school. In addition, the Bureau supplies partial funding for approximately 85,000 children in public schools through the authority of the Johnson-O'Malley Act.

There is no need for me to emphasize the statistics of Indian education which this subcommittee reviewed in the report published in 1969, after hearings throughout the country. The report provided extensive information and made many significant recommendations.

In 1970, President Nixon sent to Congress the most important Indian message in this century. In it he provided a mandate for new directions in Indian affairs and, especially, Indian education.

The legislation, which we are reviewing today, seeks to remedy some of the ills affecting Indian education. We support the objectives of the proposed amendment. However, we would like to bring to your attention some recent events in Indian affairs and share with you some thought concerning the legislation.

I call to your attention some recent organizational changes in both the Department of the Interior and in the Bureau of Indian Affairs. These changes will extend to Indian people a wide range of increased opportunity.

Secretary Morton recently stated that Indians and people of the Territories will be a direct concern of his office. This emphasis on Secretarial leadership is now giving top priority to Indian needs. The change was made in recognition of the many special needs of Indian people, and, incidentally, closely follows the intent of recommendation No. 15 of the Special Indian Education Subcommittee's report to the 91st Congress, 1st Session.

Senator KENNEDY. I was just wondering, Mr. Commissioner, in light of President Nixon's sending to the Congress the most important Indian message in this century, what progress has been made. I thought there were many features of that message which were commendable in terms of supporting local control in education, a number of other features which I subscribe to and which I think the Special Committee on Indian Education subscribed to. What has happened since that message to Congress in terms of implementing the President's recommendations?

Mr. BRUCE. This is the message of July 8, this last year. I would like to go down through a few of these. We have emphasized, in the Bureau, more authority at the agency level with our superintendents working closer with the tribes at that level. We have reviewed the redelegation of authority at the intermediate level and 2 weeks ago in a meeting with the superintendents and the area directors we have passed some of the redelegation authorities from the area offices to the superintendent. The primary reason for this is because we feel that the superintendent working closely with the tribe ought to have more authority to make decisions at that level and so we have reviewed this and met with the area diretcors and we will come back again to review it and make changes as we move along.

Senator KENNEDY. Can you be any more specific as to what is being done to follow up the President's message? Perhaps you could submit for us, taking the message as a blue print for action, what has been done?

You mentioned the reorganization. How has this affected Indian education?

Mr. BRUCE. We have made some changes there. Of course, we have had a National Indian Education Advisory Committee which has submitted some recommendations to the Commissioner. We made some changes in education and if it is satisfactory to you, I would like to call on Mr. Hawkins.

Senator KENNEDY. Fine.

Mr. HAWKINS. We certainly have been moving in recent months to give more authority to the National Indian Education Advisory Committee which the Commissioner has appointed. They are moving in program review. They are making a special study of the off-reservation

boarding schools which you noted in your subcommittee report; they are examining the problems involved there and are preparing to make recommendations to us for change.

Senator KENNEDY. Have they made any recommendations to date in written form?

Mr. HAWKINS. Mr. Hill, have they made recommendations yet?

Mr. HILL. Yes, they have specifically made organizational recommendations which were a part of the Commissioner's redelegation of authority outline of authority to the field.

Senator KENNEDY. Pardon?

Mr. HILL. They have made redelegation of authority recommendations which the Commissioner referred to.

Senator KENNEDY. Is there any memoranum from their meeting? It would be useful.

Mr. HILL. We would be glad to submit it for the record.

Senator KENNEDY. Do you have the kind of recommendations they make?

Mr. HAWKINS. We do not have it handy in terms of something written.

Senator KENNEDY. Could you submit that to us?

Mr. HAWKINS. Indeed we can.

Senator KENNEDY. I would be interested in what recommendations were made and how you value the recommendations, what was able to be implemented, what was not implemented, and the reasons therefor.

Mr. HAWKINS. I can give you a specific recommendation. The committee recommended that they be consulted and be permitted to assist us in setting priorities for the 1973 budget submission. We are consulting with them. They will have a significant input in the 1973 budget submission to the Office of Management and Budget.

Senator KENNEDY. I heard that a Mrs. Jones had responsibility for assigning tasks for the various advisory board committees. Could you comment on that?

Mr. HAWKINS. No, sir. I have the responsibility and I am assuming that responsibility. I think perhaps during the time before I was appointed she certainly was the liaison with the committee and it may have seemed because she wrote letters to them at the behest of the acting director, that she was making appointments when in fact I do not believe she was.

Senator KENNEDY. What sort of autonomy does this group have? Do they wait until you ask them to convene to make recommendations? Can they convene themselves to make recommendations?

Mr. HAWKINS. They convene themselves.

Senator KENNEDY. Do they have a budget?

Mr. HAWKINS. They have an allocation within our budget.

Senator KENNEDY. What dimension is that?

Mr. HAWKINS. At the present time, $40,000 a year. They make their program reviews on their own. They decide which of the off-reservation boarding schools they wish to review. In the past 2 years they have conducted and staffed school board training programs on a National basis and this has been entirely their own initiative. I think in many ways they are assuming a great deal of autonomy and we expect them to assume more in the near future.

Senator KENNEDY. How were they selected? I probably ought to know that, but I don't know.

Mr. HAWKINS. They were selected and appointed by the Commissioner. I have a complete list of their names and where they are from, which I can submit for the record. They were appointed to serve at the pleasure of the Commissioner and what has happened, of course, over the years some have dropped out and have not been interested. They recommended at their last meeting that a rotation should be set up so they can serve over staggered periods of time a maximum of 4 years.

Senator KENNEDY. As I remember, and I am just reaching into the past, wasn't there a question whether they ought to be appointed or be able themselves to elect replacements? What generally is your feeling on this? Maybe they are happy with the current procedure. I would be interested in whether this thought had come up and whether they had considered it.

Mr. BRUCE. There has been some discussion by the committee as to how new members should be selected and even to the point of having recommendations from the tribes, maybe on an area level, region or area, whatever, selected by them. I might say that recently—the two new members added to the committee are young people who are in college today, and it was their feeling that they ought to have some representation on that committee.

Senator KENNEDY. Could you ask them how they would like to continue in terms of perpetuation of their committee? I would be interested in their reaction. Maybe they are very happy. Maybe they feel it would be worthwhile for certain groups to elect certain ones when the vacancy comes up. Maybe they think they ought to have an opportunity to elect some. Maybe they would welcome the continued appointments by the Commissioner. It would be useful to have their recommendations.

Mr. HAWKINS. They have made recommendations concerning their present membership terminating at certain staggered dates over the next 4 years and at an early meeting, probably the one in June, this is a matter which they have indicated that they would like to take up in terms of how new members would be selected. We can provide you with copies of their recommendations and we want to follow their recommendations.

Senator KENNEDY. Is there any way where they make a record of new ideas and suggestions as they submit them to you, or is it done over the phone? What is the procedure by which they make their views known?

Mr. BRUCE. They make their views known and their recommendations known to me in writing. I have had occasion to meet with them and talk with them. I welcome their suggestions and recommendations. I believe this committee is 3 or 4 years old and some of the same people who have had experience here are still serving on that. I wanted to continue this because it seemed to be representative of Indians across the country.

Mr. HAWKINS. One of the subcommittees of this committee is a subcommittee on legislation and they have been meeting within the last couple of weeks to consider the bill we are talking about today, and Mr. Frank Ducheneau, the former chairman of the Sioux Tribe is

coming in and would greatly appreciate the opportunity to testify at some point before the committee.

Mr. BRUCE. To continue with my statement: In the Bureau, we have recently taken action to redelegate many authorities to the operating level at the reservation. This action will permit Indians to obtain faster action on problems as well as provide an opportunity for increased tribal decisionmaking. This, of course, bears directly on recommendation No. 18 of the subcommittee report.

I would like to note that many of the subcommittee's recommendations were administrative in nature and have helped form the guidelines for action taken subsequently by this Bureau. I will comment on those which have special relevance to this amendment. Indian involvement at all levels of policymaking and execution is the policy of this Bureau and we are proceeding to implement this policy in every area. Indian school boards are individually and collectively becoming more and more involved in policy and program decisions at each school. They are consistently making recommendations concerning the hiring and retention of personnel. Boards are shifting from advisory to operating responsibility.

Senator MONDALE. Would you yield there?

Mr. BRUCE. Yes.

Senator MONDALE. How many locally elected school boards run Federal schools?

Mr. BRUCE. Total of four, Ramah, Rough Rock, Blackwater Day School, and Stefan High School in South Dakota are operated by eletced school boards.

Senator MONDALE. That is all you have in the whole Federal system? How many students are in those four schools?

Mr. BRUCE. About 650 altogether.

Senator MONDALE. Out of how many?

Mr. BRUCE. 55,000 students.

Senator MONDALE. When the President of the United States in 1967 ordered that these boards be turned over to the elected school boards, why are there only four in the entire system which are run the way the President ordered?

Mr. BRUCE. There are 200 advisory school boards.

Senator MONDALE. I know the distinction. I am talking about boards that the Indians pick, not the civil service.

Mr. BRUCE. We are negotiating at the present time with six schools.

Senator MONDALE. Where are they?

Mr. BRUCE. Miccosukees in Florida, Rock Point Boarding School, Arizona, Busby School in Montana, Wind River High School, Kotzebue, and Unalakleet in Alaska; those are six.

Senator MONDALE. Why is it the President of the United States cannot get this done?

Mr. HILL. Senator, if I may——

Senator MONDALE. I am talking to the Commissioner.

Mr. HILL. Excuse me.

Mr. BRUCE. We are moving rapidly in this area, but I want to point out that the Indian people themselves are a little bit hesitant to move as rapidly in this area, the whole area of contracting and taking and assuming responsibility is one which causes some of the tribes to hesitate to assume this kind of responsibility. I think it takes time to assume this kind of responsibility.

Senator MONDALE. Is it your testimony that the Indians do not want elected school boards to run their schools?

Mr. BRUCE. No, no, I am not saying that at all. I think in the general area of involvement, where we have offered tribes contracts and services which are rendered by BIA now, in road building or whatever it is, I think some of them hesitate to contract for these services. Some of them are moving. We are very much involved in discussing and in negotiating with them at the present time, but I think——

Senator MONDALE. We appropriated a little money, I think, a year or two ago, to help train Indian school board members, did we not?

Mr. HAWKINS. Yes.

Mr. BRUCE. Yes.

Senator MONDALE. What happened to that money?

Mr. BRUCE. May he respond?

Senator MONDALE. Yes.

Mr. HAWKINS. This year a considerable amount of that money together with adult education money is being used to train and give experience to a number of school boards which are currently attempting to make the decision whether they wish to contract for the operation of their schools or not.

Senator MONDALE. Last year, we appropriated $203,000, I believe, to help train Indian school board members. I am not sure they need it, but we appropriated it anyway. Was that spent for that purpose?

Mr. HAWKINS. No, sir; it was not spent for that purpose.

Senator MONDALE. I don't find that a very energetic pursuit of the President's orders.

Senator KENNEDY. How many petitions are there for local school boards now before the BIA?

Mr. BRUCE. Six.

Senator KENNEDY. Are you familiar with the Miccosukee petition to take over the school?

Mr. BRUCE. Yes.

Senator KENNEDY. They want local control?

Mr. BRUCE. Yes.

Senator KENNEDY. You want local control, do you not?

Mr. BRUCE. Yes.

Senator KENNEDY. Why can't they get it?

Mr. BRUCE. They are going to get it. We are working on the contract at the present time.

Senator KENNEDY. How long has it been in?

Mr. BRUCE. January of this year.

Senator KENNEDY. It is now almost the first of May. Does it take that long? Will every community have to wait so long?

Mr. BRUCE. We had some contracting problems. I hope it won't take that long.

Senator KENNEDY. They will get the control?

Mr. BRUCE. Yes.

Senator KENNEDY. What kind of affirmative action is the BIA taking to make these 200 communities with Federal schools aware of the possibilities and encouraging them toward local control? What program do you have to bring the possibilities of local control to the local communities?

Mr. HAWKINS. May I respond, Senator Kennedy?

Senator KENNEDY. Yes.

Mr. HAWKINS. Through our National Indian Education Advisory Committee, we have conducted two national workshops on school board training and a number of regional workshops for school board training. It is through these sorts of training programs that word about the possibility of contracting and the actions which a school board must take in order to contract have gotten spread throughout the country, as well as meetings that have been held on a number of reservations and by word of mouth and working with the school board by our superintendents on the reservations.

We do not press it, but we make it available as an alternative for their consideration.

Senator KENNEDY. In terms of achieving local control, it seems as if most of the initiative has been outside the BIA. There was Robert Roessel who set up Rough Rock, the DNA lawyer, Gross, and Don Olson organized the Ramah community. Mr. Gross, as I understood, is now at Wind River. Dave Robinson spent a year working at Rocky Boy. I just wonder why so much effort and energy has to be developed outside the BIA and why you haven't got a more active program with results within the BIA?

Mr. BRUCE. We have tried to encourage our employees, our directors, and superintendents to discuss these plans for getting involved in their own activities, but not to press them, not to push them and when Indians are ready to do it, we want to help them in every way possible. They are just not moving that fast, but we and our employees will help them in any way possible. We are trying to be a service organization and this is taking some time, but we are accomplishing things as we go along.

I would like to continue: The Bureau is, every instance possible, providing Indian people a major voice about programs affecting them. This was clearly evident at the March meeting of Indian leaders in Kansas City. The meeting was composed of some 200 tribal chairmen, approximately 200 additional council members and representatives of special Indian interest groups including the host, the National Congress of American Indians, the National Council of Indian Opportunity, and many others.

An important question discussed at this meeting concerned the role which the Bureau of Indian Affairs should play regarding urban Indians. The recommendation, after lengthy discussions, was one overwhelmingly in favor of the Bureau funding no urban programs but to continue its advocacy role.

Mr. Chairman, we cite this meeting as one of the most representative gatherings of Indian leaders in this decade. It can truly be said that they were speaking for their Indian constituency. At this meeting fears were expressed by many speakers that the momentum, so long lacking but recently achieved, would be lost if new administrative designs were thrust upon them.

Indian people feel strongly that they need adequate time to think and talk about proposed changes.

We see this amendment——

Senator KENNEDY. What do you think in terms of time? The subcommittee recommendations have been out almost 18 months. You mention that many people feel strongly they need adequate time to

talk about proposed changes. How much more time do you think is going to be necessary?

Mr. BRUCE. I would say we are gradually moving along. Last weekend a meeting was held of tribal chairmen in Pierre where some 37 tribal chairmen were represented and they set up a tribal chairmen's association. This I feel is the beginning of a structure which might make it possible for the Commissioner and for other Federal agencies to get tribal chairmen involved in making decisions. As a result of this meeting and this association, later on, I am sure, we will have an opportunity to meet with them and discuss plans affecting their lives and the programs and they can take this back to their own tribes, discuss it, and then we meet with them later to give them a chance to be involved and express their desires as far as programs are concerned.

I think I also want to make it very clear that our people are concerned about termination. I think every move that is made, any change that is made, concerns them very much as far as self-determination is concerned and this may be a reason for delay in moving ahead.

We see this amendment as tending to give validity to these expressed concerns since it will further fragment Indian education.

Senator KENNEDY. Since you mention the question of termination, there is nothing further from the thought of myself, and I am sure from Senator Mondale and members of this committee. I know that there have been those who have tried to create scare tactics among many of the different Indian groups in trying to suggest it. But there is nothing further from the thinking of the proponents of this legislation, so I am not sure we do a service in trying to put those words into anyone's mouth. The thrust and purpose of our amendment would be to try and keep the already fragmented Indian education programs together under the National Board and if we can think of a better and more effective way of doing it, we are delighted and open to suggestions until the time we pass this legislation through the Senate.

Senator MONDALE. I am sure the Commissioner is aware of recommendation 10: The Federal Government shall not terminate Federal responsibility in the services and education field to an Indian tribe unless such termination is agreed to by such tribal nation. We are not only opposed to termination, but we make recommendations to protect the tribes against what the committee found to be absolutely cruel and arbitrary termination efforts by the BIA; one example is a tribe in Iowa; one day they were told it was all over. Our thrust is the reverse.

It has been the history that BIA personnel are swiftly sent to the tribes to raise the banner "Termination" and scare the gizzard out of them. Why was the word "termination" brought up in this testimony today?

Mr. BRUCE. Senator Mondale, I want to commend you and Senator Kennedy for your support against termination. I have been following this. I am very pleased about the position you have taken. I don't raise this issue because it is a part of education, except that everything we try to do is viewed with suspicion, as to what the ultimate goal might be, and that is why I just mentioned this. I think it has something to do with how fast we move in the area of encouraging Indians in taking over our BIA programs. What is to happen to BIA? Are we to put it out of business or what? We all want to offer and do the best for American Indians as other people have.

The education of Indian children must always be viewed as an important component of a number of interrelated functions performed by the Bureau of Indian Affairs with and for Indian people. To place Indian education under another level of bureaucracy—however well intended—will disrupt the program and make comprehensive development planning difficult.

We do want, however, to support the recognition that Indian children do have extraordinary needs which will cost far more than State averages, if opportunities unattained to date are provided and remedies become realities.

Mr. Chairman, the legislation requires a review of the off reservation boarding schools in order to determine which of them "should be converted into therapeutic treatment centers." We feel that this is not the best approach to the problem of mental health in the Bureau's off reservation boarding schools.

It is true that a number of the students are in boarding schools because of the failure of public schools to cope with their learning problems. There are also a number of students in these schools because no high school exists close to home. There is much that normal students can teach those who are disturbed and we prefer to think of the off reservation boarding schools as educational treatment centers. They do not now have adequate staff or facilities but we are moving to remedy this as quickly as funds are appropriated.

The Bureau feels that the more effective approach is to attack the root of the problem in the communities from which the students come by mobilizing all resources—teachers, parents, professionals, and paraprofessionals to identify and attack specific mental health problems.

We think the new definition of an Indian proposed in this amendment, for purposes of Public Law 874, will need considerable modification. While this concern is one primarily of the U.S. Office of Education, entitlement of funds based on such a definition of an Indian would be confusing.

We want to make special comment on parts D and E of this amendment.

Senator KENNEDY. Before you do, do you have any suggestions on what our definition should be?

Mr. BRUCE. We use in the Bureau the one-quarter or more degree of Indian blood for services of BIA on or near the reservations. It doesn't seem that this, in some cases, is broad enough in scope——

Senator KENNEDY. Is it satisfactory to the Indians, do you know?

Mr. BRUCE. In some cases it is.

Senator KENNEDY. In some cases it isn't?

Mr. BRUCE. Yes, I would say that.

Senator KENNEDY. Could you elaborate a little bit?

Mr. BRUCE. Well, there are some election situations and also judgments where Indian tribes are attempting to define the way they wish to have these settlements made and, in some cases, they talk about descendency and in some cases they want to specify that it be one-quarter or more Indian blood.

Senator KENNEDY. Well, it is a real problem. We are looking for some guidance on this. We want some constructive help on it in addressing ourselves to this. I was hoping you might be able to add what you could to our understanding.

Mr. BRUCE. Our off-reservation Indians would like to see the definition liberalized, I am sure.

We want to make special comment on parts D and E of this amendment. The earlier comments on changing the organization from one bureaucracy to another are certainly relevant to the role of the National Board of Indian Education and to the powers placed in this board. We feel that many of the duties and charges vested in the National Board of Indian Education are such that they can be accomplished within our present organization with a minimum of confusion and a maximum of effectiveness. The legislation ignores the presently existing National Indian Education Advisory Committee, which is responsible to me and is now assuming a more active role in advising me with regard to my responsibility for Indian education.

There is certainly some desirable help in part E through the amendment to the training provided by the Education Professions Development Act, the amendments to ESEA, and titles IV and V of the Higher Education Act. Each is designed to reflect improved services to Indian children and better meet the educational personnel needs of Indian children and schools. However, we point out that most of these provisions are already reflected in Administration proposals already before Congress.

We believe the other miscellaneous provisions of part E can be dealt with administratively and within existing BIA legislative authority. We should point out that important new relations are now being developed between the Office of Education, BIA, and the U.S. Office of Education, HEW. A "Memorandum of Understanding" relating to title I, ESEA has been developed and signed and will bring increased effectiveness in the administration of this program. This cooperation is resulting in more relevant programs in Indian schools.

Senator KENNEDY. Who signed this?

Mr. BRUCE. I am sorry, it has not been signed. It will be signed.

Senator KENNEDY. That was our information. As of 2:30 this afternoon, it hasn't been.

Mr. HAWKINS. It is due to be signed as quickly as OE lawyers take a look at it.

Senator KENNEDY. How long is that? That is not terribly reassuring.

Mr. HAWKINS. We hope it will be within a day of 2.

Senator MONDALE. Could we have a copy for the record?

Mr. HAWKINS. Yes. Commissioner Marland and I went over this for 2 hours. As far as administrative detail is concerned, there is no problem, but you know how lawyers are.

Senator KENNEDY. That is what causes some concern to us. Would you notify us when this is signed? But you expect it would be within the next day and a half?

Mr. HAWKINS. Within the next several days. We will convey to Commissioner Marland your desire to have it signed by tomorrow.

Senator KENNEDY. We will convey that as well.

Mr. BRUCE. We suggest, that with the known sympathy of this body for the special needs of Indian children, we be given time to consolidate our gains. Recently developed communication bridges which are new to so many Indian people need time to be strengthened. New relationships are developing between Indian people and the Federal Government and new responsibilities are being vested in Indian communities.

It is important that these new developments be tested and perfected and given time to mature with as little disruption as possible. It seems to us that disruption would be inevitable if the amendment is passed.

Mr. Chairman, we concur completely with your desire for a better and more effective thrust in Indian education. However, we think that the intent of Amendment 6 to S. 659 can be effectively carried out under existing authority.

The Bureau, together with the U.S. Office of Education, is providing for increasingly effective Indian education programs with more and more real power being vested in Indian communities. We still have much to do, but with the support of this committee and other congressional committees concerned with Indian education, an exemplary program can be developed by the Bureau for Indian children.

In closing, I would ask that the committee exert every effort to listen to the voices of the governing bodies of Indian tribes with respect to this proposed legislation. No one can deny that legislation such as this has a serious effect on the lives of the Indian children. Many recent comments from Indian leaders indicate that they feel that they have not been properly consulted with respect to this legislation.

Thank you.

As a proof of this concern, I offer a resolution passed at the National Tribal Chairmen's Council in Pierre, S. Dak., this last Saturday. I would like to submit this for the record.

(The resolution referred to follows:)

RESOLUTION #7

(Adopted April 24, 1971 by
the National Chairmen's Association)

WHEREAS, The responsibility for the education of American Indians has been entrusted to the Federal Government by Treaty, and,

WHEREAS, The Education of American Indian Students has been overstudied, underfunded, and subjected to an inordinate amount of local and national political considerations, and,

WHEREAS, The Education Subcommittee of the Labor and Public Welfare Committee in the United States Senate is now proposing a bill pertaining to Indian Education, and,

WHEREAS, The Education Subcommittee Bill includes many meritorious provisions, including an unprecedented level of support for public schools serving Indians, support for community colleges on or near Reservations, additional programs for Indian Adult Education, and cites local Indian control as its intent, and,

WHEREAS, A prominent feature of the Subcommittee Bill effects a transfer of all Indian Education Programs from the Bureau of Indian Affairs to another part of the Executive Department, and,

WHEREAS, Provisions for local control of Indian Education by Tribal Governments have been advanced and implemented by the Bureau of Indian Affairs to the satisfaction of many Tribes, and,

WHEREAS, The Education Programs in the Bureau of Indian Affairs has been the victim of outdated authorities, low administrative priorities, and small budgets,

NOW THEREFORE BE IT RESOLVED, That the National Chairmen's Association support Amendment 6 to Senate Bill 659, the Kennedy-Mondale Amendment, with the following Recommendations:

#1. That the Amendment be changed to keep the existing Education Programs within the Bureau of Indian Affairs.

#2. That the amendment adds a new mandate for a refined structure for Educational Programs in the Bureau of Indian Affairs that will support self-determination, local control, and will be approved by an All Indian Commission on BIA Reorganization.

#3. That the amendment provides for the defederalization of teachers of Indian students, replaced by individual Teacher Contracts with the Tribes.

#4. That the amendment adds new and increased monies for planning, basic support, demonstration projects, construction, and evaluation of locally-controlled Indian schools.

E IT FURTHER RESOLVED, That the Education Subcommittee provide for additional Hearings in the Reservation Areas to discuss the implications of the Amendment on our Tribes.

WE DO HEREBY CERTIFY, That this foregoing Resolution was duly adopted on April 24, 1971, at Pierre, South Dakota, with a Governor present.

Webster Two Hawk Conference Chairman	Peter MacDonald General Assembly Chairman

Senator KENNEDY. I would like to mention I have written personally to all the tribal chairmen, using the mailing list of the BIA, sending out more than 500 copies of the legislation over a month ago. We have tried to incorporate suggestions in the legislation so far. As I mentioned in my opening statement this morning, in the formulation and development of this legislation, we are wide open to recommendations. Nothing is final other than our will and determination to solve some of the problems we are confronted with.

Senator MONDALE. Senator, will you yield?

Senator KENNEDY. Yes.

Senator MONDALE. One of our suggestions was a White House conference to work on this. That has fallen on deaf ears. We have done everything we can. This committee traveled many thousands of miles. We took something like 80,000 pages of testimony. We went everywhere. We asked if there was someone we didn't hear who wanted to be heard from. We are very anxious not to have a paternalistic measure here. We sent out inquiries to any person we could find on the list. We consulted widely with their leadership. In addition we wanted a White House conference which could use these recommendations as a beginning for an analysis, for response to what Indians wanted. If there is something we haven't done to hear and listen, I don't know what it is.

Senator KENNEDY. As I mentioned, I am sure we are open. We continue to be, this committee does, and I am speaking for myself and I am sure for Senator Mondale. We are open to observations and recommendations. The one thing that all of us are very much aware of, we found out in the final few meetings of our committee as we traveled around the country, almost the first person who would stand up and speak would say: We have had enough study and what we need is action. We have enough experts on Indian affairs and what we need is Indian experts. Hopefully, we can do it by getting some development of Indian education legislation.

I noticed in your comments you mentioned the boarding school situation. The subcommittee report observed a year and a half ago that "A strong case can be made that the boarding schools contribute to the students' mental health problems."

And then last year the National Indian Youth Council charged the Intermountain School, for example, with discrimination against Indian employees, discrimination against native religious practices, repression of native languages and culture, brutality against Indian students.

A few months later the Intermountain School Chapter of Amerind, Inc., called Intermountain "a bed for illicit practices," alleging discrimination against Indian students and employees; harassment of Indian employees; mismanagement; and mistreatment of students.

At long last the Bureau took a look for itself. A review of Intermountain was conducted in January of this year, and the investigators of the BIA found, and I quote: "Hostilities are high, factions among the staff have sharpened, the atmosphere is tense, and all in all, the least amount of provocation or continued 'do nothing about the conditions' kind of inaction could ignite and convert the situation into an embarrassing, unnecessary, and unfortunate one, to say the least."

"Once again," the review continues, "it seems that minimum and unenthusiastic token attempts have been made to treat the symptoms of a serious problem which has been allowed to brew for too long."

Commissioner Bruce, how long—how long must the destruction of the morale and integrity of the students and some employees of Intermountain continue before the Bureau does something?

Mr. BRUCE. As far as Intermountain School is concerned, one of the problems that we face there is that we have not had a superintendent for 3 or 4 months, more than that I believe, and we are about to select one who will work on this problem. I, for one, am not pleased with the delay in handling these situations, I think we ought to be in a position to move rapidly, more rapidly than we are now, and than we have in the past. As far as discrimination is concerned, we are facing a different situation as a result of encouraging Indians to be in higher levels and in higher positions of responsibility in the Bureau at this point, in some cases non-Indians are talking to me about discrimination against them, which is a new turn, but it is time we gave some consideration to Indian people for the jobs in working with our own and this is the direction we want to move in, although we are not eliminating non-Indians.

We have many dedicated non-Indians, but our Indian people are being trained and we ought to have an opportunity to let them make some decisions in this Indian matter, but I believe that I can say, I am sure, that the Intermountain situation will be corrected in the near future.

Senator KENNEDY. What happened to the former superintendent?

Miss VICTOR. I am right here.

Mr. BRUCE. We brought her, Wilma Victor, a Choctaw, who is now a special assistant to Secretary Morton.

Senator KENNEDY. You would think, now that she has gone up in the power structure, that these abuses would be more readily remedied.

Mr. BRUCE. Let me say this, she has only been on the job for a week, not more than 2 weeks, and she is bringing pressure on us now to correct that situation.

Senator KENNEDY. Is that what it really takes?

Mr. BRUCE. No. I personally want these things to be corrected.

Senator KENNEDY. What about some of the others? Take Intermountain, there we have an example where it appears that something is going to be done; how about Chemwa and so forth?

Mr. BRUCE. Would you like to answer that?

Mr. HAWKINS. It is clear to me from my recent return to the Bureau, and I certainly had this feeling before I left the Bureau, that the off-reservation boarding schools are probably the single most serious problems we face. I intend, through the National Advisory Committee and their review of the off-reservation boarding schools and through our own study of the situation, to move rapidly to attempt to make these the best schools possible within the limits of the funding we have. I personally am committed to a rapid change in most of our boarding schools that will provide——

Senator KENNEDY. What is "rapid" change?

Mr. HAWKINS. Hopefully by the end of the next school year, we will have a complete review and recommendations regarding change and will implement them on every single off-reservation boarding school.

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I would frankly like to close down a good many of them and move the kids closer to home. That really is the only answer.

Senator KENNEDY. I would certainly subscribe to that. You know, it seems that there must be people who say, "Well, Senator, you are having the hearing now, we have read the subcommittee report, heard this language going back to the Meriam report in 1928, same kind of report, same kind of advice. And still this situation continues and goes along basically unchanged." I suppose you can understand the cynicism of those who are most directly affected—the parents, the young people themselves—and all Americans.

Senator MONDALE. Would you yield?

Senator KENNEDY. Yes, I would.

Senator MONDALE. I believe in 1968 or 1969 the Bureau funded several outside studies of off-reservation boarding schools. They came back with reports which were absolutely devastating. This was done by the BIA and I think we received several reports and incorporated them in our educational statements. Now, I see we are going to have another study. I guess the kids that were getting banged up have graduated or run away. Now, we have a new batch.

I respect you, you were the best area director we had in Minnesota. I know you mean what you say. But in the few years I have been involved, we are constantly treating this with a study and a survey followed by implementation.

Mr. HAWKINS. I concur completely. I did not mean study. These will be implementation actions. We are going to try to take all the recommendations that have been made in the past including the subcommittee recommendations and try to apply them school by school and the solution may vary from school to school.

Senator MONDALE. There were nine series of surveys made; when was it?

Mr. HAWKINS. 1967, 1968.

Senator MONDALE. Those have been with the BIA for 2 years. What followed? I remember reading some of them. They were just absolutely heartbreaking. What happened after that?

Mr. HAWKINS. I can't respond adequately, Mr. Mondale. Mr. Hill has longer experience recently. Could I ask him to respond?

Senator MONDALE. Yes.

Mr. HILL. The reports of the very nature and certainly those that referred to local conditions, physical problems within the school, there was immediate action taken to look at it. In every instance you don't always solve the issues, quite often you do. Changes in personnel were made and along with this came a political change. Leadership changed in the Bureau and there were some new directions, so much of the momentum that could have been generated possibly to follow this thing through did not occur.

Mr. HAWKINS. I am not sure that other Members of Congress, apart from this subcommittee, have really understood the nature and problems of dealing with the Bureau's boarding schools. A number of people in Congress and out regard them as similar to elite boarding schools in the East but they are poles apart, of course. We seem to have been unable, to date, to translate both to our own people in terms of the budget process, as well as to Congress, the very special needs that these boarding schools have.

Senator MONDALE. We have such terrible problems. I went out there and went through those boarding schools. I am no expert. The BIA takes the position: "We challenge you, to see if you ask the right questions." We ought to be working together to cure the wrong.

I went out there and spent 3 days crawling through those boarding schools. When I came back I gave a speech on the Senate floor that 5-year-old children were taken from their families and put in these barracks, away from their homes for months, and then I referred to Dr. Menninger's statement that the anxiety level of these children was the highest he had seen.

The following winter two students died from exposure. The action of the area director was that he wrote me a bitter letter. "Senators have a duty to tell the truth. There are no 5-year-olds in this institution, and you do a great disservice to the public and the institutions by so stating." I wrote back and said, "Tell me how old they are."

I wrote again 2 months later. I said, "Inadvertently you failed to answer my letter."

Two weeks later a letter came back, "It is true we have 5-year-olds."

I am no area director, but the kids are being ruined. We go through this year after year. The BIA asks if we are smart enough to ask the right questions. But those kids are out there and it is still the same thing Dr. Menninger testified to. The kids are being ruined. The Indians are not being given any control over the lives of their own children. That is where it begins. Unless we solve this, we are going to have another 100 years of repetition—civil service people, most of them white, noneducators, doing what they think is best in a very rigid, pyramided, arbitrary civil service bureaucracy. It is just more of the same. I am not being critical of you. We are all at fault here. I just have the feeling, here we go again. The BIA says we don't like your bill.

What should we do? What can we do to overcome this monstrously inhuman destruction we are visiting upon the Indian schoolchildren. Our answer is simple. Do for them what we do for our own kids. Let the parents have something to say about their education. If that isn't the way to go about it, tell us what we should do. Tell us what we should do.

[Applause.]

Mr. HAWKINS. I agree with you completely, Senator Mondale. The Rock Point School is a case in point which is a boarding school, with the parents preparing now to take over the school, under contract with the Bureau in order to better administer that particular program. That may well turn out to be a model throughout the reservation, as well as the Rough Rock School, of course.

Senator KENNEDY. Mr. Commissioner, can you explain why there are so many key education positions in the Bureau that are vacant, including the associate commissioner for education and the deputy associate commissioner of education—I understand the Director has been in for a little over a month and he is a non-Indian.

Mr. BRUCE. Why that is vacant?

Senator KENNEDY. That is right.

Mr. BRUCE. We have been trying since the months I have been the chief to find people for that job and for other jobs in the Bureau. Some have not wished to be considered. Some have not been able to

qualify under civil service. We have constantly been searching for people for those positions and that is the best explanation I can make. I wanted strong Indian people.

Senator KENNEDY. Are we supposed to gather from your testimony that you cannot find qualified, interested people who are competent to serve in those capacities?

Mr. BRUCE. No, no. Some do not qualify. Some are not cleared, some are not interested. We are constantly looking for people for those jobs. We haven't been able to find them.

Senator KENNEDY. I realize the problems, there are always problems in the selection of qualified candidates for any responsible position. I am full of wonder why we haven't been able to fill those extremely important positions when you have indicated your own strong commitment to this whole kind of problem. I can't for the life of me understand why you are unable to find competent, qualified, interested Indians to fill those positions.

Mr. BRUCE. I have had an acting associate, Mr. Lincoln, a Navajo, who has been a deputy, serving as a deputy and as acting associate commissioner. He is to be appointed as area director for the Navajo and now I am continuing to look for a person for that position.

Senator KENNEDY. It just seems in our visits and travels around the country, we have seen and listened to some of the most eloquent and impassioned testimony by Indians in all parts of our Nation, you know, who perhaps don't have blue ribbon degrees, but in ability and concern and knowledge, they are well qualified. I can't believe that you cannot be sufficiently persuasive to the Civil Service, having some understanding of the background. I find when the President wants to get somebody in there, he can get them in there. I can't believe that if you speak to the Secretary or recommend to the President that appointees don't somehow fit the criteria, that they don't have ways of getting the job done. Still we find these vacancies, in spite of the observations that you have made that you have a full commitment to do the job. Still these vacancies still stare us in the face. I am just hopeful that you can do better, that the Department can do better.

The Central Office of Education's staff is almost entirely non-Indian, 14 out of 72 are non-Indian.

Mr. HAWKINS. I believe that is correct, although the deputy director is Indian.

Senator KENNEDY. Even with the Indian preference statute, you can't do better?

Mr. HAWKINS. I would certainly intend to do much better. I would invite you a year from now to take a look at the staff, Senator Kennedy.

Senator KENNEDY. You are aware of Congressman Olsen's report on personnal distribution in the Bureau. He found 75 percent of Indians employed in the Bureau were grade levels of 6 or less, and of non-Indians, 60 percent have grade levels above 6.

Mr. BRUCE. Yes.

Senator KENNEDY. Can we get your commitment on improving that?

Mr. HAWKINS. Many of the jobs available on reservations are at lower levels for which, of course, non-Indians either do not apply or are not nearby, but I would certainly, as far as education is concerned, say you could get my commitment to move more Indians into positions of authority, particularly in turning over schools to Indians to run

themselves, and I quite frankly would like to have an Indian replace me in a couple of years.

Senator KENNEDY. You can't make that statement, Commissioner?

Mr. BRUCE. No.

[Laughter.]

Senator KENNEDY. What kind of assurances can you give us, Commissioner, in terms of the Bureau itself? Where will we be in 6 months or a year in terms of employment?

Mr. BRUCE. I think you know this is a primary goal as far as I am concerned to do as much as possible to place Indians in key positions of responsibility. I feel that we have made some progress. We do have 15 out of 20 in the central office in the higher levels who are Indian, in higher grades for the first time. We have a Navajo who is an area director, will be, we have an area director in Alaska, Morris Thompson, we have a Sioux who is area director in Aberdeen. We are looking at this constantly and it is a priority thing as far as I am concerned. And I think you will see some progress in the next year.

Senator KENNEDY. I would like to submit some questions on the subject of employment so we can get some answers later on.

On another subject, I understand that $1.6 million of education-allocated funds were returned to the Treasury last year unexpended, is that true?

Mr. BRUCE. No funds were turned back to the Treasury last year.

Senator KENNEDY. Were there Indian education funds that weren't used for education, but were rechanneled for something else, that you know about?

Mr. BRUCE. Not to my knowledge.

Senator KENNEDY. I thought the Senate Appropriations Committee mentioned something on this matter, that there were funds that were allocated for education and were unexpended at least for the purposes of education. Perhaps you could fill us in, if you know something of it.

Mr. HAWKINS. I don't know personally, but I can certainly check into it and let you know.

Senator KENNEDY. A little earlier, we talked about contracting, as a block, to community groups to take over BIA schools. What does the BIA ask of parents, for example, before these contracts put control in the Community? Do you visit or consult or talk with the parents prior to the time that you make a contract?

Mr. HAWKINS. May I respond to that, Mr. Chairman? Our policy is to deal at the present time through a recognized, incorporated body which represents the tribe, and we insist on two things when a group comes to us wishing to contract for the operation of a school. One is an expression from the tribal government itself that it would support that group and, No. 2, an expression, and this could be reflected in a number of ways, from the parents of the children who will be involved in that school that they too support that group and the idea of the school as it is being presented. This may not have been true a year ago but, from now on, this will be the policy.

Senator KENNEDY. Are these in the new regulations?

Mr. HAWKINS. These are the new regulations which have just been developed in the last few weeks.

Senator KENNEDY. Did you have an input from parents in the development of these regulations?

Mr. HAWKINS. Yes; experience from Ramah and Rough Rock helped to shape these regulations—well, they are guidelines, not regulations.

Senator KENNEDY. Are you familiar with the ABT associates' report on Indian education?

Mr. BRUCE. Yes.

Senator KENNEDY. As I understand, this report was done under contract with the Bureau in 1969. That talked about the curricula of Bureau schools being generally inappropriate to the experience and need of the students; counseling offered to Indian students is inadequate; morale remains low.

This is just one of the many studies with numerous recommendations for reform. Can you tell us here what you have done to respond to those recommendations?

Mr. HAWKINS. May I respond again, Senator Kennedy?

Senator KENNEDY. Yes.

Mr. HAWKINS. Many of their recommendations as you read them off and as you realize, of course, were reflected in the recommendations made by the subcommittee in their report and I think we have moved and are moving quite far in the direction of implementing those recommendations. As an example, the recommendation that culturally, relevant materials be developed for use in Indian schools is a major priority as far as I am concerned and has been for the Commissioner. We now have a cultural materials development unit and will vastly expand that in the near future, another typical example.

Senator KENNEDY. Have you been able to get anything out into the field yet?

Mr. HAWKINS. Yes, sir, on the Navajo, readers are being developed which take the experience of Navajo children and turn them into the kind of reading materials that——

Senator KENNEDY. Wasn't that at Rough Rock?

Mr. HAWKINS. Those developed at Rough Rock and Window Rock at the area office.

Senator KENNEDY. They have been going for some time?

Mr. HAWKINS. Yes.

Senator KENNEDY. I am somewhat familiar with what happened at Rough Rock. They have done admirably well. We have had difficulty getting continued support for that kind of program. I am interested in some of these other situations. I thought you might be able to tell us about them.

Mr. HAWKINS. In curriculum development?

Senator KENNEDY. Yes.

Mr. HAWKINS. We are now developing histories for a number of tribal groups. We are contracting with universities that have already made contracts with the tribes or with tribal groups themselves to develop a history of that tribe which can then be used in schools for those tribal children. We would like to develop this sort of relevant material for each one of the tribes where we have major concentrations of school children. In Alaska, there is the Alaska rural school project which is developing a large number of relevant materials and if you would like I would like to send you materials which have been developed there which I think are exceedingly relevant to the development of Indian children in school. This is funded by the Ford Foundation and the Bureau of Indian Affairs. I can indeed send you considerably more on this.

Senator KENNEDY. Could you? Because this was a subject of great interest to the members of the committee. We saw in a variety of areas what the problems were, particularly in Alaska, the Dick and Jane readers and additional problems.

Mr. HAWKINS. Yes, sir. In the language department we have begun the development of a bilingual project on the Navajo and in conjunction with the Institute of American Indian Arts which is going to train within the next 4 years some 200 bilingual Indian teachers who will be teaching in the elementary schools in true bilingual programs. They will get their degrees 4 years from now, but they will be intern teachers between now and then.

Senator KENNEDY. Can we go to the hiring of teachers? Is that carried out from Washington or each area level?

Mr. HAWKINS. It is centralized, Mr. Chairman, out of Washington, but the office is physically located in Albuquerque, N. Mex.

Senator KENNEDY. What is your reaction to that?

Mr. HAWKINS. I haven't had time personally to study that particular operation. I am informed that for the first time, this year, we have a much larger number—and I would have to get the exact numbers of Indian applications for teaching positions—than we have ever had before, which is an exceedingly encouraging sign.

Senator KENNEDY. What kind of input, for example, does a local community have in terms of the selection of their teachers? Do they have any? Do you think they should?

Mr. HAWKINS. At the present time I don't believe they have. I think the ideal is that they should have a hand in selecting their own teachers. As more and more Indians apply, this will be true because people will know them. It seems somewhat difficult, however, to provide for the kind of interviewing and the kind of real input in a remote community of Alaska where teachers are going to have to be hired from outside Alaska. We certainly could send and I would recommend sending the resumes of the teachers to the community school board and asking them to review them.

Senator KENNEDY. Do you think it would be useful to suspend civil service to get schoolteachers who might be more acceptable to local parent groups, local community interests? Do you have any feeling about this?

Mr. BRUCE. Yes, tribes are requesting this and I am interested in this, also.

Senator KENNEDY. I know you are interested. Do you think it is a good idea?

Mr. BRUCE. Yes, I do.

Senator KENNEDY. Will you support at least some movement in this direction?

Mr. BRUCE. Yes, I would. I think I would.

Mr. HAWKINS. May I interject a moment. I was in the Trust Territory of the Pacific Islands as Commissioner of Education. When we first went out there, a new push was going in the direction of education. We found that the civil service regulations that governed the hiring of those teachers were so restrictive and it was so difficult to obtain the teachers we wanted that we asked the Civil Service Commission to suspend the civil service regulations concerned as far as teachers for the trust territory were concerned. We then hired them under personal

service contract which provided more flexibility and we got many more of the kinds of teachers we wanted from the United States. I personally believe, if I can mention a personal opinion, that many of the problems of Indian education will not be solved until we defederalize much of the personnel in that operation.

Senator MONDALE. This was one of the things that always came up, of course, that teachers for a particular school were hired from a national Civil Service roster. They show up at some Navajo school, never having been there before in their lives, cannot speak the language, and unfamiliar with the culture. Many of them come to save the Navajos. No self-respecting school administrator would try to work without control of personnel. The whole issue of personnel is central to the school system. I believe the reason many more people are excited about teaching in Indian Federal schools is that there are thousands of unemployed teachers in the last year looking for jobs.

The significant thing, and I believe I am correct on this—there are more Navajo teachers with degrees teaching in Rough Rock than the rest of the BIA Navajo schools put together. Why did they suddenly come back and teach in that school system? I think because they saw a system that was true to the culture and language and pride of the Navajo. You are not going to get a gifted young teacher, a Navajo, to be part of a system that he doesn't feel has that central core of integrity. In order to get sensitive, committed, culturally attuned teachers they must trust the system, and the only kind they will trust is one which they themselves run. I think that returns us to the heart of this bill, local control.

Senator KENNEDY. Any reaction? Is there anything in that that you disagree with, Mr. Commissioner.

Mr. BRUCE. Not at all. I commend him for that statement.

Senator KENNEDY. In terms of these teachers, do they get any specialized training before they go into the Federal schools?

Mr. HAWKINS. I believe some of the areas, and this is chiefly up to the area, give teacher orientation. In Alaska they do. In other areas there is not much orientation given.

Senator KENNEDY. It is up to the areas. The area can rechannel funds away from education on the basis of orientation, can't they?

Mr. HAWKINS. Not without reprograming. We have got to maintain integrity of funds. This might have happened, but I am not aware of it, since I have been on board. Mrs. Crow, would you know of this?

Mrs. CROW. No; I don't know of any situation where this has been done in the past.

Senator KENNEDY. Do you know where the money goes when it goes into these respective areas?

Mrs. CROW. Yes.

Senator KENNEDY. Do you know what school they go to?

Mrs. CROW. Yes; the accounting system setup for the area shows expenditures by unit as well as purpose.

Senator KENNEDY. You can tell if it goes to a particular school and then you can track it as to how it is utilized, say if a certain school has a certain number of Indians, it is entitled to a certain amount of money that goes into that school actually is going to be used to benefit the education of Indians and you can be assured of that kind of integrity

rather than its being diverted to educate other students or to other programs?

Mrs. CROW. You are speaking about funds paid to the school district under the Johnson-O'Malley program?

Senator KENNEDY. In part. You don't have this kind of control, do you?

Mr. HAWKINS. No, sir, except that the States do submit the contract which—I am sorry, a State plan which narrows down pretty specifically where those go. I must admit we have not followed the expenditure of those funds nearly as closely as we should.

Senator KENNEDY. Do you have evaluation for bureau schools at the local levels, so they can determine their own needs?

Mr. HAWKINS. We have program reviews of education programs primarily in the off-reservation boarding schools at the present time. One of the things that we should develop immediately is an evaluation capability. We must develop that immediately.

Senator KENNEDY. There is real need for that.

Mr. HAWKINS. Yes.

Senator KENNEDY. We have heard so many stories about diversion of funds and it is so difficult, once again, to have much confidence in this kind of system. Indians find out they are entitled to funds, believe they are going to get them for quality education, and see them diverted for other purposes. In the presentations before the Congress, we find out that the generalized statistics are reached on a ratio or proportion level and really fail to reflect what is going where.

Mr. HAWKINS. I feel that one of the things we ought to develop is an annual report to Indian parents, you might call it a corporation report, if you will, that really gives the details of how the funds were spent for their children. This is one of the things that I would like to set myself to.

Senator KENNEDY. You are really going to be quite busy.

Mr. HAWKINS. I have got some good people, though.

Senator KENNEDY. I understand there is a good deal of attention being paid to the Bureau reorganization. Can you reorganize the education programs?

Mr. HAWKINS. I have a task force that has come in, they started 2 weeks ago, and they are to give me a report on Friday of this week regarding the reorganization of our central office functions. It became fairly clear to me soon after I came back to the Bureau that we were not responding adequately, we were not organized to respond adequately to Indian people around the country, and I think that we will, within another 60 days, begin a rather major reorganization of the Office of Education.

Senator KENNEDY. In that reorganization, are you going to have some input from the parents of students in your schools?

Mr. HAWKINS. Indeed, we will. You do understand, of course, this is a central office reorganization. It ought to be carried out all the way through. As we carry that out, we will be consulting with Indian parents.

Senator KENNEDY. As I understand, Mr. Commissioner, there is a position of Associate Commissioner for Education and Deputy Commissioner for Education still not filled, is that correct?

Mr. BRUCE. The Deputy Associate Commissioner for Education is still filled and will be until Mr. Lincoln is officially transferred as area director for the Navajo. The associate commissioner's job is still open.

Senator KENNEDY. You are making every effort, can you give us assurances that you will redouble your efforts to try to fill those jobs?

Mr. BRUCE. Yes; I can assure you we will move on it.

Senator MONDALE. Mr. Commissioner, as I understand your testimony today, you are opposed to the Kennedy proposal. In light of the fact that we are marking up a higher education bill which could carry many reforms to deal with the problems which we have discussed today, are there any such reforms that you wish to recommend, whether it is restructuring, involving Indians more than they are, funding levels? We all agree it is a tragic situation. You are against this proposal. Could you tell us what you would like us to do?

Mr. BRUCE. Senator Mondale, I would like some time to review this in the next couple of days and submit some recommendations to you. Would that be all right?

Senator MONDALE. We want to know what to do.

Mr. BRUCE. I am thinking through this whole area of Indian involvement. Let me say I am concerned about the fact that we do have 200 Indian advisory committee school boards. I wish they had more authority and power to do more and we are moving in that direction.

Senator MONDALE. But once again, they are there at the sufferance of the establishment, they are picked by the establishment, the agendas are shaped by them. They don't have any power as to staff, teacher selection and curriculum. I don't think that helps them. The highest item on the agenda is whether dogs should be permitted on the playgrounds. I think the Indians know when they are part of something and when they are not. The traditional white school board runs the show except in major cities, I am not sure who runs those—but they hire faculty, principals, superintendents, they have control over curriculum, they have funding authority. I have seen the advisory committees, and I am more inclined to think they were a response to head off local control. I don't think that answers what we want. But in any event, if you could submit for the record what you think we ought to do, I think we would be grateful to have it.

Mr. BRUCE. I would like to do that.

Senator MONDALE. The head man in your office of education bears what title?

Mr. BRUCE. Director of Education programs.

Senator MONDALE. Over the last 4 years, how many such directors have there been?

Mr. BRUCE. I have been there 20 months, but three, I am told.

Senator MONDALE. In those 20 months, how many months was the office vacant?

Mr. BRUCE. Fourteen.

Senator MONDALE. Well, you see, that is what it is all about. Meanwhile, those kids are out in those schools. You know, I have gotten so many letters from BIA—acting this, acting that, you get the idea it is a department of the theater. There is something awfully wrong, yet the traditional response is to not do anything now, because later we are going to do it better. There is something wrong with the power structures and incentives which explains the situation.

Now, one of our key recommendations, and it is nonpartisan, recommends establishment of an Indian education board, run by Indians, which would have operational control of the national program. Wouldn't that be helpful?

Mr. BRUCE. As I recall, it was set up to be responsible to the President, is that correct?

Senator MONDALE. We left that open. But we wanted an Indian education board in charge of Federal schools. We would be open to suggestions on that, but we wanted the Indians running the system.

Mr. BRUCE. That is one of the areas of consideration. Perhaps it is advisable for our own advisory committee to in some way fill that role.

Senator MONDALE. I asked a very gifted young teacher in the Navajo: "Suppose you have a recommendation for reform in your school, what is the chain of command?" As I recall, it went something like this: He talked to his principal who, in turn, talked to the assistant superintendent, who, in turn, would talk to the assistant area director for education, who, in turn, cleared all recommendations with the area director who was not an educator, but who would go to Washington and get to the assistant commissioner of education; if he liked it, he would recommend to the Commissioner of the Bureau of Indian Affairs who would then report immediately to the Assistant Secretary for the Bureau of Land Management, who would in turn report to the Secretary of Interior who, if he was really powerful at the moment, might be able to get it through the Bureau of the Budget. Is that the way it works?

Mr. BRUCE. I am afraid so. [Laughter.]

The authority is delegated to the lower level. [Laughter.]

Senator MONDALE. What about funding levels? Do you favor substantial increase of funding for these programs?

Mr. BRUCE. Yes.

Senator MONDALE. We might incorporate your suggestions.

Mr. BRUCE. Yes, we have allied the tribal councils through the agencies to have more of an involvement in discussing the budget and so forth.

Senator MONDALE. But you are arguing about a pretty small pot. We found out that the average U.S. boarding school spends $3,500 a year per capita, and I think $1,200 a year is the spending level of the Navajo school, which is little more than custodial cost. We feel strongly that we should have a substantial improvement of funding levels.

Then we have the funding which excludes urban Indians. Two-thirds of the children are in public schools. In Minnesota several years ago, all Federal schools were stopped. Federal schools were closed and all the children go to public schools. Because of that distinction, we have some 12,000 students, kindergarten through the 12th grade and only 2,000 of them get help through BIA programs, so that 10,000 are beyond the attention and support, that is the financial support of Indian education programs administered by your department. Our bill tries to sweep aside those "on or near reservations" distinctions and support Indian children wherever they are found. All the children need help desperately, but those who need it most are the families who have moved into big cities from reservations; they are facing not only the cultural crisis that any Indian child faces in a white-dominated school, but for the first time trying to cope with the ghetto, urban

society, after having grown up in a rural reservation society. To those children we say: I am sorry, there is no financial help.

As far as my State is concerned, and Minneapolis has the highest percentage of urban Indians, we find the attitude that "those children can't receive help" somewhat inadequate. Wouldn't you agree that our idea of having the money following the Indian rather than the Indian trying to follow the money would be better?

Mr. BRUCE. I think many of you have heard me speak out on this subject. Personally, I feel very strongly that from where I sit as a commissioner, I ought to be an advocate for Indians regardless of where they are, on or off reservations, I feel that the Bureau of Indian Affairs ought to be an advocate for Indians, whether they are on or off or wherever they are. And so, I would agree with yout there, except that we do not have the funds or the authority, I don't, but I think that ought to be expanded.

Senator MONDALE. We would like to broaden the authority so it runs to Indian children without arbitrary distinction and, secondly, get the funding levels up where they make a difference. Then we should try to get the use of those funds in a way that will be sensitive to a child's needs. The interesting thing is that in a budget of $250 million, we cannot find these funds. That is another speech. But if we stand behind Indian children the way we stand behind Thieu and Ky, we could save several million and do a good job. It is what we feel is important. This is a small program, I am embarrassed to be for such a small program, 30 million. We would all agree there is a long overdue bill to be paid here by American society and a crash program needed to undo the damage of over 130 years of destruction. I believe there is great public support for this money; I believe the Government is following the American people on this one. Every issue we have taken out on the Senate floor for Indian education, we have won. I think American people want justice done, and done now, and I think they would be behind these programs. So we look forward to your recommendations, and I would hope that you would help us in that effort. You have been here long enough. Senator Kennedy had to leave. We are most grateful to you and Mr. Hawkins and the other members of your staff.

At this point I order printed all statements of those who could not attend the hearing, and other pertinent material submitted for the record.

Senator KENNEDY. We stand in recess until 9:30 tomorrow.

(Whereupon, at 4:45 p.m., the subcommittee was recessed to reconvene at 9:30 a.m., Thursday, April 29, 1971.)

EDUCATION AMENDMENTS OF 1971

THURSDAY, APRIL 29, 1971

U.S. SENATE,
SUBCOMMITTEE ON EDUCATION OF THE
COMMITTEE ON LABOR AND PUBLIC WELFARE,
Washington, D.C.

The subcommittee met, pursuant to recess, at 9:30 a.m., in room 6226, New Senate Office Building, Senator Claiborne Pell, presiding.

Present: Senators Pell, Kennedy, and Mondale.

Staff present: Stephen J. Wexler, subcommittee counsel; Richard D. Smith, associate counsel; and Roy H. Millenson, minority professional staff member.

Senator PELL. The Education Subcommittee hearing on the Education Amendments of 1971 will come to order.

The first witness is the president of the National Indian Education Association, from Stillwater, Minn., Mr. William Antell.

Senator MONDALE. Mr. Chairman——

Senator KENNEDY. Just before yielding to the distinguished senator from Minnesota, I want to express my very deep sense of appreciation for the scheduling of these hearings yesterday and today. You have indicated that we could continue these hearings on next Thursday, May 6th, to provide an opportunity for those who may not have the chance today and for others who have indicated a strong interest in making a comment about this legislation to do so.

If other time is necessary, I know you have indicated a willingness to schedule additional time. This is consistent with, I know, your policy on this committee to provide for the greatest range of comment that is possible on this legislation. Hopefully, the results of yesterday's, today's and next week's statements will allow us responsibly to shape this legislation into the kind of meaningful law that we are all interested in.

I want to express my personal appreciation to the Chairman.

Senator PELL. I am delighted. As you suggested, this should give everyone an opportunity to testify.

Senator MONDALE. I take great pride in introducing our first witness today. He is the president of the National Indian Education Association.

In addition to that, he serves as education director in the Minnesota State Department of Education. He has appeared before the Special Subcommittee on Indian Education before and was one of our best witnesses.

I take pride in the fact that out of our State Department of Education, we have had an advanced effort to try to do something about improving the education of our Indian children in public schools, and

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Will deserves an enormous amount of credit for that, as well as for his leadership in this newly created and highly impressive organization called National Indian Education Association.

I am very pleased to have him here. Of course, he has been instrumental in helping us develop the proposal we are now hearing.

STATEMENT OF WILL ANTELL, PRESIDENT, NATIONAL INDIAN EDUCATION ASSOCIATION

Mr. ANTELL. Mr. Chairman, and members of the committee, I am a Chippewa and I would like to express my sincere appreciation and gratitude to Senators Kennedy and Mondale, in particular, for this determined effort they have made to change the status of Indian education which the Senate and the subcommittee undertook as a major task during the last several years.

The committee is to be commended for their work and hopefully a viable bill affecting the education of Indian children will come forth from this hearing.

It is my privilege to represent the National Indian Education Association, an organization which was formed in Minneapolis in August 1970. The National Indian Education Association is governed by 17 leading Indian educators from across the Nation. Our major objective as an association is to provide service to institutions having responsibility for the education of Indian children.

That, we are committed to with vigor and determination and we are pleased that the U.S. Senate has requested our imput regarding Amendment No. 6 of S. 659.

In addition to being a privilege for me to be appearing before you today, it is even more important because I feel it is my obligation as an Indian educator. This Nation has never been more aware of needs of American Indians. I believe in part, the major reason for this is because the American Indian has come forth with regained pride and dignity to lead the Nation in setting the course of action which must be taken to provide Indian citizens with a meaningful and productive life. I consider this a mandate as an Indian educator and a challenge for our association to carry forth.

The National Indian Education Association believes there are two crucial issues of amendment No. 6, Senate 659. First, the bill addresses itself to Indian control of educational programs for Indian children. Secondly, the much debated issue of nonreservation Indians is appropriately considered.

The Association feels the critical concern of Indian people regarding Indian education focuses on Indian control of their schools. We believe many of the problems facing Indian children in the public or Federal schools can best be solved by Indian people themselves.

The National board made up of Indians vested with proper authority and responsibility can achieve this goal within the boarding school systems. It is our understanding the National board will have this authority and must delegate complete authority to local boards in governing Federal school systems.

We cannot accept the use of advisory committees because we all know the inadequacies and failures of these committees to be a viable force. The question of the National board's jurisdiction is a constant

debate and does little if anything to accomplish intended goals and objectives. Advisory committees are to give advice and make recommendations. Indian people need authority and given that authority will accept the responsibility with enthusiasm and dedication.

The question of control within the public school system is much more difficult to achieve. The problems of geographic location, and population factors raise serious challenges in achieving Indian control. Certain sections of the country have public schools with large Indian enrollment but represent low percentages of the school population, make it next to impossible for Indian people to be elected to local boards of education.

Within State systems of elementary and secondary education these boards are vested with authority to run their schools.

It would appear this system would be impossible to change for it would challenge dramatically the history of public education in our country.

However, amendment No. 6 illustrates, there are ways Indian people can control significant elements within the public school system; that is for Indian people to control programs financed by the Federal Government.

We believe Indian tribal committees and Indian parents should be the final voice in determining special programs and budgets under provisions of parts a, b and c of the bill. The complexities of local control can be overcome if the Congress will provide Indian people with this kind of jurisdiction.

This Nation is undergoing severe tests within the framework of elementary and secondary education. For the Indian student whether it be on the reservation or off, we must reorganize the needs which may be different from other students.

One of the major strengths of the bill addresses itself to the off-reservation Indian. The National Indian Education Association is pleased to support this effort in serving Indian children wherever they live. It is the first real attempt on the part of the Federal Government to recognize a relationship which must truly be acknowledged and recognized with action.

We commend this committee for addressing itself to an unmet need of urgent action. Many of us who work with Indian education, are continuously frustrated because we cannot respond to the needs of nonreservation Indians.

For example, in the State of Minnesota two-thirds of Indian students enrolled in public schools do not qualify for service under programs within the Department of the Interior. This bill will erase that problem and we look at this provision with excitment and enthusiasm.

Senator MONDALE. Would you yield there?

Mr. Chairman, I would like to point this out.

Many years ago, Minnesotans closed down the Federal schools, discontinued any relationship with them at the request of the BIA, and all of our Indian children go to public schools.

But, because of the present standards of the Interior Department assistance, only 2,000 out of 12,000 Indian students get assistance from the Bureau of Indian Affairs to the school systems to help educate them.

Is that correct?

Mr. ANTELL. About 3,000 and 8,000.

Senator MONDALE. Because the BIA recognizes no responsibility for children going to schools which are not near or on a reservation. So most of the children are off the reservation. One of the difficult points here is whether that distinction has any validity. Those kids moving to a big city like Minneapolis for the first time need more help because of the difficulties they are going through.

Mr. ANTELL. As you recall during the hearings in 1969, it was documented that one Indian student had moved 13 times within 1 year in the Minneapolis public school system.

This was extraordinary, but it was not an exception. There were many of these students having that kind of mobility problem.

Senator MONDALE. This bill tries to deal with Indian children wherever they are from.

Mr. ANTELL. Yes.

The city of Minneapolis, which is not receiving money specifically for Indian children would receive 1.3 million dollars under the provisions of part A.

Aside from the major issues of the bill, there are some observations we would like to be considered.

In part A, the amount of resources available to local educational agencies will increase very substantially. We are estimating it will double the entitlement currently available under Public Law 874 and add schools enrolling Indian students who previously didn't qualify. Our major concern is for the reservation schools in that resources may be cut for a variety of purposes. Should local education agencies not be able to use the resources for operational costs, it could have a serious effect on the existence of a school on the reservation. Currently Public Law 874 is strictly an entitlement program and is used for basic operational costs.

I would like to point out in reservation schools, it is necessary to use the basic operational cost. However, in many schools which qualify under Public Law 874, there is an attempt by many districts to keep the local tax situation down, and I believe the bill is getting at that particular point.

However, it does have the implications I have stated before for the reservation school.

Located on reservations, schools must rely heavily on State aid and Federal assistance because there is a low tax base to operate from.

By making resources available for special programs, it could seriously affect the ability of those schools to operate a basic program. We urge the committee to reconsider the language as to how the money should be used under part A of this bill.

The creation of and location organizationally of the National Board of Education is indeed a difficult undertaking. Our board of directors cannot make a recommendation on the manner in which members are selected and in what Federal department it should operate from. There is a fear that by dismantling the Bureau of Indian Affairs Indian education programs and placing it in other departments, Indians will lose their identity and place them at the bottom of the totem pole in securing services.

While the Association supports a National board, we cannot offer a specific recommendation where the board should be located. We

are confident the hearings will provide the committee with additional advice on this matter.

Senator KENNEDY. This is one of our problems because we want to support whatever the feeling is of where that board ought to be. I think we are reasonably flexible in trying to follow the guidelines of the Indian people on this. I am wondering what help you can give us in trying to make that determination, perhaps not so much speaking now for your Association, but perhaps your own insights into it.

Mr. ANTELL. I believe there are several alternatives here. I believe initially, there was a concern that the national board would operate out of HEW and later on out of the Office of Education. There have been suggestions that the board operate as an executive part of the President's Office. Another consideration that had a lot of discussion within our board was perhaps if it was structured properly, it could operate in the Department of Interior, those seem to be the considerations that have the strongest concern.

Senator KENNEDY. But you still are not prepared to make a recommendation as to where that might be?

Mr. ANTELL. I am not prepared to do it as the president of the Association. I have some strong thoughts on it myself. I would like to see a very strong national board set up within the Department of Interior that is not under any jurisdiction of the Commissioner or any assistant secretary for land management, but we do feel that a national board that is responsible to Indian people would be a very attractive arrangement.

Senator MONDALE. In other words, you think that maybe the best of the three alternatives is within the Interior Department, but only if the board is clearly the governing power on Indian education and accountable directly to the school system and the parents?

Mr. ANTELL. That is correct.

Senator KENNEDY. And accountable to the parents, but I imagine it would have to be primarily accountable to the Secretary of Interior.

Mr. ANTELL. We believe the hearings today will provide the committee with additional advice on this matter.

The composition of the national board and appointment by the President raises a number of questions. Will the members appointed come from a variety of backgrounds? Geographical locations? Tribal governments? Indian organizations? In spite of these difficult questions, we believe the board should be appointed, should come from a variety of backgrounds and reflect as many geographic locations of the Nation as possible.

In conclusion, let me say, that some of my statements made today may not find favor with some of my Indian colleagues. However, when we who are surrounded with the tragedies of Indian education cannot stand up and be counted, we are only inviting others to make decisions for us. For if Indians are not willing to vigorously fight for what we believe in, we have no right to criticize when there is more rhetoric and no action.

Indian educational reforms are long overdue. The National Indian Education Association will be an advocate of changes which will benefit the lives of Indian boys and girls.

The board of directors who I represent today will not be recorded in history as people who sat by and did nothing to overcome the prob-

lems American Indians have in formal education today. We no doubt have many inadequacies but we have determination, fortitude and optimism. We are confident this great institution, the United States Congress, will come with same characteristics. The time for action is now and we are convinced Senators Kennedy and Mondale will continue to press for action on behalf of Indian education.

Senator PELL. If I can interrupt, I would like to say these two Senators have taken more of an interest in the "Americans" and I use that word advisedly, the early Americans, the real Americans, than any member of the Senate.

Mr. ANTELL. This concludes my testimony.

Senator KENNEDY. I want to thank the Chairman for his gracious remarks. I was just trying to get some feel as to why you believe in retaining jurisdiction within the Interior Department. Is it your feeling that a board that really has teeth and the power to determine policy for the educational interests of Indians can be maintained within the Interior Department?

Mr. ANTELL. I think there are several questions on this. The largest and perhaps most enormous concern that our Association has gotten from this membership and by talking to various people throughout the country, is that there is a reluctance to sever any kind of relationship with the Bureau of Indian Affairs.

Whereas, from a practical sense, we may be able to administer Indian education programs much better in another kind of arrangement, but it seem to me that the emotional climate during the last 3 years continues to emphasize that the vast majority of Indians do not want to sever that relationship.

Based upon that premise, we feel compelled to say that with that particular rationale.

Senator KENNEDY. You mentioned about reconsidering some of the language under part A. Do you have some specific language you could submit to us later on?

Mr. ANTELL. Yes, we would be happy to do that.

Senator KENNEDY. I want to thank you for the work you have done and help you have given us generally to understand the problems of Indian education. I can well remember your statement before the Indian Education Subcommittee about your experiences in Minnesota. You contributed enormously when you testified 2 or 3 years ago. You have been a source of great help to the Committee and I want to thank you very much.

Mr. ANTELL. Thank you, very much.

Senator MONDALE. Also, I believe your testimony and the position of your organization is unique. This is a new organization of American Indians, a unique young group of Indian educators who are in the frontlines of this problem, who have chosen education as their career, and who are involved in the education of Indians.

I think it is correct to say that your oragnization does represent most of the young Indian educators in the country, does it not?

Mr. ANTELL. Being a new organization, Senator Mondale, we have not had a chance to solicit all the membership that we would like. I think definitely we have in our general membership practically all Indian educators.

Senator MONDALE. You have representatives from reservation schools?

Mr. ANTELL. Yes.

Senator MONDALE. From Federal schools?

Mr. ANTELL. Yes.

Senator MONDALE. From public schools?

Mr. ANTELL. Yes.

Senator MONDALE. And Indian educators who are in graduate schools taking advanced degrees for teaching in college?

Mr. ANTELL. That is right.

Senator MONDALE. Student counselors and educators who are in Alaska representing different aspects of the Indian education problem; is that correct?

Mr. ANTELL. Yes. I believe the outgrowth of the Conference we held in Minneapolis in 1956 illustrated you just can't put a conference on and let the issues fade away.

We had to have some way to keep these issues alive and the group of people that you have identified have been very instrumental in putting things together that we have been able to use, not only in the Midwest but in other parts of the country, so we are very pleased with the role that the National Association is taking.

We think it is just the very beginning. We are in the planning stages of having a National Council in the Southwest. Dillon Platers is chairman of the conference and we expect to have 900 or 1,000 people in attendance, which demonstrates the interest the American people have in regard to Indian education.

Senator MONDALE. I have one question I would like to ask.

You are an education director in the State Department of Education. Our bill is silent on what the role of the State departments ought to be. Could you comment on that question and how you think the State departments of education ought to become involved: What kind of role they should play, and where this legislation ought to go to engage them responsibly in this effort?

Mr. ANTELL. Senator Mondale, from information we have, Minnesota is somewhat unique in the fact that they have made Indian education as one of their top three priorities. They have reorganized it within the department to vest it with a great deal of responsibility and authority.

However, we don't see this evidence in other States. We see the beginning of State departments beginning to take this on as a responsibility and putting it on a priority list. We hope that the bill can spell this out, exactly what the expectations are of State departments of education.

We would not want to see the State departments or the States that are moving ahead locally to be altered by any kind of potential legislation that could come out as a result of other States having difficult problems.

Senator MONDALE. If you have some suggestions as to how that might be done and language on how to accomplish it, maybe you can submit it to us in the form of a letter for the record. We would like to know that.

I am ambivalent. I have seen the wonderful work that has come out of your office in Minnesota. I wonder what would happen if we strengthened John Bell Williams' powers or Governor Reagan's?

Maybe you can help us grapple with that.

Mr. ANTELL. We would be happy to.

Senator MONDALE. Thank you very much.

Senator PELL. Our next scheduled witness was Mrs. Fred Harris, but she is sick today, so cannot present her statement. It will be presented later. So we come to Mr. Donald Morrison, vice president of the NEA.

I welcome you all, I see several familiar faces from the NEA. I am glad you are here. I hope you will introduce yourselves for the record.

STATEMENT OF DONALD E. MORRISON, VICE PRESIDENT, THE NATIONAL EDUCATION ASSOCIATION

Mr. MORRISON. I am Donald E. Morrison, vice president and president-elect of the National Education Association. My term as president of NEA begins July 2, 1971.

I have with me Mr. Stanley McFarland and Mrs. Mary Guereau from my office of legislation and citizenship.

Senator PELL. The people you have with you were working with this committee long before I was ever chairman, and we have had a long and good relationship.

Mr. MORRISON. Yes, I felt I would be introducing them more to the audience than to the committee and there is one you may not know who is Mr. Lance Lujan, who is with our Center for Human Relations and is working mostly in the western half of the United States, but has responsibilities for coordination of Indian relations as it relates to our Center for Indian Relations.

Before I present my remarks that have been submitted to you for the record, I would like to briefly describe my introduction to Indian education.

Each year the president of NEA has a sum of money which he can apply to a special project and I chose to supply mine to Indian education. But when I was invited, I thought I was hearing Indian educators, and I was invited to a meeting in Gallup, N. Mex., where I was to speak to the group that I had given assistance to and I was quite disappointed to walk into a meeting of teachers teaching Indian children and out of the entire room of perhaps 150, I believe, there were only one or two Indians.

I shared my disappointment with them and told them, however, I would not be disappointed if they would take the money that we gave them and help to insure that there would be an identification, an attraction of young Indians into teaching so that this situation would not continue.

We have reviewed Amendment 6 with great interest, as the NEA has long had a deep concern for improving the educational opportunities of Indian children and adults. At the 1970 NEA convention in San Francisco, the following resolution was adopted:

RESOLUTION

70-15. American Indian Education: The National Education Association recognizes that an adequate and equal program of Indian education can no longer be postponed. The complex nature and diversity of educational needs of Indians, based on the multiplicity of tribal organizations, geographical location, and limited economic status, requires that the Association support the development of meaningful educational programs with deep involvement of Reservation

Indian leaders, recognized groups, and other Indian groups off the Reservation. Such programs should preserve the rich heritage of Indian culture.

The Association is directed to provide Indian leaders with facilities to determine the educational needs and hopes of Indian groups.

The Association insists that federal funding for Indian education be continued until such time as Indian groups are able to meet their specific needs. Federal participation in the meantime should emphasize significant improvements in educational services to provide a quality program.

The Association supports the efforts of the National Council of Bureau of Indian Affairs Educators to achieve quality education for Indian children and urges a change in BIA policies to effect the following:

a. A professional civil service classification to BIA teachers.

b. A salary, length of school year, and school day commensurate with that of educators in public schools.

c. Adequate remuneration to accrue with the completion of advanced studies.

d. Improved facilities and working conditions for the comfort and convenience of teachers and students.

e. Written personnel policies including provisions for sabbatical leave, advance study, and for the right to professional released time without loss of salary.

f. The hiring of only professionally qualified teachers and administrators, the providing of adequate training in Indian cultures, and assignment only to their areas of competency.

g. The hiring of teachers and substitutes to adequately meet Indian student needs and not to exceed a maximum pupil-teacher ratio of 20 to 1.

h. The active involvement of BIA teachers in curriculum planning and formulation of school policies.

The association will provide consultant services to implement, through Executive Order 11,491, negotiations by BIA teachers to achieve the above policies and other needs of Indian educators.

The association directs its staff to report annually at the NEA convention on the implementation of this resolution.

Thus, the National Education Association clearly states that Indian education of all types is one of our major concerns.

However, we wish it clearly understood that NEA does not support this legislation in whole or in part, unless it is acceptable to the majority of the Indian people. We have been told by some Indian leaders that they have grave concerns about the bill in its present form and do not support it. If this attitude is widespread, as we believe it may be, then NEA also opposes the bill.

Furthermore, the bill as drafted would be a disaster to schools with large segments of tax exempt school lands. These schools depend on Public Law 874 funds for the major support of their program. The problem can best be illustrated by the situation at Rocky Boy, Mont.

Rocky Boy school is a public school, with an all Indian school board elected by the Chippewa-Cree people. The district boundaries include the entire reservation. There is no local tax base. Over 60 percent of the funds for day-to-day operating expenses come from Public Law 874. The State, of course, pays the balance, the maximum amount permitted by State law to provide an adequate program.

Amendment 6 would eliminate these Public Law 874 funds and substitute a new entitlement based on the number of Indian children, without regard to a district's tax base. The new funds are to be used for special supplementary programs. Thus, Rocky Boy will lose 60 percent of its present revenue for basic school costs, and instead receive an amount of money, depending on the appropriation, identical to that to be received by schools educating Indian children who are not now covered by Public Law 874.

Thus, Los Angeles, for example, would receive funds under this act, in addition to its regular revenues from local, State, and other Federal funds, for special programs for Indian children, while schools like Rocky Boy will lose a large percentage of their regular budget, and receive only the same amount of money per pupil which schools with nonreservation Indians receive for supplementary Indian education funds. The proposal therefore reduces aid to reservation schools.

The NEA cannot support this part of amendment 6 unless it is revised. We recommend that the present coverage under Public Law 874 for Indian reservation schools be maintained, and that a new provision to provide additional funds for a program of the type outlined in part A of amendment 6 be added.

Senator MONDALE. Would you yield there, please?

We hadn't intended to work it out that way. In no sense did we wish to reduce funding in any school. We must take into account the very valid point that you made, that such independent schools have no independent tax base, the need for funds for operational expenses and the rest.

We accept that; we are going to have an amendment to do that.

Mr. MORRISON. Thank you.

(The prepared statement of Mr. Morrison with a memorandum follows:)

Statement of
The National Education Association
presented by
Donald E. Morrison, Vice President,
on
Amendment 6 to S 659,
The Indian Education Act,
before the
Senate Subcommittee on Education
April 29, 1971

Mr. Chairman and Members of the Committee:

I am Donald E. Morrison, vice president and president-elect of the National Education Association. My term as President of NEA begins July 2, 1971.

We have reviewed Amendment 6 with great interest, as the NEA has long had a deep concern for improving the educational opportunities of Indian children and adults. At the 1970 NEA convention in San Francisco, the following resolution was adopted:

"70-15. American Indian Education

"The National Education Association recognizes that an adequate and equal program of Indian education can no longer be postponed. The complex nature and diversity of educational needs of Indians, based on the multiplicity of tribal organizations, geographical location, and limited economic status, requires that the Association support the development of meaningful educational programs with deep involvement of Reservation, Indian leaders, recognized groups, and other Indian groups off the Reservation. Such programs should preserve the rich heritage of Indian culture.

"The Association is directed to provide Indian leaders with facilities to determine the educational needs and hopes of Indian groups.

"The Association insists that federal funding for Indian education be continued until such time as Indian groups are able to meet their specific needs. Federal participation in the meantime should emphasize significant improvements in educational services to provide a quality program.

"The Association supports the efforts of the National Council of Bureau of Indian Affairs Educators to achieve quality education for Indian children and urges a change in BIA policies to effect the following:

"a. A professional civil service classification to BIA teachers

"b. A salary, length of school year, and school day commensurate with that of educ tors in public schools

"c. Adequate remuneration to accrue with the completion of advanced studies

"d. Improved facilities and working conditions for the comfort and convenience of teachers and students

"e. Written personnel policies including provisions for sabbatical leave, advanced study, and for the right to professional released time without loss of salary

"f. The hiring of only professionally qualified teachers and administrators, the providing of adequate training in Indian cultures, and assignment only to their areas of competency

"g. The hiring of teachers and substitutes to adequately meet Indian student needs and not to exceed a maximum pupil-teacher ratio of 20 to 1

"h. The active involvement of BIA teachers in curriculum planning and formulation of school policies.

"The Association will provide consultant services to implement, through Executive Order 11,491, negotiations by BIA teachers to achieve the above policies and other needs of Indian educators.

"The Association directs its staff to report annually at the NEA convention on the implementation of this resolution."

Thus, the National Education Association clearly states that Indian education of all types is one of our major concerns.

However, we wish it clearly understood that NEA does not support this legislation in whole or in part, unless it is acceptable to the majority of the Indian people. We have been told by some Indian leaders that they have grave concerns about the bill in its present form and do not support it. If this attitude is widespread, as we believe it may be, then NEA also opposes the bill.

Furthermore, the bill as drafted would be a disaster to schools with large segments of tax exempt school lands. These schools depend on PL 874 funds for the major support of their program. The problem can best be illustrated by the situation at Rocky Boy, Montana.

Rocky Boy school is a public school, with an all Indian school board elected by the Chippewa-Cree people. The district boundaries include the entire reservation.

There is no local tax base. Over 60% of the funds for day to day operating expenses come from PL 874. The state, of course, pays the balance, the maximum amount permitted by state law to provide an adequate program.

Amendment 6 would eliminate these PL 874 funds and substitute a new entitlement based on the number of Indian children, without regard to a district's tax base. The new funds are to be used for special supplementary programs. Thus, Rocky Boy will lose 60% of its present revenue for basic school costs, and instead receive an amount of money, depending on the appropriation, identical to that to be received by schools educating Indian children who are not now covered by PL 874. Thus, Los Angeles, for example, would receive funds under this Act, in addition to its regular revenues from local, state, and other federal funds, for special programs for Indian children, while schools like Rocky Boy will lose a large percentage of their regular budget, and receive only the same amount of money per pupil which schools with non-reservation Indians receive for supplementary Indian education funds. The proposal therefore reduces aid to reservation schools and substantially increases aid to non-reservation schools.

The NEA cannot support this part of Amendment 6 unless it is revised. We recommend that the present coverage under PL 874 for Indian reservation schools be maintained, and that a new provision to provide additional funds for a program of the type outlined in Part A of Amendment 6 be added

Attached to our statement is a memorandum from the Rocky Boy School Board in Montana. We urge the Subcommittee to provide an opportunity for spokesmen from the Rocky Boy School Board and from other similar school systems to testify on this very serious issue.

Sec. 303(a)(2) provides that schools must enroll at least ten Indian children to be eligible under this Act. Thus, an isolated school of 15 children, 9 of whom are Indians, could not qualify. And there are such situations. The only alternative

is boarding schools. Since there are of necessity some very isolated rural schools with very small enrollments on some reservations, we suggest that Sec. 303(a)(2) be amended to read:

"A local educational agency shall not be entitled to receive a grant under this title unless the number of children under subsection (a), with respect to such agency, is at least ten, or constitutes 50% of the local education agency's enrollment."

We also believe that Sec. 303(c) is unrealistic in authorizing an appropriation equal to 1% of the appropriation for Sec. 303(a). We anticipate that more new Indian controlled school systems will develop than the 1% figure can adequately fund. We suggest the authorization be not in excess of 5%.

We believe the term "Indian" is too loosely defined in Sec. 308. We suggest that the definition be amended to read "...or who is a descendant of any such enrolled member in the first or second generation..." Otherwise, a child who happened to have one Indian great-great-great grandparent but whose other grandparents were all non-Indian would presumably be eligible, even though the child lives in affluence in, for example, Fairfax County, Virginia. I can anticipate thousands of school systems becoming involved in genealogical research on their pupils, hoping to scrounge up at least ten with some trace of Indian ancestry in order to qualify under this Act.

It should be noted that some tribes recognize the children of Indian-Caucasion unions as enrolled members of the tribe, but do not extend the same consideration to the children of Indian-Negro unions. However, we believe the provision recognizing descendants of enrolled members should include all children as defined above regardless of the tribe's policy on racial mixture of parents.

We believe that it is essential that an additional title to provide construction funds for schools located on or near reservations must be provided by the Congress. The problem of constructing or expanding school facilities and providing

faculty housing on Indian reservations is overwhelming. There are entitlements for these schools under PL 815--but no appropriation. It is a travesty to hold out hope for Indian control of their schools unless construction funds are provided.

We also believe that the law should require that all schools aided under this Act must be open to non-Indian as well as Indian children and must not discriminate against children and faculty of non-Indian descent. The NEA has always opposed racial and ethnic segregation of any kind and dimension and is committed to racial integration of student bodies and faculty. We also recognize that this is the law of the land.

Part B--Special Programs and Projects to Improve Educational Opportunities for Indian Children.

We approve of this part of Amendment 6 with one minor exception: Sec. 810(b) on institutions eligible for grants under this Act should be amended by inserting the words "nonprofit and nonsectarian" after the word "private." We also urge that the state education agency in the state in which a project is to be carried out under Sec. 810 be given the opportunity to review and make recommendations before the grant is made.

Part C--Special Programs Relating to Adult Education for American Indians.

We approve of this part of Amendment 6 except that again the words "nonprofit and nonsectarian" should be inserted before the word "private" and the state agency should review and make recommendations before a project grant is made.

Part D--National Board of Indian Education; Bureau of Indian Education; Miscellaneous.

If the majority of Indian people support the establishment of a National Board of Indian Education to take over the education function of the Bureau of Indian Affairs, the NEA pledges its support to the creation of such a board.

Assuming, for purposes of discussion, that the Indian people do approve, we wish to make several points.

We believe a board of 15 members, appointed from lists nominated by the tribes and Indian organizations should be located in the Office of Education, which we hope soon will be raised to Cabinet status. Amendment 6 does not place this board any place in the federal structure.

We believe that paying 15 members of the board annual salaries of at least $37,624, for a total of $564,360, is unrealistic. This money could be better spent on programs. Board members should be reimbursed for actual expenses plus consultant fees of $100 or $200 per day while in session or conducting official business. The Director and Superintendent of Indian Education should, of course, be full time salaried personnel, with an appropriate staff of professionals to carry out the policies of the National Board. The Board should be a policy-making body, and should not be expected to administer programs. Undoubtedly in the first year the Board will meet very often, but as the program develops their fulltime service will not be required.

Amendment 6 vests in the National Board all programs in any federal agency which are related to Indian education, except those in the U.S. Office of Education and those in the Office of Economic Opportunity. Since OEO, by law, is not permitted to engage in curricular or general education services, we believe they should not be identified as exempt under this provision. The fact that they have circumvented existing law in this respect should not be legitimized indirectly under this Act.

We approve of the establishment of a Bureau of Indian Affairs in the Office of Education, but question the propriety of having the appointment of the head of the Bureau made by the President. The appointment should be made by the Commissioner of Education.

Part E--Miscellaneous Provisions.

We believe that the necessary technical amendments to existing education programs as covered in Sections 581 and 582, and Sections 583 and 584 (on the Institute of American Indian arts and community colleges) are proper. We have questions relative

to Sec. 585. We understand the purpose of the amendment is to facilitate the establishment of Indian controlled education programs such as the Rough School operated by the Navajo people. We support that objective. However, the language of Sec. 585 could be interpreted to mean that schools operated by a religious organization could also be considered local education agencies under this definition. If that is the intent, we strongly oppose the amendment. We urge the words "nonprofit institution" be stricken from the proposal.

We believe the bill should specifically provide for appropriate amendments to the School Lunch and School Milk programs to assure that schools operated by the National Board of Indian Education are included along with the 50 states and territories.

We are concerned over the future of the teachers currently employed in BIA schools, many of whom are our members. Sec. 564(a)(4) of Amendment 6 provides that "all personnel, assets, liabilities (etc.)" of, presumably, the BIA education function, are to be transferred to the National Board. What will happen to these teachers if the local boards created by NBIE decide they do not want them? We believe that the illusion of local control will not satisfy the local Indian school boards. They will want to hire their own teachers, just as other local boards do. Indeed, they should have this right if their control is to be actual. We suggest the bill provide that presently employed BIA teachers, if they are not employed by the local Indian school boards, must be guaranteed federal employment for which they are professionally qualified, be given the option of retraining at federal expense, including maintenance and full salary while in training for other federal employment of equal grade to that now held and guaranteed no loss of Civil Service retirement and other fringe benefits if they leave the federal service. The same protection should be provided to other personnel in BIA schools such as dormitory supervisors, administrative personnel, and paraprofessionals. A specific authorization for this program should be included in the bill.

In summary, we commend the sponsors of this bill for their sincerity in seeking to develop a broad program to correct current abuses in Indian education. However, we have serious concerns about some of the specific proposals in Amendment 6 to S 659. We will be happy to make the technical resources of NEA, particularly in the area of school finance and human relations, available to the Subcommittee in drafting legislation which is acceptable to the Indian people. We pledge that, when such legislation is developed, it will have our active support.

Attached to our statement is a memorandum from the Rocky Boy School in Montana. We urge the subcommittee to provide an opportunity for spokesmen from the Rocky Boy School Board and from other similar school systems to testify on this very serious issue.

(The memorandum referred to is as follows:)

MEMORANDUM

Part A Of S.659, The Proposed Indian Education Act, As It Would Affect Public Schools On Indian Reservations.

INTRODUCTION.

S.659, the proposed Indian Education Act, is a hopeful response to the vexing problems of Indian education. The major thrusts of the bill—toward increasing Indian self-determination in education and meeting the special educational needs of all Indian children—represent a positive and long overdue approach to meeting important needs. However, the draft of Part A of the Bill, as it is presently being circulated by staff members, would have, if enacted, disastrous effects on the education of Indians in public schools on Reservations. Because the Bill does not take into account the rather complex questions involving funding patterns and local resources, the Bill, while attempting to meet the challenge of Indian education, threatens to deepen its tragedy.

Perhaps the problems can best be understood within the context of the specific needs of the Reservation school at Rocky Boy, Montana. Last year, the Chippewa-Cree Indians of Rocky Boy broke away from the larger, white-controlled Havre school district, of which they were a part. Distressed with the inadequate education their children were receiving and frustrated with their own poverlessness, they petitioned state school officials to redraw school district lines, creating a new independent elementary school district with boundaries roughly the same as the boundaries of their Reservation. Since July, 1970, the school on the Reservation has been controlled by an Indian school board, elected in accordance with state law. The success of the Rocky Boy people has encouraged Indian groups in other communities to begin planning similar initiatives.

The Rocky Boy district contains no taxable land. It is thus entirely dependent on state and federal aid for its basic operating budget. Over sixty per cent of the funds for day-to-day operating expenses are received under P.L. 874, the impacted areas program. Rocky Boy is not alone in its dependence on federal funds to the exclusion of local tax revenues. The Fort Belknap and Browning districts in Montana, for example, contain over 90% non-taxable Indian land.

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The Red Lake (Chippewa) district in Minnesota contains no taxable land. Many other school districts in the West and Southwest contain large percentages of non-taxable Indian land. In all of these Reservation districts, where schools are operating already under tight budgetary ceilings, any significant reduction in the impact funds they are now receiving will have tragic consequences. Part A of the Bill, as presently drafted, threatens severe reductions in those funds.

II. THE ELIGIBILITY FORMULA OF PART A COULD RESULT IN UNDERFUNDING OF RESERVATION SCHOOLS BECAUSE IT DOES NOT TAKE INTO ACCOUNT THE DIFFERING FINANCIAL RESOURCES OF SCHOOL DISTRICTS WITH A TAX BASE AND THOSE WITHOUT A TAX BASE.

Presently, public school districts containing non-taxable Indian land receive payments under P.L. 874 in lieu of taxes. Districts containing large amounts of Indian land depend heavily on P.L. 874 funds for their operating budgets. At Rocky Boy, for example, aid from the state of Montana (based on the number of pupils in attendance) amounts to $90,000, approximately 40% of the basic operating budget of the school. The state aid formula does not discriminate against Indian schools. The same basic formula applies to every school district in the state. In most districts, local property taxes are levied to make up the difference between the state aid available and the cost of running the school. The Reservation schools must depend on 874 funds to cover expenses normally covered by local taxes. Thus at Rocky Boy, nearly all of the 874 funds must be used for basic expenses like salaries, school bus maintenance, gasoline, and depreciation, text books, and the like. Present 874 entitlements and funding levels provide funds for an adequate program, but not for a program significantly more costly than other Montana schools can provide with local tax revenues.

Part A of the Bill would replace the existing 874 program. Unlike the present program, it provides that each district educating Indian children will receive the same per capita entitlement —without regard to the size of the local district's tax base. For the urban schools, the funds would be received in addition to local tax revenues and could be used exclusively for special, supplementary programs. The Reservation schools will rely on funds under this title for basic operating expenses, with little or nothing left over for special programs.

The disparity suggested above is inequitable—but it might be tolerable to the Reservation schools—assuming entitlements no smaller than those under present law, and assuming full funding levels.

However, entitlements will be smaller than those under present law (see below), and it is doubtful that full funding will be available. Furthermore, the Bill states (section 307(a)) that in the event appropriations are inadequate to fund fully all entitlements, the amounts to be received by each district will be ratably reduced. Again, the critical distinction between schools with a full tax base and those with none (or an inadequate tax base) is ignored. A reduction in the aid received by a Reservation school would require a curtailment of the basic operating program of the school. A similar cut in aid to a school with a full tax base would require only a reduction in "supplemental" services. Given the recent history of appropriations for social bills of all kinds, including education bills, it seems doubtful at best that every year the full amounts authorized by this Bill will be appropriated. At a minimum the Bill should provide that entitlements for Indians living on non-taxable land should be fully funded before any funds are distributed to schools with a full tax base. A better, more equitable, approach, would be to leave the present 874 program unaltered—thus preserving the distinction between schools with an inadequate tax base and those with a full tax base—and then to provide additional, supplemental funding for special programs for all schools educating Indians.

III. THE NEW ALLOCATION FORMULA INTRODUCED BY THE BILL WILL RESULT IN A SUBSTANTIAL REDUCTION IN THE AMOUNT OF AID NOW GOING TO THE RESERVATION SCHOOLS.

Under the present P.L. 874 program, the per-pupil entitlement of eligible school districts is based on per pupil costs of five comparable school districts in the state. For each "double-connected" student (e.g. 90% of the enrollment at Rocky Boy and most Reservation schools), the district's entitlement is equal to the full average per pupil costs of those districts. (By administrative interpretation, in the case of an Indian Reservation, a "double-connected" student is one who lives on the Reservation and whose parents are employed on the Reservation or are unemployed and living on the Reservation. Thus, most Indian students are double-connected.) "Single-connected" students are funded at one-half the rate of funding for double-connected students. The importance of calculating entitlements on the basis of costs of comparable districts is that entitlements for Reservation

schools reflect fully the higher per pupil costs of small, rural school systems.

Unaccountably, the draftsmen of the Bill have substituted for this flexible entitlement formula the arbitrary standard that each eligible district is entitled to a per capita payment equal to the state-wide average per pupil costs. This formula will mean substantial reductions for the rural (Reservation) schools. It will mean considerably higher entitlements for the urban schools, which are not now relying on these federal funds and where the need for this assistance is much less pressing. (See discussion under II above.)

The significance of the existing flexible formula can be concretely illustrated by the Rocky Boy experience. As a part of the large (2000 students) Havre district, the Rocky Boy school was entitled to receive $334 for each "double-connected" child in 1969-70. As a smaller (220 students) district with higher per-pupil costs, Rocky Boy's entitlement as an independent district that year would have been 65% higher ($545), a difference of $40,000 in a total budget of $215,000.

Even now, Reservation schools are not fully funded in relation to their special needs. The Bill's entitlement formula would guarantee that the Reservation schools receive even less revenue than would be required to run a program with costs and a quality comparable to that of non-Reservation schools of equivalent size.

Note: A so-called "hold harmless" provision would not remedy the problem suggested above. In an era of permanent inflation, what is needed is not an arbitrary absolute floor under entitlements, but a flexible formula which will permit entitlements to rise with rising costs. The present "five comparable districts" formula of P.L. 874 accomplishes this objective.

IV. BY REMOVING RESERVATION SCHOOLS FROM THE GENERAL CATEGORY OF DISTRICTS RECEIVING IMPACT AID, THE BILL WOULD DESTROY THE POLITICAL BASE FOR FINANCIAL SUPPORT OF RESERVATION SCHOOLS.

As outlined above (part II), P.L. 874 funds are the life blood of Reservation schools. To date, P.L. 874 has been a remarkably stable source of funding. Funding has been stable because impact aid, going to school districts in 375 Congressional Districts, has a powerful constituency and strong political appeal. The funding of the Reservation schools is relatively secure because—and probably only because—each Congressman and Senator, in voting the interests of his own constituents, at the same time, perhaps unwittingly, votes the interests of the Reservations. As a tiny minority of the population, the Indian people have insignificant power by themselves in the Congress as a whole. If the aid to

Reservation schools is taken out of the general impact aid formula, as Part A of the Bill would do, the appeal of the Reservations for funds will have to be made to most Congressmen--particularly those from the East and the South--on the basis of altruism and "concern for the Indian" alone. If the Indian people must choose between an alliance based on self-interest and one based on altruism, is there any doubt as to which will be the more stable alliance? It is not hard to imagine a political climate in the future when aid to minority groups will be in disfavor politically and when adequate appropriations under the Bill will be unobtainable. Furthermore, the annual battle for appropriations would have to be fought each year by the Indian tribes, which are by and large poorly organized and without articulate and effective lobbyists. The Indian tribes would be left without the formidable support of the massive lobby enlisted each year in the fight for impact aid funds.

This isolation of Indian schools from the broader political base they now form a part of would further introduce a dangerous degree of instability and unpredictability in appropriations--and hence in school planning. This instability is particularly distressing when it is recalled that, in Montana, for example, school budgets must be planned and approved in the Spring for the school year beginning the following fall, and teachers' contracts must be let in the Spring. HEW appropriations bills, on the other hand, may not be approved and signed by the President until school begins in September, if then. At present, school administrators are distressed at the problems involved in planning for a school year before they know what funds will be made available by Congress; they are able to live with the situation, however, because the political strength of P.L. 874 permits them to estimate with some accuracy the funds which will be made available to them.

Before seeking to form their own school district, the Rocky Boy people sought to assure themselves that the funding for their school would be sufficient--and stable and reliable into the forseeable future. Based on the political strength of P.L. 874, they decided they could safely detach their school from the tax base of Havre. Without that assurance of political strength, they would not have taken the move they did, with the resulting dependence on annual Congressional appropriations to operate their school.

The creation of a new Bureau of Indian Education to administer the Bill only serves to red-flag the isolation of the Indian schools from their allies

in the annual appropriations battle.

In the past, this country's concern for the treatment of the American Indian has oscillated like the swing of a pendulum. There is no reason to believe the pendulum has stopped swinging. The friends of the American Indian will do him no favor by lifting support for Indian schools out of the broader cloak of funding for the politically popular impact aid program. Political wisdom and discretion reinforce the suggestion already made—that the better course is to leave the present P.L. 874 program undisturbed and to enact supplemental funding programs for the special needs of Indian children.

V. THE BILL'S REQUIREMENT THAT GRANTS BE USED FOR SPECIAL PROGRAMS DOES NOT TAKE ADEQUATELY INTO ACCOUNT THE NEEDS OF RESERVATION SCHOOLS FOR FUNDS IN LIEU OF TAXES FOR BASIC OPERATING COSTS.

As discussed in Part II above, school districts containing large proportions of Indian land must depend upon impact aid in lieu of local property taxes. While there are certainly instances of school districts with relatively small percentages of Indian students using impact funds to educate non-Indians and to reduce local taxes, it is equally true that there are districts like Rocky Boy and Red Lake, Minnesota which have no other source of revenue with which to pay the normal costs of operation. In between, are many districts with varying proportions of Indian land and Indian enrollment which must depend to varying degrees on impact aid for day-to-day operating expenses.

The Bill's requirement that funds cannot be used in the general fund budget of the school but must instead be used for programs "specially designed to meet the special educational needs of Indian children" (section 304), simply ignores the hard fact that in many districts there will be no other source of funds to pay the janitor's salary or to buy tires for the school busses.

At Rocky Boy, as already noted, less than 40% of the basic operating expenses can be met by state aid. The rest must come from the federal impact program. In many other districts, landowners will resent—often with justification—paying school taxes to support all of the operating expenses of a school which educates substantial numbers of Reservation Indians, while impact aid moneys, which once contributed to meeting those expenses, must be redirected to meet special needs of Indian children. Such resentment could contain the makings of an explosive

educational—and political—situation. There is a need to meet the special requirements of Indian children, but there is also a need to compensate local school districts for the inadequacy of their tax base.

These considerations again suggest that P.L. 874 not be altered but that new money for special programs instead be made available.

VI. THE BILL MAY HAVE THE UNDESIRED EFFECT OF REDUCING THE EDUCATIONAL CHOICES OF INDIAN CHILDREN.

A problem less far-reaching than those already discussed but still significant for those directly affected is that the Bill may have the effect of reducing the educational choices of Indian children.

At present, Reservation Indians are free to enroll in public schools off the Reservation and outside their own school district. Neighboring schools may be more than happy to accept them because the schools then become eligible for impact aid. While it is tempting to be cynical about the schools' motives for accepting them, the fact is that the Indian children may benefit by being able to seek out the school in an area which is best for them.

The people of Rocky Boy are well aware of the advantages resulting from this mobility. For ten years, they have been—and still are—in the Havre High School district. During those ten years, the dropout rate for Indian students from Havre high school has been almost 100%. In recent years, Rocky Boy children have been enrolling instead in the nearby Box Elder high school, which is more aware of their needs, provides a welcoming rather than a hostile environment, and from which they graduate in large numbers.

The Bill, if enacted, would probably mean that they would no longer be accepted in large numbers by the Box Elder school because (1) 874 payments could no longer be used to meet their share of the school's day-to-day operating costs, and (2) the need to make special application and to design special programs would be a burden the small school's one-man administration would probably be unwilling to bear when an Indian child's attendance no longer results in revenue to be used in the general fund of the school.

A number of educators today are discussing the concept of giving tuition grants to low income children to allow them to attend school outside their own school district. In effect, P.L. 874 gives a limited form of tuition grant to the Indian child. The freedom it gives him should not be discarded lightly.

VII. ADVANCE PAYMENTS SHOULD BE PERMITTED.

If Part A is retained in the Bill, section 306 (a) should be amended to permit payment by the Office of Education of funds prior to the actual disbursement of funds by the school district. The section as now worded appears to permit only reimbursement of funds actually expended. This payment provision would be workable for districts with independent tax bases. However, it would be unworkable for schools with no other adequate source of revenue for operating expenses, unless the schools had built up substantial reserve funds.

VIII. CONCLUSION.

In sum, Part A of the Act (1) ignores the critical distinction between the revenue needs of urban and Reservation schools, (2) sets out an eligibility formula which will result in the redirection of funds away from already tightly-budgeted Reservation schools, (3) does not appear to take adequately into account the need of the Reservation schools for funds to use in the general fund budget, and (4) perhaps most importantly, isolates the Indian school from the politically powerful general impact aid constituency. These considerations, singly and combined, suggest that the almost inevitable result of Part A of the Bill will be a loss of revenue to Reservation schools which is likely to reach tragic proportions. For this reason, it is imperative that the Bill not be passed in its present form. The conclusion of this memorandum, which is also the conclusion reached by the Rocky Boy school board and administrators, reached reluctantly because of a recognition of the positive thrusts of the Bill, is that unless Part A is revised to meet these problems or abandoned altogether, the interests of the Indian people will not be served by enactment of the Bill.

Rocky Boy School Board
Rocky Boy, Montana 59521

Mr. Bert Corcoran, Superintendent

Mr. MORRISON. Sec. 303(a)(2) provides that schools must enroll at least 10 Indian children to be eligible under this act. Thus, an isolated school of 15 children, nine of whom are Indians, could not qualify. And there are such situations. The only alternative is boarding schools. Since there are of necessity some very isolated rural schools with very small enrollments on some reservations, we suggest that sec. 303(a)(2) be amended to read:

A local educational agency shall not be entitled to receive a grant under this title unless the number of children under subsection (a) with respect to such agency, is at least ten, or constitutes 50% of the local education agency's enrollment.

We also believe that sec. 303(c) is unrealistic in authorizing an appropriation equal to 1% of the approriation for sec. 303(a). We anticipate that more new Indian controlled school systems will develop than the 1% figure can adequately fund. We suggest the authorization be not in excess of 5%.

We believe the term "Indian" is too loosely defined in sec. 308. We suggest that the definition be amended to read "* * * or who is a descendant of any such enrolled member in the first or second generation * * *", otherwise, a child who happened to have one Indian great-great-great grandparent but whose other grandparents were all non-Indian would presumably be eligible, even though the child lives in affluence in, for example, Fairfax County, Va.

I can anticipate thousands of school systems becoming involved in genealogical research on their pupils, hoping to scrounge up at least 10 with some trace of Indian ancestry in order to qualify under this act.

It should be noted that some tribes recognize the children of Indian-Caucasion unions as enrolled members of the tribe, but do not extend the same consideration to the children of Indian-Negro unions. However, we believe the provision recognizing descendants of enrolled members should include all children as defined above regardless of the tribe's policy on racial mixture of parents.

We believe that it is essential that an additional title to provide construction funds for schools located on or near reservations must be provided by the Congress. The problem of constructing or expanding school facilities and providing faculty housing on Indian reservations is overwhelming. There are entitlements for these schools under Public Law 815—but no appropriation. It is a travesty to hold out hope for Indian control of their schools unless construction funds are provided.

We also believe that the law should require that all schools aided under this Act must be open to non-Indian as well as Indian children and must not discriminate against children and faculty of non-Indian descent. The NEA has always opposed racial and ethnic segregation of any kind and dimension and is committed to racial integration of student bodies and faculty. We also recognize this is the law of the land.

Part B. Special programs and Projects to Improve Educational Opportunities for Indian Children.

We approve of this part of Amendment 6 with one minor exception: Sec. 810(b) on institutions eligible for grants under this Act should be amended by inserting the words "nonprofit and nonsectarian"

after the word "private." We also urge that the state education agency in the state in which a project is to be carried out under Sec. 810 be given the opportunity to review and make recommendations before the grant is made.

Senator PELL. What is the purpose of adding the words "nonprofit and nonsectarian"?

Mr. MORRISON. I think, Senator Pell, we are concerned about contract, performance contracting with profitmaking organizations which we have a policy of opposing unless it meets a number of criteria.

Senator PELL. Give me an example of an institution that you think should be knocked out and would be knocked out?

Mr. MORRISON. I would like to have Mrs. Guereau answer.

Mrs. GUEREAU. I think we are thinking of the famous Westinghouse contract with the Office of Education to do a project with the Menominee Tribe. It involved thousands of dollars. Somebody sold somebody a bill of goods. We are not convinced that this couldn't happen again, that the Indian tribe might sell out to somebody and lose all their money in a way that is not in their interests.

Of course the nonsectarian point is clear. We are on record as not supporting church-related educational programs, so we are suggesting that at this point in the bill, if you have the copy before you, which says the grants can be made to public and private agencies that the words inserted would make it read "Grants can be made to public and private, non-profit and non-sectarian agencies."

Senator PELL. For example, if a Lutheran school was teaching Indians, you do not think it should get benefits under the bill?

Mrs. GUEREAU. Not directly. The tribe may want to get money, but the sectarian part should not be aided with public funds.

Senator PELL. I am not sure I agree with you, but thank you.

Mrs. GUEREAU. That is the intent.

Senator PELL. Proceed.

Mr. MORRISON. Part C. Special Programs Relating to Adult Education for American Indians.

We approve of this part of amendment 6 except that again the words "nonprofit and nonsectarian" should be inserted before the word "private" and the State agency should review and make recommendations before a project grant is made.

Part D. National Board of Indian Education; Bureau of Indian Education; Miscellaneous.

If the majority of Indian people support the establishment of a National Board of Indian Education to take over the education function of the Bureau of Indian Affairs, the NEA pledges its support to the creation of such a board.

Assuming, for the purposes of discussion, that the Indian people do approve, we wish to make several points.

We believe a board of 15 members, appointed from lists nominated by the tribes and Indian organizations should be located in the Office of Education, which we hope soon will be raised to Cabinet status. Amendment 6 does not place this board any place in the Federal structure.

We believe that paying 15 members of the board annual salaries of at least $37,624 for a total of $564,360 is unrealistic. This money could be better spent on programs. Board members should be reimbursed for

actual expenses plus consultant fees of $100 or $200 per day while in session or conducting official business. The Director and Superintendent of Indian Education should, of course, be full time salaried personnel, with an appropriate staff of professionals to carry out the policies of the National Board.

The Board should be a policymaking body, and should not be expected to administer programs. Undoubtedly in the first year the Board will meet very often, but as the program develops their full-time service will not be required.

Amendment 6 vests in the National Board all programs in a Federal agency which are related to Indian education, except those in the U.S. Office of Education and those in the Office of Economic Opportunity. Since OEO, by law, is not permitted to engage in curricular or general education services, we believe they should not be identified as exempt under this provision. The fact that they have circumvented existing law in this respect should not be legitimized indirectly under this act.

We approve of the establishment of a Bureau of Indian Affairs in the Office of Education, but question the propriety of having the appointment of the head of the Bureau made by the President. The appointment should be made by the Commissioner of Education.

Part E. Miscellaneous Provisions.

We believe that the necessary technical amendments to existing education programs as covered in Sections 581 and 582, and Sections 583 and 584 (on the Institute of American Indian arts and community colleges) are proper. We have questions relative to Sec. 585. We understand the purpose of the amendment is to facilitate the establishment of Indian controlled education programs such as the Ramah School operated by the Navajo people. We support that objective. However, the language of Sec. 585 could be interpreted to mean that schools operated by a religious organization could also be considered local education agencies under this definition. If that is the intent, we strongly oppose the amendment. We urge the words "Nonprofit institution" be stricken from the proposal.

We believe the bill should specifically provide for the appropriate amendments to the School Lunch and School Milk programs to assure that schools operated by the National Board of Indian Education are included along with the 50 states and territories.

We are concerned over the future of the teachers currently employed in BIA schools, many of whom are our members. Sec. 564(a)(4) of Amendment 6 provides that "all personnel, assets, liabilities (etc.)" of, presumably, the BIA education function, are to be transferred to the National Board. What will happen to these teachers if the local boards created by NBIE decide they do not want them? We believe that the illusion of local control will not satisfy the local Indian school boards. They will want to hire their own teachers, just as other local boards do. Indeed, they should have this right if their control is to be actual. We suggest the bill provide that presently employed BIA teachers, if they are not employed by the local Indian school boards, must be guaranteed Federal employment for which they are professionally qualified, be given the option of retraining at Federal expense, including maintenance and full salary while in training for other Federal employment of equal grade to that now held and

guaranteed no loss of civil service retirement and other fringe benefits if they leave the Federal service.

The same protection should be provided to other personnel in BIA schools such as dormitory supervisors, administrative personnel, and paraprofessionals. A specific authorization for this program should be included in the bill.

In summary, we commend the sponsors of this bill for their sincerity in seeking to develop a broad program to correct current abuses in Indian education. However, we have serious concerns about some of the specific proposals in amendment 6 to S. 659.

We will be happy to make the technical resources of NEA, particularly in the area of school finance and human relations, available to the subcommittee in drafting legislation which is acceptable to the Indian people. We pledge that, when such legislation is developed, it will have our active support.

Senator PELL. Thank you very much. I share your views about the 15 members of the board becoming a sort of a presidium. The administration shares your view. The administration is going to the opposite tack, trying to conglomerate the mammouth into bigger mammouth.

As official representatives of the NEA, do you come in and go back to fulltime teaching or are you fulltime employees of NEA?

Mr. MORRISON. That differs. Mrs. Koontz joined the Women's Bureau on the Department of Labor. Mr. Fisher has chosen to do work that is educationally related, but not in the school system, and Mrs. Baine has 2 months to decide what she is going to do.

Senator PELL. But basically you are in for a term and then you go out, but you all come from the ranks of teachers, basically?

Mr. MORRISON. That is correct.

Senator PELL. What percentage of Indian teachers are members of the NEA and how many are members of the National Indian Association?

Mr. LUJAN. We have no statistics at present.

Mrs. GUEREAU. On our membership cards, there is no designation for race or ethnic background. If you run into "pretty", you know it is an Indian, but if you run into Lujan, you wouldn't know.

Senator PELL. You do know how many blacks are in the group. Don't you know how many Indians are in the group?

Mrs. GUEREAU. The statistics on blacks come about because there was a national organization of black teachers and they merged with NEA and their members came in so we know that many came in. We can't give you an exact number. We have a general idea. We don't have the number of Indians, but I am sure it is very minor, there aren't very many Indian teachers.

Mr. MORRISON. Before the year is over, we hope to identify each of our members who is a member of a minority group. If that information is helpful, we will be glad to share it with you.

Senator PELL. Do you have any members of both the national Indian association and NEA?

Mr. LUJAN. Some.

Senator PELL. What are the NEA dues?

Mr. LUJAN. $25 a year.

Senator PELL. Do you happen to know what the NIEA dues are?

Mr. LUJAN. $10 a year.

Senator PELL. Thank you very much.

Senator MONDALE. Thank you very much for your testimony. I think it helps point up some of the technical difficulties we must grapple with. That is the reason for hearings, to take a generalized proposal which has a certain broad objective and then help associations such as yours make the adjustments necessary so that it works.

Your testimony is most helpful in setting forth some of those difficulties. I think the key issue in terms of funding, the one about 874 has got to be taken care of.

We all agree with that. We don't want to diminish support. We want to expand support. Funding levels are poor throughout education, as your organization has pointed out time and time again, but particularly tragic in many of these Indian schools. We want to be sure that is corrected. Many of the other points you make are certainly worthy of serious consideration. If those concerns are dealt with and if the Indian community supports the bill, I gather the position of NEA is that you do, too?

Mr. MORRISON. That is correct.

Senator MONDALE. How do we find out what the Indian community wants?

Mr. LUJAN. This is a very difficult thing. I have no present thoughts in mind.

Senator MONDALE. It would be in very poor grace after the harsh criticisms we made about paternalism regarded relations between white and reds to impose our own paternalism. We are anxious not to do that. We traveled thousands of miles. We had 9- or 10 thousand pages of testimony. We have consulted with all the Indian sources that we can find. In addition to that, in the recommendations of the Indian Education Subcommittee, we strongly recommended the immediate invocation of a White House conference on Indian Affairs, which would be broadly based and representative of Indians, so they can grapple with OE versus BIA, a National Indian Board. We wanted a broadly based White Conference with high visibility.

That is the only thing we can think of that would take us further toward this objective of learning what the Indian community wants.

As in every other community, conviction depends on who you are and what your problems are and what your interests are. We are anxious to consider all views.

If you will trust us as to what the Indian community wants, I will announce NEA support right now.

Mr. MORRISON. We have an annual delegate assembly which has 7,000 delegates. That is one sort of input we get. These 7,000 persons, teachers, are leaders of teacher from across the nation and they will be asking Indian leaders and others with whom they come in contact how they feel.

We have 11 regional offices and 500 other local staff people out in the field, so I feel when the time comes that we will have a pretty good feeling for what a vast majority of the Indian people want.

Senator MONDALE. Thank you very much.

Senator PELL. Thank you very much.

The next witness is Mr. Leo W. Vocu, the executive director of the National Congress of American Indians.

Would you introduce yourself and your colleagues?

STATEMENT OF JOHN C. RAINER, VICE PRESIDENT, NATIONAL CONGRESS OF AMERICAN INDIANS

Mr. RAINER. My name is John C. Rainer, I am a Pueblo Indian. To my left is Mr. Leo W. Vocu, Oglala Sioux from Pine Ridge, S. Dak. He is executive director of the National Congress of American Indians.

The National Congress of American Indians appreciates very much the concern shown by Senator Kennedy, Senator Mondale, and other sponsors of the bill under consideration today.

We thank Senator Kennedy for his continuing interest in American Indian affairs, and we hope, therefore, that these two days of hearings on S. 659 will be only a beginning in a long process which is needed if the diverse Indian tribes and groups are to have meaningful involvement in legislation as sweeping as this bill proposes.

I speak today for the National Congress of American Indians, as its vice president. As Senator Kennedy knows from having been our honored guest and speaker in Albuquerque, NCAI is the only all-Indian honored guest and speaker in Albuquerque, NCAI is the only all-Indian national organization.

Although I speak as its vice president, I do not presume to speak for all Indians or for all sections of Indian country. This is so because there are so many tribes. My testimony is based on the resolutions which have passed in 27 conventions and many conferences sponsored by NCAI over the past years; it is based on concerns expressed to NCAI by the various tribes at the smaller meetings; and it is based on my own personal experience in Indian affairs.

Traditionally, Indian tribal leaders have been and are opposed to moves that would fragment the Federal responsibilities of Indian affairs by transfers. They are jealous of their special and unique trust status and relationship with the U.S. Government.

The National Congress of American Indians continues to take this position. At the executive council meeting of the NCAI in 1969 in Albuquerque, N. Mex., a position paper was adopted and said;

> If the Bureau of Indian Affairs is abolished or its services fragmented it will again jeopardize, and in many cases it will terminate the present services of the Federal Government.
>
> It will be termination in disguise. Indian people have never been successful in competing for services through other Government agencies, and the services received from these agencies have been very small or practically nil except for the excellent services now received from the Economic Development Administration and the Office of Economic Opportunity.
>
> Politically and socially it is almost impossible for the Indian to compete for services among other Federal agencies. With the huge backlog of services and development needing to be accomplished, at best, the parceling out of Bureau of Indian Affairs services to other Federal agencies would only be an injustice to these agencies because of their already insurmountable work load.
>
> A revamped and revitalized Bureau of Indian Affairs with sufficient funds can and will do a better job.

Therefore, in line with this stand, we are opposed to transferring education from BIA to HEW or to the U.S. Office of Education.

Concerning the creation of the National Board of Education, the National Congress of American Indians proposes that this national board should not be limited to advisory capacity but have authority over the education division within the Bureau of Indian Affairs.

Another point of concern, is that the legislation should clearly state that funds such as the Johnson-O'Malley and Public Law 874 be in the control of the Indian people at the local level. We strongly urge that the legislation be more specific on this point, particularly with regard to the committee that is to be established in each community to oversee the expenditure of Public Law 874 funds for special education programs for Indian children.

We fail to see at any point in the bill that there is a guarantee that Indian input will be heeded. This must be corrected. Presently, some tribes are seeking control of the expenditures of the JOM funds. We fail to see any assurance in the bill that these tribes can have this control.

President Nixon stated last July that, "The time has come to break decisively with the past and to create the conditions for a new era in which the Indian future is determined by Indian acts and Indian decisions." At this point we see no reason why this policy statement cannot become a reality.

The revisions proposed in amendment 6 affecting Public Law 874 also causes the National Congress of American Indians concern. As the legislation is presently written, those school districts on or near Indian reservations may lose the entire portion of their operating budget that comes from Public Law 874 now. This needs to be changed so that a portion of this Public Law 874 money can go for general operating expenses.

A case in point, is an analysis made by Mr. David Robinson of the Rocky Boy school finances:

> While there are certainly instances of school districts with relatively small percentages of Indian students using impact funds to educate non-Indians and to reduce local taxes, it is equally true that there are districts like Rocky Boy and Red Lake, Minn., which have no other source of revenue with which to pay the normal costs of operation.
>
> In between, are many districts with varying proportions of Indian land and Indian enrollment which must depend to a varying degree on impact aid for day-to-day operating expenses.

The bill's requirement that the funds cannot be used in the general fund budget of the school but must instead be used for programs especially designed to meet the special educational needs of Indian children (section 304) simply ignores the hard fact that in many districts there will be no other source of funds to pay the janitor's salary or to buy tires for the school buses. At Rocky Boy, as already noted, less than 40 percent of the basic operating expense can be met by State aid. The rest must come from the Federal impact program.

The bill needs to be amended to assure operation and maintenance funds for those schools which are affected by the bill.

Senator MONDALE. We agree with that criticism to recognize the school districts short of funds. We will correct the bill to see that that does not occur. It was a point that we had not intended. Your criticism is correct.

Mr. RAINIER. Thank you.

With the misuse of title I and JOM funds that has recently been disclosed, we at the National Congress of American Indians would like to see this committee include in this amendment strong language that would preclude this type of misuse from occurring again. This requirement can best be met by funding Indian tribes directly. Another point needs to be raised at this time, too.

The amendment provides for a 4-year college at the Institute of American Indian Arts in Sante Fe, N. Mex. While the proposal warrants support eventually, the idea is premature at this time. There is a greater need for a junior college set up than for a 4-year college.

Although I have tried to cover most of the major considerations that have been raised to the National Congress of American Indians regarding this bill, I must again state that I do not presume to relate the concerns, desires or needs of all of the Indian communities.

I am sure witnesses from these regions and areas will furnish your committee information peculiar to them. For this reason, the National Congress of American Indians feels that it is essential for this subcommittee to hold additional hearings on this legislation in the field or hold a White House conference on Indian education before it is reported to the full committee.

The National Congress of American Indians has long opposed the adoption of legislation affecting the lives and welfare of Indians without consultation and their consent. I quote from an NCAI Resolution No. 8, 1968: "This was a principle which the Founding Fathers of the Nation strongly voiced in their relations with the British Parliament." We feel that the tribes need to be given every opportunity to be heard on this issue, which will affect the lives of their children. To quote a policy statement at an NCAI annual convention held in Omaha:

> Federal policy has suffered extreme pendulum swings from overpaternalism to threatened and real termination of Federal protection. Indian people have never had an opportunity to key their own efforts to stable, secure and predictable Federal programs.

Additional hearings for the tribes would be a major step in this direction.

The National Congress of American Indians has repeatedly pleaded with the Congress to inform it and the various tribes of its actions and intentions. Resolutions have been passed and forwarded to the Congress requesting that we be informed of pending legislation. To the best of our knowledge the tribes were not informed of this bill by its sponsors. We know of no tribes invited to testify on this bill—a major attempt to revise Indian education policy.

Senator MONDALE. First of all I think the tribes by all means should testify, but there seems to be some factual difference here. As I understand it, copies of this proposal and explanations went to every tribal chairman, the Indian peoples, local and national organizations, people who testified before the Indian Education Committee, and as you know, we heard from hundreds of witnesses and from everyone we could think of.

In addition to that, we held repeated meetings and sent staff people wherever they were asked to consult, and as I understand it, on April 24, 1971, there was a national chairman's meeting in Pierre, S. Dak., which I am told is the most representative meeting.

They had full knowledge of this bill and adopted a resolution supporting it. When you maintain that no one is informed, someone has to be wrong. I couldn't agree with you more that we have no right to stuff a bill down an Indian's throat. We want a bill that, as far as possible, suits and serves the purposes of the American Indian, above all—a program of integrity which the parents and Indians run themselves.

That is what we want. That is what I understand the NCAI wants. That is what we are trying to do.

As far as the White House conference is concerned, I don't know who has influence with this administration. The Indian Education Committee pleaded with them to set up the conference. They haven't done so. I am not trying to be difficult, but we have tried very hard to consult and we want to hear the people who are most concerned. Would you respond to that?

Mr. RAINER. Yes, just last week, for example, there was a meeting of 19 district Pueblos at Albuquerque. No one in the group was informed of this hearing nor invited, as I was told, so we mimeographed the bill that Senator Kennedy had sent out to one of the former commissioners out there, and gave the information to the governors of the Pueblos and that is why I say we were not informed and we were not invited.

I didn't know about that hearings until just a few days ago myself.

Senator MONDALE. Were you invited to testify?

Mr. RAINER. Our organization was invited to testify. We asked for permission to testify.

Senator MONDALE. Have you served in any other capacity federally?

Mr. RAINER. I am a member of the National Council on Indian Opportunity.

Senator MONDALE. Under whose chairmanship?

Mr. RAINER. Vice President Agnew.

Senator MONDALE. Who appointed you?

Mr. RAINER. It is a Presidential appointment.

Senator MONDALE. OK.

Mr. RAINER. I am not a Republican. [Laughter.]

Senator MONDALE. I would like to include Resolution No. 7 propounded by the National Chairman's Association in support of amendment 6 to Senate bill 659, in the record.

Senator PELL. Without objection.

(The resolution referred to may be found on p. 1748.)

Senator MONDALE. You mentioned opposition to moving the educational functions from BIA to HEW or OEO; what is your feeling about moving those functions into the Executive Office of the President?

Mr. RAINER. The National Council of American Indians throughout its existence has passed something like 30 resolutions on education, which I will submit as an affidavit, taking the stand that because of our special trust relationship with the Federal Government we insist on keeping education and other services within the Bureau of Indian Affairs.

Senator MONDALE. Now, if it were kept within the bureau, housed there, you have no objection, but I gather you would support the

creation of a national board of Indian education provided it is kept in the BIA?

Mr. RAINER. Yes.

Senator MONDALE. And, of course, we share deeply your concern about termination. The whole thrust of the bill is not to terminate, but to expand Federal funding and assistance and control to the American Indian.

In no sense do we wish to back off from what I think is a very clear legal and moral responsibility by American society to do something about that issue.

You make a point about the misuse of JOM funds and title I funds recently documented in a legal defense fund study which shows outrageous abuses. Maybe this would be a good point for setting aside moneys for attorneys' fees, Mr. Chairman.

Senator PELL. Perhaps.

Senator MONDALE. But this is a curse in every one of these programs to help powerless people. Moneys do get diverted and wasted and twisted. No further questions.

Senator PELL. Thank you very much.

Senator KENNEDY. I wanted to welcome you. I didn't have a chance to hear your testimony, but I look forward to reading it.

Mr. RAINER. Thank you.

(The prepared statement of Mr. Rainer and resolutions submitted follow:)

Statement of John C. Rainer, Vice-President

NATIONAL CONGRESS OF AMERICAN INDIANS

Concerning S. 659

Before the

SENATE COMMITTEE ON LABOR AND PUBLIC WELFARE
on April 29, 1971

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Traditionally, Indian tribal leaders have been and are opposed to moves that would fragment the federal responsibilities of Indian affairs by transfers. They are jealous of their special and unique trust status and relationship with the United States government. The National Congress of American Indians continues to take this position. At the Executive Council meeting of the NCAI in 1969 in Albuquerque, New Mexico, a position paper was adopted and said " If the Bureau of Indian Affairs is abolished or its services fragmented it will again jeopardize, and in many cases it will terminate the present services of the Federal Government. It will be termination in disguise. Indian people have never been successful in competing for services through other government agencies, and the services received from these agencies have been very small or pratically nil except for the excellent services now received from the Economic Development Administration and the Office of Economic Opportunity.

Politically and socially it is almost impossible for the Indian to compete for services among other Federal agencies. With the huge back log of services and development needing to be accomplished, at best, the parceling out of Bureau of Indian affairs services to other Federal agencies would only be an injustice to these agencies because of their already insurmountable work load. A revamped and revitalized Bureau of Indian Affairs with sufficient funds can and will do a better job." Therefore in line with this stand, we are opposed to transferring education from BIA to HEW or to the U.S. Office of Education.

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Although I have tried to cover most of the major considerations that have been raised to the National Congress of American Indians regarding this bill, I must again state that I do not presume to relate the concerns, desires or needs of all of the Indian communities. I am sure witnesses from these regions and areas will furnish your committee information peculiar to them. For this reason the National Congress of American Indians feels that it is essential for this subcommittee to hold additional hearings on this legislation in the field or hold a White House Conference on Indian Education before it is reported to the full committee. The National Congress of American Indians has long opposed the adoption of legislation affecting the lives and welfare of Indians without consultation and their consent. I quote from an NCAI Resolution No. 8, 1968, "This was a principle which the Founding Fathers of the Nation strongly voiced in their relations with the British Parliament." We feel that the tribes need to be given every opportunity to be heard on this issue, which will affect the lives of their children. To quote a policy statement at an NCAI annual convention held in Omaha, "Federal policy has suffered extreme pendulum swings from overpaternalism to threatened and real termination of federal protection. Indian people have never had an opportunity to key their own efforts to stable, secure and predictable federal programs." Additional hearings for the tribes would be a major step in this direction.

The National Congress of American Indians has repeatedly pleaded with the Congress to inform it and the various tribes of its actions and intentions. Resolutions have been passed and forwarded

to the Congress requesting that we be informed of pending legislation. To the best of our knowledge the tribes were not informed of this bill by its sponsors. We know of no tribes invited to testify on this bill--a major attempt to revise Indian education policy.

So many tribes cannot afford the trip and stay in Washington, D. C. to be heard, we have heard from tribes and know that they must have also contacted this committee requesting additional hearings, preferably in the field. The National Congress of American Indians is therefore formally requesting that additional hearings be scheduled in order that those tribes who will be affected by this major legislative revision will have an opportunity to testify.

It would seem only logical in light of the President's announced intentions to establish self determination, that Indian tribes be asked to testify.

We understand that this bill is proposed as a partial solution to the many problems raised by the Special Subcommittee of Indian education. However, those hearings were investigative in nature and no solutions were proposed at that time.

It is now time for the Indian tribes who have to live with the results of this legislation to testify and state their comments and criticisms.

RESOLUTION No. 72

INDIAN EDUCATION COMMITTEE

WHEREAS, the 26th annual convention of the National Congress of American Indians in Resolution Number 15 authorizes the establishment of an Indian Education Committee, now

THEREFORE BE IT RESOLVED that the 27th annual convention direct the Executive Committee to implement such resolution immediately apportioning membership equally by areas and that the National Congress of American Indians member organizations select such membership within their areas.

BE IT FURTHER RESOLVED that the Indian student in most directly affected by the Indian Education Committee, and that full student participation in the Education Committee is allowed with the Committee on Education being composed of 50% Indian students.

National Congress of American Indians
27th Annual Convention
October 18-24, 1970
Anchorage, Alaska

RESOLUTION No. 71

EXPERIMENTAL SCHOOL IN MINNEAPOLIS

WHEREAS the current policy of educating Indian students in public schools has resulted in high dropout rates, low achievement levels, anti-Indian attitudes and insensitive curriculum, and

WHEREAS, Indian Students who reject traditional educational experience or standard of living that is low, and

WHEREAS, the American Indian has little, if any, influence or control in the education of their children in public schools, and

WHEREAS, a bill was introduced in the United States Congress on September 23, 1970 by Senator Edward Kennedy of Massachusetts and Senator Walter Mondale of Minnesota which calls for basic reforms in the educational system of the American Indian, now

THEREFORE BE IT RESOLVED that the members of the National Congress of American Indians at their Anchorage conference endorse the proposal for an experimental school in the City of Minneapolis.

National Congress of American Indians
27th Annual Convention
October 18-24, 1970
Anchorage, Alaska

RESOLUTION No. 35

DIRECTOR OF EDUCATION FOR THE BUREAU OF INDIAN AFFAIRS

WHEREAS, President Nixon has recognized the importance of Indian education in his recent message to the Congress; and

WHEREAS, the Department of Interior, Bureau of Indian Affairs, Education Division plays a key role in the education of Indian children, and

WHEREAS, the White House, the Secretary of Interior, and the Commissioner of Indian Affairs have not filled the 11 month vacancy of the Director of Education for the Bureau of Indian Affairs,

NOW THEREFORE BE IT RESOLVED, that the National Congress of American Indians immediately call on the White House, the Department of Interior, the Bureau of Indian Affairs to make this appointment,

BE IT FURTHER RESOLVED, that the Education Committee of National Congress of American Indians be consulted on all key educational appointments to the Bureau of Indian Affairs and that, where possible, Indian people be selected for those appointments and that the National Congress of American Indians Education Committee be used as the vehicle to consult Indian people, communities, and organizations on these appointments.

National Congress of American Indians
27th Annual Convention
October 19-23, 1970
Anchorage, Alaska

RESOLUTION No. 34

CIVIL RIGHTS - SCHOOL DESEGREGATION

WHEREAS, the Civil Rights directive to desegregate "de facto" segregated public schools is one method utilized to provide an equal educational opportunity for students from minority racial groups, and

WHEREAS, many public schools serving rural Indian communities have been identified by the U. S. Office of Education, Department of Health, Education and Welfare (HEW) as de facto segregated schools because of a high ratio of Indian children in attendance, and

WHEREAS, desegregation measures such as bussing children, to achieve as acceptable ethnic enrollment ratio, would impose extreme hardships both physical and financial, upon Indian children and school districts affected, and

WHEREAS, the fact that a racially balanced school district does not guarantee that either a quality educational program or an equal educational opportunity will result,

NOW THEREFORE BE IT RESOLVED, That the National Congress of American Indians call upon the Department of Health, Education and Welfare and the U. S. Commissioner of Education to amend this policy and exclude schools located on or near Indian trust lands from this desegregation directive.

BE IT FURTHER RESOLVED, That the Civil Rights Title IV, Section of the U. S. Office of Education, Department of Health, Education and Welfare, recognize the special legal rights of Indian Tribes as related to their trust land status whenever any policy is considered with deals with minority racial groups.

National Congress of American Indians
27th Annual Convention
October 19 - 23, 1970
Anchorage, Alaska

RESOLUTION No. 32

TALENT SEARCH PROGRAM

WHEREAS, There is a definite need to identify qualified American Indian students for entry into institutions of higher education, and

WHEREAS, the United States Department of Health, Education, and Welfare, Office of Education, operates a talent search program on a national level, and

WHEREAS, the Talent Search Program has been highly successful in identifying and counseling qualified students for entry into colleges, universities and other institutions of higher learning, and

WHEREAS, the statutory limit of expenditure is $100,000 per state; thereby limiting the effectiveness of the program, and

WHEREAS, an expanded Talent Search Program would enhance the higher educational opportunity for Native Americans, now

THEREFORE BE IT RESOLVED, that the National Congress of American Indians strongly recommends an amendment to the applicable Federal statute deleting the authorized expenditure of funds for the Talent Search Program.

BE IT FURTHER RESOLVED, that the National Congress of American Indians recommends that Congress appropriate additional funds to the Talent Search Program for an expanded operation to meet the needs of the Native Americans.

Copies of this resolution shall be distributed to the President of the Senate, each member of the United States Senate, the Speaker of the House of Representatives and each member of the House of Representatives; the National Council on Indian Opportunity and other interested and concerned groups at the discretion of the Executive Director of the National Congress of American Indians.

National Congress of American Indians
27th Annual Convention
October 19 - 24, 1970
Anchorage, Alaska

RESOLUTION No. 31

ENDORSEMENT OF PRESIDENT'S INDIAN PROPOSALS

WHEREAS, Indian people have for many years been seeking the right to become involved directly in the management of programs affecting their lives on the reservation and,

WHERAS, Indian people have made very clear their desire to be self-determinate and to be directly involved in those activities of the Federal government which bear on the policies and programs affecting Indians and,

WHEREAS, the President and Vice President of the United States through the historic message of July 8, 1970 have announced clearly the policy of the Administration in Washington to allow Indian people the right to be directly involved in the formulation of programs and policies and,

WHEREAS, the policy of self-determination and involvement uttered by President Nixon has been consistently and forcefully espoused by the National Congress of American Indians and,

WHEREAS, the legislative program sent to the Congress by the Administration is designed to bring about by law the right of the Indian people to be self-determinate when they desire and as they desire, and,

WHEREAS, the President and the Vice President have repudiated termination of the special relationship between Indian people and the Federal government as a policy, and

WHEREAS, the President of the United States has called for regional hearings to be held under the chairmanship of the Indian members of the National Council on Indian Opportunity, which meetings should involve all Indian leaders and other interested Indians, to allow Indian voices to be heard with regard to the message, legislation and other matters,

NOW THEREFORE BE IT RESOLVED, that the delegates of the National Congress of American Indians express their strong endorsement of the policy and legislative initiatives set forth in the message and urge that the Congress of the United States act swiftly and favorably on the President's proposals.

National Congress of American Indians
27th Annual Convention
October 19-24, 1970
Anchorage, Alaska

RESOLUTION NO.30

ADVISORY COMMITTEE TO EVALUATE PROGRAMS AND PROPOSALS

WHEREAS, some colleges and universities are providing specialized studies of minorities, and these, and proposals for others are mushrooming in a hurried manner, and

WHEREAS, there is a national need for quality college study programs about the history and culture of minority groups including American Indians, and

WHEREAS, the National Congress of American Indians is gravely concerned as to the legitimacy of purpose and quality of content of many Indian study programs and proposals of some institutions, and

WHEREAS, the funding of many of these Indian studies programs rests on the discretion of various departments and agencies of the Federal Government, now

WHEREAS, the Indian students are closest to these programs and institutions and closest to the problems of Indian Education, now

THEREFORE BE IT RESOLVED, that the National Congress of American Indians urgently request these departments to create an advisory committee composed of the academic community and Indians selected by the National Congress of American Indians to review and evaluate programs and proposals, and

BE IT FURTHER RESOLVED, that the Indians selected to sit on such a committee be selected by the Executive Committee.

National Congress of American Indians
27th Annual Convention
October 19-24, 1970
Anchorage, Alaska

RESOLUTION No. 26

INDIAN HEAD START PROGRAM

WHEREAS, The task force findings of May 8, 1970, call for the decentralization and registration of the Indian Head Start programs, and

WHEREAS, the Indian Government ties have legally and historically consisted of a direct Federal-Indian relationship, and

WHEREAS, the present Indian Migrant Programs Division structure assures greater services because of its direct relationships with the sensitive needs and understanding of Indian people, and

WHEREAS, Dr. Edward Zigler, Director, Office of Child Development, stated publicly at the July 27-28, 1970 meeting of the National Indian Head Start Policy Advisory Committee, that there would be no action taken on decentralization without prior consultation with Indian people, and

WHEREAS, Indian people across the nation have voiced their strong opposition to this or any similar move,

NOW THEREFORE BE IT RESOLVED that the National Congress of American Indians does hereby oppose the proposed regionalization and/or decentralization.

National Congress of American Indians
1970 Convention
27th Annual Convention
Anchorage, Alaska

RESOLUTION No. 25

INDIAN EDUCATIONAL SYSTEMS

WHEREAS, present educational systems are not effectively educating Indian, Eskimos and Native American youth, because many educators are not acquainted with the special problems of Indian, Eskimos, and Native American students and,

WHEREAS, the present orientation programs are not adequate to correct these deficiencies, and Indian, Eskimos and Native American students will not be properly educated until these deficiencies are corrected.

NOW THEREFORE BE IT RESOLVED, That the National Congress of American Indians give active support to any and all programs instituted by Indians and implemented by Indians aimed at training educators, administrators and guidance counsellors to understand and work with Indian, Eskimos and Native American students.

National Congress of American Indians
1970 Convention
27th Annual Convention
Anchorage, Alaska

RESOLUTION No. 24

HEAD START, DAY CARE AND YOUTH OPPORTUNITY PROGRAMS

WHEREAS, the President of the United States has recognized the need for more adequate services to Indian people but there is an absence of effective lobbying in behalf of services to Indian children and youth, and

WHEREAS, programs for children - such as Head Start, Day Care programs, and Youth Opportunity programs - have had appropriations reduced or maintained at the same level and are, therefore, only able to serve a part of the Indian people, and

WHEREAS, there still remain critical needs for expanded services in Head Start programs, recreational programs, and educational programs for Indian youth,

NOW THEREFORE BE IT RESOLVED that the National Congress of American Indians act as an organization lobbying and speaking out forcefully for improved services for the development of the most important resource of the Indian people - their Indian children and youth.

BE IT FURTHER RESOLVED that the National Congress of American Indians also speak out forcefully for expanded opportunities for the training and development of Indian professionals to enable them to assume full administrative and classroom responsibilities in child oriented programs.

National Congress of American Indians
1970 Convention
27th Annual Convention
Anchorage, Alaska

RESOLUTION No. 22

PARENT - CHILD DEVELOPMENT CENTERS

WHEREAS, the earliest years of life are crucial in the total development (intelligence and personality) of the child and the fact that environmental conditions, limited ability, and lack of information often make it impossible for parents to accept the role of helping their child grow into a healthy fully functioning human being, the need for Parent - Child Development Centers is evident.

WHEREAS, President Nixon in both his State of the Union Message of January, 1967, and in his message to education in 1970 urged we try new methods of child development and care from the earliest years and since the home provides then child with patterns for learning it makes sense to strengthen the home disadvantaged by limitations imposed by proverty and to reinterpret to the parent his/her unique role as parent - teacher.

WHEREAS, learning to read and comprehend represents a successful experience in school, it behooves us to consider the early learning which contributes to a readiness to read.

WHEREAS, it is found that only one five year old in four in the disadvantaged areas reaches what might be called normal learning and emotional development for his age.

THEREFORE BE IT RESOLVED that funds be earmarked to the legislative level for all Indian Parent - Child Development Centers for children 6 months - 3 years. That all funds related to Parent - Child Development Centers should be channeled through the Office of Child Development.

National Congress of American Indians
1970 Convention
27th Annual Convention
Anchorage, Alaska

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RESOLUTION No. 21

INDIAN EDUCATION - ADDITIONAL CLASSROOM SPACE

WHEREAS, there is a paramount need to provide additional classroom space for the youth of all areas within Indian Territory, and

WHEREAS, there is a need to provide an adequate atmosphere for maximum acquisition of learning, and

WHEREAS, there are positive indications reflecting the increasing student population in the afore stated areas, and

WHEREAS, those minimal funds when appropriated seemingly constitute a token effort due in part to the inflationary costs involved in the construction and remodeling industries, and

WHEREAS, this need has been neglected in terms of Congressional Appropriations under Public Law 815

NOW THEREFORE BE IT RESOLVED by the National Congress of American Indians in annual convention at Anchorage, Alaska on this twenty third day of October, Nineteen hundred and seventy, that the Bureau of Indian Affairs and the United States Office of Education assess the national back-log in the area of classroom remodeling and construction needs and that a continuous yearly financial committment be integrated in the Congressional appropriations under Public Law 815, to adequately meet the needs in public and Bureau of Indian Affairs schools serving Indian communities on or near tax free Indian or tribally owned lands.

National Congress of American Indians
1970 Convention
27th Annual Convention
Anchorage, Alaska

RESOLUTION No. 20

INDIAN EDUCATION - Public Law 874

WHEREAS, the reduction in the funding level under Public Law 874 has caused critical concern on behalf of impact area schools educating Indian youth, and

WHEREAS, the questionable status of 38 recipients has created concern in many of these same schools, and

WHEREAS, there are many school districts located in rural America educating Indian youth which are dependent upon climactic conditions to support local effort, and

WHEREAS, the financial assistance received under Public Law 874 has definitely enhanced the educational opportunities for American Indians, and

WHEREAS, the delay in appropriations under Public Law 874 has caused a deficit fiscal operation in many of these schools which compounds the problem due to high interest rates on borrowed funds, and

WHEREAS, Indian children educated in these schools have suffered because of the highly questionable nature of the entitlement eligibility of certain comparably rich Eastern Urban districts

NOW THEREFORE BE IT RESOLVED by the National Congress of American Indians meeting in annual convention at Anchorage, Alaska, on this twenty third day of October, Nineteen hundred and seventy, that the United States Department of Education assess the relative financial need of said districts.

National Congress of American Indians
27th Annual Convention
October 19-23, 1970
Anchorage, Alaska

RESOLUTION No. 19

EARMARK FUNDS FOR EDUCATION OF INDIAN PUPILS

WHEREAS, the Elementary and Secondary Education Act has already been in effect a number of years to meet the needs of economically disadvantaged students in our educational system, and

WHEREAS, there continues to be critical unmet needs in the education of Indian pupils and reports currently available such as the Havinghurst Study and the Kennedy Sub-committee report on Indian Education - both provide statistical data indicating the seriousness of the problems, and

WHEREAS, no improvement will occur unless specific changes in current regulations and directives are implemented in the allocation and disbursement of these funds to State School Systems that will have direct bearing on local education programs affecting Indian children, now

THEREFORE BE IT RESOLVED, that the National Congress of American Indians through its Education Committee, take the necessary steps to urge and assist the Department of Health, Education, and Welfare and the U. S. Office of Education immediately to establish that a minimum of 5% of all available funds be earmarked exclusively for education of Indian pupils in the public school system. These funds should be earmarked out of the Commissioner of Education's discretionary monies.

BE IT FURTHER RESOLVED, that implementation of this policy and procedure be applied immediately upon approval by the appropriate agency and department heads.

BE IT FURTHER RESOLVED, that the U. S. Office of Education be petitioned by the Education Committee of National Congress of American Indians to recommend to the Administration continuation of the ESEA set aside authorities for funding Bureau of Indian Affairs Schools prior to its expiration in June 1971.

National Congress of American Indians
1970 Convention
27th Annual Convention
Anchorage, Alaska

RESOLUTION NO. 62

FUNDS FOR ADULT BASIC EDUCATION - PINE RIDGE

WHEREAS, an adult basic education program, highly mobile in nature to take the program to every district, has operated on the Pine Ridge reservation in South Dakota since 1967, has reached significant numbers of tribal members, has proved highly beneficial to the Oglala Sioux Tribe, and is supported by the Tribe, public and parochial schools, the Bureau of Indian Affairs, and the State Department of Education; and

WHEREAS, this program could provide a model for other tribes;

NOW, THEREFORE, BE IT RESOLVED, that the National Congress of American Indians strongly supports continued funding of this program by the Office of Education, HEW; and

BE IT FURTHER RESOLVED, that such programs requested by other tribes also be funded.

National Congress of American Indians
1969 Convention
26th Annual Convention
Albuquerque, New Mexico

RESOLUTION NO. 60

INDIAN EDUCATION - MINNESOTA

WHEREAS, the State of Minnesota has failed drastically in the education of urban and reservation Indians as evidenced by the large sixty-five per cent high school dropout rate of our Indian young and the shameful potential dropout rate of Indian young presently in the sixth, seventh, and eighth grade levels; and

WHEREAS, the Bureau of Indian Affairs has also failed in education policies due to the lack of imagination and foresight, and their inability to be creative in innovating educational programs geared to unique needs of Indian people, such as Indian parental involvement and control: and

WHEREAS, demonstrated abusive community and school personnel attitudes continue to be a major contributing factor in the huge dropout and potential dropout rate of Indian young people; and

WHEREAS, the curriculum of the public schools is practically void of Indian sensitivity and awareness and does little to upgrade the Indian image, and is alien to Indian history, contributions, lore, art, music, and language; and

WHEREAS, outdated policies geared to assimilation have caused a sense of rejection to Indian identity and pride; and

WHEREAS, certain programs have shown that Indian people can effectively administer their own programs; and so

THEREFORE, BE IT RESOLVED, that the National Congress of American Indians and the National Council on Indian Opportunity support the desires of the Indian Upward Bound staff and Board of Directors, to establish a large, equal and separate Indian educational system within the State of Minnesota which will be proposed as an Educational Park Complex on the White Earth Reservation and within the urban Indian area of Minneapolis, Minnesota The complex will be on a demonstration basis and will constitute programs such as Head Start, Kindergarten, STAIRS, Elementary, Secondary, Upward Bound, Associated Arts College, Adult Basic, Vocational Training and Leadership Training. Total control by Indian parents and Indian community residents will be practiced through an all-Indian Board of Directors;

BE IT FURTHER RESOLVED, that the National Congress of American Indians and the National Council on Indian Opportunity recommend all elected National and State of Minnesota Congressmen

RESOLUTION NO. 60 continued

and Senators who are sympathetic to the Indian's educational plight meet with a selected committee of Indian people.

National Congress of American Indians
1969 Convention
26th Annual Convention
Albuquerque, New Mexico

RESOLUTION NO. 44

INDIAN COMMUNITY COLLEGES

WHEREAS, American Indians are beginning to pursue higher education in greater numbers; and

WHEREAS, due to (a) language problems, (b) different cultural orientation, (c) financial problems, (d) the philosophy of the American school system, (e) lack of counseling in the high school, (f) lack of orientation toward college; there is a high drop out rate among Indians.

NOW, THEREFORE, BE IT RESOLVED, that the National Congress of American Indians goes on record supporting the establishment of community colleges near Indian areas, and that they be funded from a federal program or any other available sources, in order to promote a favorable solution to the problems of Indian students; and

BE IT FURTHER RESOLVED, that the Bureau of Indian Affairs be requested to seek increased funds for its scholarship program.

National Congress of American Indians
1969 Convention
26th Annual Convention
Albuquerque, New Mexico

RESOLUTION NO. 42

SCHOOL BOARDS - MINORITIES

WHEREAS, the State of New Mexico has amended Chapter 103 of its statues to provide for expansion of local public school boards to include representatives of minorities in the school district; and

WHEREAS, this can provide a meaningful transition for Indian people into full electoral participation; and

WHEREAS, certain tribes have been ignored by their local school boards in attempts to implement this local option law, and

BE IT RESOLVED, that the National Congress of American Indians goes on record in support of these tribal efforts to improve the quality of education their children receive; and

BE IT FURTHER RESOLVED, that copies of this resolution is sent to the Governor of New Mexico, David F. Cargo, the Superintendent of all school districts with Indian students in the State of New Mexico and to all Chairman of the boards of education in those districts.

National Congress of American Indians
1969 Convention
26th Annual Convention
Albuquerque, New Mexico

RESOLUTION NO. 32

INDIAN ADMINISTRATORS OF INDIAN PROGRAMS

WHEREAS, various agencies of the Bureau of Indian Affairs have been given the administrative responsibility of determining Education and Welfare needs of Indian people; and

WHEREAS, the Bureau of Indian Affairs has required the Indian people to first exhaust all other sources of help in their areas, and

WHERBAS, this requirement results in an erosion of Indian rights to these services and this leads to slow but sure termination.

NOW, THEREFORE, BE IT RESOLVED, that the National Congress of American Indians request the United States Government to comply with the intent of the treaty agreements and prepare and place Indian people in all levels of administrative responsibility in Indian Affairs.

National Congress of American Indians
1969 Convention
26th Annual Convention
Albuquerquo, New Mexico

RESOLUTION NO. 19

CHANNELING OF FEDERAL FUNDS

WHEREAS, there is an increasing policy to channel federal funds through state agencies; and

WHEREAS, while this policy may be generally beneficial to state agencies and state entities such as cities and counties but is extremely prejudicial to reservations and tribes which are not a part of the state political system;

NOW, THEREFORE, BE IT RESOLVED, that federal funds available to Indian tribes and reservations be, as far as possible, without denying tribes the benefit of funds that should or must come through state agencies channeled directly to the tribes and reservations rather than through the state government.

National Congress of American Indians
1969 Convention
26th Annual Convention
Albuquerque, New Mexico

RESOLUTION NO. 15

ESTABLISHMENT OF INDIAN EDUCATION COMMITTEE

WHEREAS, the Education of Indian children both on and off the reservation is given a high priority by the National Congress of American Indians; and

WHEREAS, the National Congress of American Indians is desirous of positioning itself as the spokesman of all Indians, both on and off the reservation on all matters, especially Indian Education; and

WHEREAS, there is no voice of NCAI for Indian Education in the form of/or an Education Co-ordinator, and Education Committee; and

WHEREAS, the lack of a Education Co-ordinator or standing Indian Education Committee at NCAI is to the detriment of Indian children and to the total voice of NCAI in Indian affairs, because it results in non-Indians writing education programs for Indians, thus reducing the self-determinism of Indians at all levels of education, from pre-school through post-grad; and

WHEREAS, NCAI seeks to alleviate this detriment and strengthen Indian autonomy on the education of Indian children,

NOW, THEREFORE, BE IT RESOLVED, that the Executive Council be directed to set up immediately a standing committee on Indian Education, all of whom will be Indian, and this committee will select, if desired an Indian Education Co-ordinator. This proposed Education Co-ordinator and this proposed committee would be charged with liaison between U.S. Office of Education, National Education Association, National Council of Bureau of Indian Affairs Educators, BIA, Universities, Educational Labs, All Tribal Governments, and other National, State, and Local organizations who are desirous of improving Indian Education. Tribal reaction to ALL Indian Education proposals will be a reality through implementation of this resolution.

National Congress of American Indians
1969 Convention
26th Annual Convention
Albuquerque, New Mexico

RESOLUTION NO. 2

INDIAN SCHOOLS

WHEREAS, for many years the Bureau of Indian Affairs school facilities located at Chemawa, north of Salem, Oregon, have been used almost exclusively for the education of children from Alaska and from the Navajo Indian Reservation, by reason of the shortage of facilities near their homes, and at the same time school children from the Pacific Northwest who are eligible for attending Indian schools have been required to attend Chilocco, Riverside, Fort Sill, and Concho Indian Schools, all located in Oklahoma; and

WHEREAS, many more schools are now being built nearer to the homes of the Navajo children, and there is hoped-for progress in connection with the needs of Alaskan children; and

WHEREAS, the Bureau of Indian Affairs states that it is now the policy of the Bureau of Indian Affairs to phase out the Navajo program at Chemawa and to accept applications for eligible students from Pacific Northwest tribes for attendance at Chemawa, and also states that there are now 160 students from Pacific Northwest Tribes attending Chemawa out of a total enrollment exceeding 850,

NOW, THEREFORE, BE IT RESOLVED, that the National Congress of American Indians, in Convention assembled at Albuquerque, New Mexico, October 6-10, 1969, hereby adopts the following: That the above described new policy of the Bureau of Indian Affairs is hereby endorsed as is the principle that Indian schools in the Pacific Northwest should be the principal Indian schools attended by children from Pacific Northwest Tribes.

FURTHER RESOLVED, that the Bureau of Indian Affairs is urged not to close down any Indian boarding schools as long as needed for education of socially deprived Indian children.

1969 Convention
26th Annual Convention
Albuquerque, New Mexico

RESOLUTION NO. 12

EDUCATION - TEACHING FUNDS

WHEREAS, education of the youths on Indian reservations is of paramount importance to all Indians in the United States; and

WHEREAS, the object of Indian education should be to aid Indians in becoming responsible, well adjusted citizens who participate fully in the benefits of American life without forfeiting their ancestral heritage; and

WHEREAS, appropriations available to the Bureau of Indian Affairs for the education of Indian youths have been insufficient in order to carry on the educational processes on Indian reservations; and

WHEREAS, during this year in particular, due to Congressional action in connection with the Surtax Bill, there have been many cutbacks in budgetary items badly needed in order to meet pay raises necessary to meet competition in the personal services of cooks, bus drivers, etc.; and

WHEREAS, special educational classes are needed and necessary to give the Indian children special attention such as in remedial classes and for the retarded children; and

WHEREAS, in order for the Educational Branch of the Bureau of Indian Affairs to effectively carry on schooling for the youths on Indian reservations and to carry out the foregoing, it will be necessary to have supplemental appropriations to meet the pay raises granted to teaching personnel and others so that a good and proper educational system may be carried on.

NOW, THEREFORE, BE IT RESOLVED, by the National Congress of American Indians in Convention assembled September 24-27, 1968, that it respectfully requests the Congress of the United States to include in the supplemental appropriations bill for the Department of the Interior, Bureau of Indian Affairs, Branch of Education, additional funds necessary to meet the pay raises granted to teaching personnel and others over which the Bureau and the Indian tribes had no control.

1968 Convention
25th Annual Convention
Omaha, Nebraska

Senator PELL. Our next witness is a panel from Minnesota which has been arranged for by Senator Mondale and he will introduce them.

Senator MONDALE. It is my pleasure to introduce three outstanding Minnesota Indian educators: Mr. Jerry Buckanaga, who is currently the principal of a very impressive new experimental Indian school on the White Earth Indian Reservation, Pine Point School; he also serves as treasurer of the Chippewa Tribe, and he has been active in Indian affairs for many years in Minnesota. He serves as chairman of the Minnesota Indian Educational Committee. He was on the board for Americans for Indian Opportunity, and recently won a Bush Foundation scholarship.

Ruth Meyers is a very active and impressive volunteer in educational matters in Duluth and has really performed remarkably in that area. She is a member of the NIEA and a member of the Minnesota Education Committee, and recently elected to the city of Duluth school board.

Mr. Ted Mahto is an Indian consultant to the Minneapolis public school system and I believe that I am correct that the Minneapolis school system has a higher ratio of Indians to non-Indians than any other school system in the country?

Mr. MAHTO. That is correct.

Senator MONDALE. We have the tragic problem of any system which receives Indians, most of whom live in such disparate, poverty-stricken situations.

Senator PELL. What would that percentage be?

Mr. MAHTO. In inner-city schools it ranges to 15 percent.

Senator MONDALE. It would be less districtwise. They are concentrated in the ghettoes. I can get the exact percentage.

Mr. MAHTO. In the total district, it is about 2.7 percent.

Senator PELL. We will now receive a statement from Mrs. Harris, wife of Senator Harris of Oklahoma, who is one of the most knowledgeable people in this field.

STATEMENT OF LaDONNA HARRIS, PRESIDENT, AMERICANS FOR INDIAN OPPORTUNITY ACTION COUNCIL

Mrs. HARRIS. Mr. Chairman, we would like to congratulate you on the proposed piece of legislation that is before us today. We know that it came after long and thoughtful consideration by your committee. During the exhaustive hearings that this committee held, you gave people an opportunity to express their complaints and frustrations about the present inadequate system, but more than that, you gave us the chance to make our input based on our needs as we see them. This has been a fair hearing and we commend you and the committee.

We do, however, have some serious recommendations to make after reviewing the committee's work. Some of our suggestions, no doubt, have been made before but we would like to reiterate them for the record.

The revisions, creations, and additional funding contained in parts A, B, C, D, and E of your amendment, go a long way towards an ideal model for Indian education. We believe as you do that Indian education should be a model of excellence. Why should we waste time on revising the system if it is anything less than excellent?

We would like then to restate what we believe the objectives of Indian education should be and offer some suggestions to strengthen this amendment.

OBJECTIVES

The objective of any Indian education program should be to afford the individual student the opportunity to be educated to his full capacity so that he will be able to make the options in life that other people have.

Indian education whether in public, private or Federal schools, should be a model of excellence in curricula, programs, texts, teaching methods, guidance, instructors, resources, and related services. It should take into account the culture, language and special needs of the child, and should be imaginative, innovative and flexible.

The overall design, implementation and administration of Indian education should be controlled by at least a majority of Native Americans.

Programs at the local level should be carried out only after full consultation and approval of the parents of Indian children.

Public and private schools receiving money for educating Indian children must be made accountable for how that money is spent.

Your amendment does much to meet these objectives but falters in a couple of respects.

RECOMMENDATIONS

Under your amendment only one portion of Indian education is controlled by native Americans. The National Board of Indian Education would not, under Amendment 6, have control over programs administered by the Commissioner of Education. Quite frankly, it seems that if the National Board of Indian Education acts only in an advisory position to the Commissioner, the whole thrust of your bill is undermined. Although HEW may be a bit more benign in these matters than the Bureau of Indian Affairs, there is still no assurance that the mistakes of the past will not be repeated by the Commissioner of Education. This is something that we cannot afford to let happen. It is with this in mind that we recommend that the National Board of Indian Education assume full responsibility for the control and operation of all Indian education programs of the Federal Government, including presentation of the budget for Indian education to the Office of Management and Budget and the Congress.

If this is done we believe that the intent contained in part D of your bill will be strengthened.

Most important, we believe, is that any board that is created should be responsible for the overall development and implementation of an Indian education program. It should be free, so far as possible, from both Indian and non-Indian politics while being open enough to listen to the needs of native American parents and students. It should be primarily composed of professional native Americans as well as representatives of the poor. Its director should have enough authority to carry out an aggressive program and his job should not be subject to changes of administration. In other words, the board should hire an aggressive and competent professional and support him. Such a plan could be implemented with enabling legislation and executive orders promulgated by the President.

We agree with you that the board, not the President, should elect its own chairman and vice chairman.

We also agree with you that Indian education programs should be open to all Indians.

Another aspect of our concern over this amendment lies with the administration of Johnson-O'Malley funds. We strongly believe that Congress should reinforce its intent that Johnson-O'Malley moneys are not meant as a substitute in lieu of general property tax revenues but that they are to go toward meeting the special needs of all native American children. Congress must make those local school systems responsible for administering JOM funds accountable to this end. Anything less is a waste of good money and demeaning to not only native American people but to this Congress.

No matter who administers the JOM program, you must make it clear, for the protection of native American children, that regulations must conform to your intent, and that those administering JOM funds are accountable for their use.

We feel that this Committee's recommendations in regard to making funds available for pilot projects in not only Federal schools but in off-reservation and urban schools is excellent. We have an excellent model for reservation schools in the Rough Rock School in Arizona. Unfortunately, little has been done to develop models for Indian education in urban and nonreservation areas. Funds must be allocated to develop prototypes for Indian education, especially in urban areas.

Finally, Mr. Chairman, we strongly recommend that more attention be given to the creation of a comprehensive free Indian community college system. This system could be initially administered by the National Board of Indian Education, but should eventually be administered by a separate board or at least a standing committee of the National Board of Indian Education. We feel that the Navajo Community College will eventually serve as an excellent model for such a system. Already community leaders from the Pine Ridge and Rosebud Reservations are seeking support for continued development of community college centers in their area. Others will no doubt follow and we believe that priority attention should be given to this area.

In conclusion, Mr. Chairman, we are looking for a comprehensive structure that will allow native American people to create a model of quality and excellence for the education of their children. We believe that this will only be possible when the competent and professional native Americans are allowed complete authority over the total educational system. Your recommendations do much to supply the tools for carrying out this mission. We hope that you will give thoughtful consideration to our recommendations for we believe that their adoption will strengthen your amendment.

Senator PELL. We were most happy to hear from Mrs. Harris and now we will hear from Mr. Buckanaga.

STATEMENT OF JEROME BUCKANAGA, PRINCIPAL, PINE POINT EXPERIMENTAL SCHOOL, PONSFORD, MINN., WHITE EARTH RESERVATION

Mr. BUCKANAGA. Mr. Chairman, I would like to preface my remarks. As to the comment that Senator Mondale made, we do indeed have an experimental school in the State of Minnesota and it was through

his efforts that this school was developed, because of the sad conditions that we hear so much about in studies made by anthropologists and sociologists, et cetera.

The act, as it stands, recognizes that the education of the Indian American is, to say the least, atrocious, and is attempting to modify the contemptible conditions in which Indian children are educated.

I wish to comment on the functions of education, of schools in this country, as they serve the general public in this Nation. The essential function of the educational institution in the social order is to transmit to young citizens those skills and behaviors that will enable the young citizen when matured to lead an independent, productive life in the American social order.

The school in American society also serves as an agent to transmit to the children those behaviors the local community may deem important.

Among the dominant social classes of this Nation, the educational institutions provide children with the skills and behaviors of that dominant class. In a community with a culturally varying population, the wishes of the local community are often neglected. And herein lies the communication, cultural, insensitive what have you, gap of white America versus Indian America. As it turns out in this Nation, a culturally differing community is frequently one that is at the lower end of the socioeconomic scale.

The culturally differing community then is unable to transmit to its young citizens the heritage of the unique culture.

The Indian American children who enter school are too often faced with teachers who feel the Indian culture and life style is wrong, and consequently are unable and fail to incorporate the child's culture into the instructional activities of the school.

The educational institution, the school in this context, takes on an erroneous role of subtly and harmfully attempting to teach the child a different culture and life style.

The Indian child, then, very often, emerges without the behaviors and skills needed for independent adult life, as well as being confused because the school experiences have suggested that his native culture and life style are wrong.

The society then brands the child as a failure. The cycle of failure, poverty, poor health, poor housing, in general, the poorest living standards of any American is reinforced by the educational establishment. The history and culture of the Indian American is, indeed, unique to this Nation, but is overlooked in the American society today. Indian people rightfully express their wishes that Indian children should reflect the culture and identity of their heritage.

Unfortunately, the typical public school in Minnesota does not meet this purpose. I wish to point out four fundamental notions in reference to public education in relationship to Indian Americans.

1. The public schools as they exist are not providing pupils with skills and learnings necessary to participate fully in the social, economic and political resources of the American social order. The data regarding educational achievement, retention in secondary schools, and social behavior of Indian youth unequivocally demonstrate the schools' failure. It is not the Indian children who are failures, it is

the school that is a failure. It is not youth who drop out of secondary school. The school in its failure forces youth out of secondary school.

2. The school is an agency of society, charged by the society to transform articulated purposes into behaviors of children. The local community has the prerogative to designate purposes unique to that community, that the school should accomplish. In a community comprised largely of Indian people, the purposes of the school must reflect the heritage, culture, history, and life style of Indian people. The personnel of the school must have the skill and knowledge to bring Indian culture into the content of the curriculum, and through effective teaching strategies, incorporate this aspect of curriculum content into the behaviors of Indian children.

3. Indian people must be allowed to identify and define within their immediate social and physical environment, those wrongs that require correction. Further, Indian people must be let to hold leadership and expertise to gather resources and implement procedures to correct the deficiencies they identify.

4. Within the political and social domain of the Indian community, an appropriate organizational structure supporting the operations of a school include substantial imput from local education agencies, State education agencies and Federal education agencies. And further, that mandates from the high level political avenues must provide the availability of such operations.

It is my contention that the standard program of instruction, whether they be public, Federal, non-Indian or Indian, is incapable of meeting needs of all America. It is confined to instruction to children of school age, during usually a 6- or 7-hour period, 5 days each week. Excepting a few special events that occur infrequently, the school program does not extend beyond these traditional limits. I suggest that the school can better serve the total community by extending the program of instruction and activities to all members of the community combining all services, preschool, family services, adult education, and in time we may become a unit that is not fragmented, as the middle class American life style has become.

At this point I must explain what my knowledge of the Indian life style was before the coming of the Europeans. The older Indians tell about a circle. And within this circle there was a center. But the circle was dependent on all things that the Indian knew of and these included all things of nature, the sun, the moon, and all and everything which he experienced but he did not fragment his life. There were reasons for all the actions he made and he took into consideration all aspects or consequences he might encounter upon or prior to making a decision.

I hold that, as an Indian American citizen, that this country is in great danger of destroying itself. I contend further that the people who control this country must listen to the Indian nation. Furthermore, all funds must be available in order that the Indian American can demonstrate to the non-Indian society that there are ways and means to correct some of the deficiencies in this country.

Wherever and whatever the funding agencies may be—HEW, Office of Education—they must be made available in order that Indian people can, indeed, control our destiny.

In reference to the Kennedy bill, I make the following recommendations:

1. That the National Board of Indian Education be placed within the structure of the Bureau of Indian Affairs and that the legislative action be required, should this be the necessary course of action. I suggest the following reasons for this recommendation:

(*a*) The National Board of Indian Education would be a strong, viable force which would operate according to the desires and needs of the Indian tribes and organizations, be they reservation or urban Indians.

With legislative mandates it might assist in the concept of local control, bearing in mind that local education agencies would be held more accountable for funds spent on Indian students. The National Board of Indian Education would have authority throughout the Nation and be duly recognized from the Federal level and in this instance be more responsive to the Indian tribes and/or organizations.

(*b*) That since the Bureau of Indian Affairs was created by this government for the Indian people it is incumbent upon this government to be more responsive to the Indian. It would be in order then, to reinforce the existing educational programs within the Bureau of Indian Affairs by placing the National Board of Education within the organizational structure of the BIA, based on the premise that the board is of strong nature.

(*c*) The tribal organizations which must be actively involved in the development of the National Board of Indian Education and at this point the Bureau of Indian Affairs is making an attempt to involve tribal participation, it would be in order to involve the tribes in this action. The national board would be of a more unified nature in the development of educational programs geared to meet the needs of Indian Americans.

2. That Public Law 874, while it provides for funds involving urban Indian education, must be amended in order that it provides funds involving the operational costs for reservation schools as well as provisions for innovative educational programs with increased funding. I suggest this amendment due to the fact that most reservation schools rely on Public Law 874 for operational costs.

3. That Public Law 815 be further investigated and that attempts be made to provide funds for building costs and building renovation. The availability of Public Law 815 would enhance the educational environment and the Indian communities environment.

4. That continued efforts be made in Indian education by the Congress and administration in order that all Indian Americans of this country, reservation and urban, be allowed the many rights that have been denied the Indian Americans.

In conclusion, the time has arrived whereby Indian tribes, Indian educators must be allowed complete authority to create programs of quality and excellence for the Indian. I hope that you will give consideration to this testimony and recommendations for I feel it will provide for a stronger legislative act on behalf of the Indian American.

Senator KENNEDY. That is a very helpful comment. Yesterday the Commissioner of Education told us about a new advisory board for Indian education programs. I was just wondering if you were familiar with this board, if you heard about it, if you knew any of the people who were on it, if any of you were consulted in the makeup of the board? Do you have any——

Mr. BUCKANAGA. I have just heard about it. I haven't seen the makeup of it or anything else.

Senator KENNEDY. I was just interested. I think all of us are very much aware of the problems structurally with any kind of advisory board. This is in marked contrast to proposals included in our amendment. I was interested in your impressions of whether this board is existing in a vacuum or whether they had an opportunity to visit with you or any of the people who have been extremely active. I know the work that is being done now in your State and what you people are doing is some of the most creative and imaginative work in Indian education. I was wondering if any of your views have been solicited?

Mr. BUCKANAGA. I would like to make one further comment on advisory boards.

We do have an advisory board on our school activities. We are involved in public education, but we operate a pilot program in the white community, white district, and the advisory capacity is very limited. There is nothing that authorizes them to really make any kind of decisions and I think there has to be some kind of legislative mandate, whether it comes from a Federal level or should it come from a State level, there have got to be some definite kinds of statements which say Indian people do indeed have something to say about their educational program and not only in an advisory capacity, Senator.

Senator KENNEDY. Thank you very much.

STATEMENT OF RUTH MEYERS, BOARD OF EDUCATION, DULUTH, MINN.

Mrs. MEYERS. Mr. Chairman, Senator Kennedy and Senator Mondale, I am Ruth Meyers, enrolled member of the Grand Portage Band of Chippewa Indians. Having lived in the city of Duluth for 43 years, I am one of those "urban Indians" and it is to this fact that I will speak.

I am 45 years of age, which is 1 year beyond the national average lifespan of the American Indians, so being on free time, I will not waste it on empty rhetoric.

In behalf of the Duluth Indian community I want to thank you for this opportunity to offer comments on amendment 6 of S. 659.

But before I do that I would like to summarize briefly for the record some of the actions attempted and frustrations suffered by an Indian group working in a city with little or no help from Indian agencies.

Our Indian population is estimated at 1,000 of a city of 100,000. Our Indian student population is an estimated 425 of a school district population of 24,000. Too long the special needs of the Indian child and his parents in the urban area have been ignored by the BIA, the tribal people who count us on their rolls and the public school district in which we reside.

To attempt to overcome this neglect, we in Duluth have been struggling for over 5 years in a united effort trying to improve the quality of education of and for our Indian community. We have done this, on our own, on a volunteer basis and with no compensation. We have developed some curricula, served as resource speakers on our history and culture to the public schools and community at large. Involved

ourselves in human relations, teacher sensitivity training and we are working with our local colleges to bring about change in their teacher training.

In addition we provide help on an ad hoc basis to the faculty and student body. We have worked to retain our Indian students in college. We are able to bring about the removal from our school district, a negative to Indian people, State history book "Minnesota, Star of the North."

We have, through our efforts secured the position of Indian education advisor for the Indian students and their families in the Duluth school district. We have requested and secured an Indian education advisory committee, elected by members of the Duluth Indian community, 12 years old and up.

The committee is composed of six Indian adults and six Indian students. This committee, though advisory in name, played and important role in the selection and hiring of the Indian education advisor, all audiovisual material relating to our history and culture is previewed by the committee before purchase.

Our school district now does respond to the feelings and requests of the Indian community. It is not all that bad. We are currently seeking through our school district funding for an Indian early childhood education project.

Although we have achieved these gains the process over the year was very frustrating to us. We lacked confidence in ourselves individually because we did not have a working knowledge of our rights. Because we lack the expertise of proposal research and writing we cannot compete for monies available for community projects. We need expertise in proposal writing and could use some help to cut through the entanglement of white tape [laughter] that every bureaucracy seems to throw in the way of effective parent-community involvement.

We have spent much of our time searching out sources of help. Because we are Indians residing in an urban area the usual sources of help, advice, and expertise available to other Indians are closed to us. Think of what we can do with additional assistance.

By the way, the term "urban" Indians bothers me. That phrase has come to mean something other than Indian. It seems to imply a tribe of Indians that someone has found under a rock and no one wishes to claim. I would see the phrase "urban Indians" as used in the bill changed to an Indian or Indians who reside in urban areas.

To now comment on the bill, I would just like to say that regarding Federal boarding schools—I would not presume to speak on that portion of the bill on which I have no right to judge. I do not or have not had children in Federal boarding schools. My only contact with Federal boarding schools was thus: Out of seven children in my family, two went to Federal boarding schools and were the only two of the seven children to graduate from high school.

The parents and community involved ought to decide and speak on this issue. But I do support that portion of the bill dealing with aid to Indian students in urban areas. We would hope to receive aid in the form of monies for the special education needs of our Indian youth above the amount allocated for reservation areas. To develop an education for our Indian youth, not like that education offered the majority of youth today, but accepting the challenge to provide quality

education for all our Indian youth. We would hope to also receive technical assistance and possibly a pair of sharp scissors to cut through all that white tape.

I am in support of the National Board of Indian Education if it has a direct line to the Indian people and not protected by layers of power structure.

I am strongly in support of a parent and community involvement and control in all levels of Indian education.

I support the need for further hearings.

In conclusion, I would like to commend Senators Kennedy and Mondale for their commitment to Indian involvement and Indian control leading to a better educational experience for all Indian people.

I would hope though that my trip to Washington will see better results in Indian education and self-determination than the trips made in the past by my ancestors.

Thank you.

Senator MONDALE. When were you able to cause that textbook to be removed?

Mrs. MEYERS. Shortly after the informal meeting we had in Minneapolis with you.

Senator MONDALE. How long ago was that?

Mrs. MEYERS. 1969.

Senator MONDALE. What were some of the things in that textbook?

Mrs. MEYERS. A couple of photos saying "the Indian is always dependent on the Government for handouts."

The other part had to do with wild ricing. The men would stomp on the rice to remove the chaff and they never bothered to wash their feet and the Indians never bothered to wash their rice before they cooked it, and the Indian exterminated the buffalo. It was really a terrible book.

Senator MONDALE. This was a widely distributed text?

Mrs. MEYERS. It was a book written in 1927 by an educator, it was called "My Minnesota" revised in 1951 and called "Minnesota—Past and Present." It was revised in 1961, called "Minnesota, Star of the North" and it had never been rewritten in any way, and it had been approved or it was on the approved list of the State Department of Education as acceptable.

Senator MONDALE. I don't think Minnesota is unique because since your action, steps have been taken. It shows how incredibly insensitive we are to local people and the importance of local control, the importance of having to consult with the parents of these children in order to make these—this happened recently in, I think, the most advanced state in the Union.

Senator PELL. Thank you very much, I particularly enjoyed your paper and thought your remark about "red tape" was particularly apt.

STATEMENT OF TED MAHTO, CONSULTANT, MINNEAPOLIS SCHOOL SYSTEM

Mr. MAHTO. I will have to cut mine a little short because I would be rather redundant if I went to some other things, the Indian Advisory Board of Minneapolis Public Schools, particularly the executive committee.

We have reviewed the Indian Education Act and talked to Mr. Ray Peterson of Senator Mondale's staff. The following are some of our concerns.

We found the act to be a great piece of legislation. It looks realistically at the problems of Indians and, most important, is a strong thrust for Indian participation in the decisionmaking process.

For example, section 303 speaks of a local formula. We need information on what criteria is to be used to define Indian students. There are a growing number of Indian students who may not be identified by schools as Indian, but who so identify themselves.

Section 304 talks about pilot projects to test the effectiveness of plans developed. We believe that there would be room here for specially designed programs such as the course in Chippewa taught at Phillips Junior High School in Minneapolis. We would need to take a look at special equipment, such as Job Corps material and Dorsa trailers where programs could be specifically adapated to the needs of Indian young people.

Section 305 speaks of hearings. We trust there will be some guidelines for "effective annual evaluation procedures." We agree that Federal funds should supplement, and in no case, supplant. There needs to be guidelines to file reports and this kind of a section may have to be made.

We totally agree that there needs to be maximum participation of Indian persons. The committee, half of which shall be parents and half persons of minority groups, certainly would be in line with the role of our Indian Advisory Committee which already performs that role in Minneapolis.

Section 306 definitely is valid. It would be important that legislators recognize that aid under this act should not be used to count as extra moneys for the schools serving Indian children.

In section 307, the reallocation of funds to agencies which need additional funds, certainly makes sense.

Section 308 defines "Indian." This definition is crucial. We use a sight count in Minneapolis and certainly miss many youngsters who are of part Indian background and who solidly identify as Indians. We need to question the participation of persons in groups like the American Indian Movement, the Indian Federation, or the Indian Advisory Committee, as a partial aspect of the definition of Indian. It seems that our local Indian people should be the ones who decide who is Indian, and not the Department of the Interior, the NEA, or any other group.

Part B speaks of special programs. Section 810 allows for pilot and demonstration projects. We would hope to be able to expand cooperative programs with the Indian community. Some of the aspects of STAIRS, Indian Upward Bound, the Teen Centers, and others, could be developed so that youngsters might attend the basic part of their School day in the public schools with special Indian oriented classes run by Indian groups.

The mobility between the schools and the reservations is such that there needs to be contact and support both at the reservation level and in the city. It would be great to be able to have a situation where, if a family were going back to the reservation for a month or two for some special reason, that a modified homebound approach could be

taken to help youngsters continue in school and not have to suffer because of mobility.

Part C refers to improved adult education. We would certainly want to see the expansion of ABE and the whole approach to cultural as well as educational aspects for adults. It would be great if we could contract to Indian organizations in the community to do the job of selling Indian adults the education.

Part D refers to the National Board of Indian Education. We would suggest that there be at least one or more paid contact persons in the Minneapolis and Minnesota areas. By this, we mean having someone who would not be in Washington full time, but who would be visiting on a fairly regular basis, so that there would be someone from the Minnesota Indian community to carry their concerns to Washington on a regular basis. We would also like to see it worked out where Indian youth could go to each board meeting. We have a number of outstanding young Indian students in Minneapolis. They should be exposed to the national structure and allowing one or two Indian youngsters from Minnesota to attend each board meeting would be one way in which they could become aware of the "power structure" as it operates in Washington.

Under the aspect of miscellaneous provisions, we would like to see a program developed where Indian young adults who are interested in college in the teaching and helping professions, could have a situation where they might work as an aide or teacher's assistant during their junior year in the Minneapolis schools, spend the summer in a reservation situation so they would be more aware of the reservation school situation, and their final year working part-time as an assistant in the schools. This would help these students to be more qualified to make a decision as to where they want to practice their teaching profession, and would help us to have Indian young adults in the classroom to serve as models while they are going to college.

We believe this act is a great step forward. It recognizes the necessity of education for Indian people, but more importantly recognizes that Indian people have a great deal to offer, to the total society. Indian people in Minneapolis are academically, politically, organizationally prepared to meet the challenge and responsibility that this bill would place upon them.

Senator PELL. Thank you very much indeed.

Senator MONDALE. I am very proud of your role and your testimony, particularly the work that each of you are doing in this long neglected field. It strengthens my view that the best way to give Indians a good education is to let Indian parents control the education of their children just as white parents have done from the beginning of the white system of education.

One of the big problems that Americans have is failing to recognize the strengths that you have demonstrated today, your commitment.

Your testimony is very, very helpful and we are going to continue to watch the remarkable work that you are doing. I hope before another generation passes, we can have the kind of legislation we should have had a century ago, and you can come down here for the victory party.

Senator PELL. Thank you very much, indeed.

The next witness is Mr. Lee J. Sclar.

STATEMENT OF LEE J. SCLAR, CALIFORNA INDIAN LEGAL SERVICES, BERKELEY, CALIF.

Mr. SCLAR. I would like to have my written paper introduced in the record and only speak to a few subjects. I am here on behalf of the California Indian Legal Services, which is an OEO-funded legal service corporation providing service to poor California Indians and also on behalf of the Deganawidah-Quetzalcoatl University, which is a new Indian-Chicano university established near Davis, Calif. on a piece of Government surplus property.

We recently transferred the property for the purpose of establishing a university controlled half by Indians and half by Chicanos. The university expects to start classes this summer.

The main points that I see in the bill, I basically believe the bill is a fine bill, the main points in the bill which I believe need changing are the ones dealing with part A's provision providing 874, which I understand the committee does intend to change and, I believe in addition to that, the other thing that needs changing is that—if I could speak first to 874, I think the committee understands the nature of the problem. I have put a little chart on the back of my testimony which I think helps to further explain the difficulty with that. Rather than dwelling on the need to maintain the funds received by 874, I believe although 874 should be repealed, change does need to be made in 874.

The NAACP report on the use of 874 funds that what was happening in the school districts was that local communities would take their State funds, their local tax funds, and their 874 funds, combine them, but not use them equitably throughout the school system. Indians would not get a fair share of the 874 funds in which they were concentrated. I believe the Congress would solve that problem if they would amend 874 as they did Title 1 of ESEA last year in similar fashion in order to require in order for a district to receive Public Law 874 funds on the basis of Indians, that the district would have to distribute its 874 local and State funds equitably throughout the school system, otherwise we are going to continue to have the situation which the NAACP legal defense funds report of local districts giving vastly disproportionate portions of their combined local-State 874 funds to schools which are really less in need of it in terms of the needs of their students.

Another problem in part A, which I see is something I need to correct my written statement about, through a misunderstanding of section 585 and the use of the word "this title" in there, I understand the definition of a local educational agency was going to be changed throughout title 20.

I understand it is not codified in public law, with the result it will only affect a subchapter on bilingual education. The effect of that difference, and it should result in striking the last sentence on page 4 of my statement, is that schools on Indian reservations will not receive any part of funds as a supplement to what I consider the minimal appropriations from the Bureau of Indian Affairs.

In other words, a school on a reservation essentially receives from the Bureau the equivalent of a minimal tax funding. No funds are provided for the special needs of Indian students on reservations and

as part A is presently written, the part A funds would not come to either Federal schools on reservations or a school district that was run by an Indian Reservation, but which was not part of a State public school system. I hope the committee will correct that.

Then, another feature of part A is the definition of "Indian." The definition in the bill as it presently stands certainly is not workable in California. Many California Indians are not enrolled with any tribe, which is not any fault of theirs, it is just that reservations were not created for many Canifornia Indians through a series of historical developments.

Relying on the Secretary to determine who is an Indian is totally unworkable. In the past they have played games, saying sometimes urban Indians are eligible, sometimes they are not, sometimes non-reservation rural Indians are eligible, sometimes they are not eligible. I would suggest a substitution used by the Census Department. That definition is that an Indian is any person of one-quarter or more Indian blood, or any person of any Indian blood recognized as an Indian in the community in which he lives.

That was a definition suggested by a previous witness. I think that would be a workable definition. I think especially if the functions of determining who is recognized by the community as an Indian are assigned either to the local committees established under part A or the National Education Board, there will not be a lot of trouble administering that.

As far as the National Board goes, I indicated to you I believe these new programs in parts A, B, and C should be assigned to the National Board. There are subtle reasons for that. One was raised by Senator Mondale yesterday, which is that for too long the Bureau has created the dichotomy between the urban Indian and reservation and nonrural Indians and it seems to me that an effort should be made to instead of fragmenting those groups into separate programs, trying to bring them all within the compass of one agency.

Now there may be problems with that in terms of who will control that agency, and it may be necessary, if all those groups are brought into the National Board, there will have to be assurance all those groups will have representation. All those programs regarding education should be concentrated in one agency so the voice on education could be unified rather than fragmented.

Also I think it is important that the board have the power to hire, fire, promote and train people without regard to civil service laws, and that Indians have a preference in employment, training, promotion and reduction in force with the National Board of Indian Education and all the agencies under it. Presently the Bureau of Indian Affairs only gives preference to Indians on initial hiring and the civil service laws are also only waived in the case of initial hiring, and the result of that is that Indians find themselves not being promoted as they should be. They find themselves losing their jobs in reduction in force of white people, they find themselves being cut out by civil service.

The Congress tried to solve this problem when it passed the Indian Reorganization Act in 1934, but a court has recently construed that law as not doing what Congress clearly intended it to do and I would refer the committee in that regard to some testimony by Congressman

Olsen last year which is in the Congressional Record and noted in my statement.

I also believe that the section dealing with the establishment of a local board of education under the National Board should be modified so that it will be local communities who will be able to decide when local school boards should be established, rather than the National Board. I believe the language I have suggested in my statement would facilitate doing that. That would be highly consistent with the idea of local Indian control.

Then some other matters include provisions for community colleges. I would ask that the committee reconsider that section to read "institutions of higher education," rather than just "community colleges," so that all Indian-controlled institutions of higher education would come under that.

Finally, there are some very commendable sections in Parts B and C of the bill giving Indian institutions preference in receiving funds under those sections. The preferences are limited right now to certain programs and do not extend to teacher training. The dissemination of educational information or valuations, I would like to recommend to the committee that the provisions be modified so as to extend the Indian preference in the bill to those kinds of services.

Indian educational institutions and other Indian institutions are now able to perform those functions and consistent with the idea of Indian control of education, they should be given the first chance to do so.

Thank you.

(The statement submitted by Mr. Sclar follows:)

STATEMENT

ON

AMENDMENT NO. 6 (INDIAN EDUCATION)

TO S. 659

BY LEE J. SCLAR

ON BEHALF OF

CALIFORNIA INDIAN LEGAL SERVICES

AND (IN REGARD TO HIGHER EDUCATION

AND SPECIAL PROGRAMS AND PROJECTS)

DEGANAWIDAH-QUETZALCOATL UNIVERSITY

California Indian Legal Services
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April 29, 1971

The failures of the present federal Indian education program are well documented. E.g. Report of the Special Subcommittee on Indian Education, Indian Education: A National Tragedy--A National Challenge, S. Rept. No. 91-501 (1969); NAACP Legal Defense and Education Fund, An Even Chance (1971). Amendment No. 6 to S. 659 seeks to correct some of those failings and has the makings of a good law.

THE ADMINISTRATIVE STRUCTURE

The most important portion of the bill is Part D. Part D would establish a National Board of Indian Education to take over all education functions of the Bureau of Indian Affairs.

This step seems necessary for two reasons. First, the BIA continues to mishandle Indian education. For example, many children are still shipped off their reservations to boarding schools in other states. Also, Johnson-O'Malley funds continue to be distributed under regulations that the Indian Education Subcommittee correctly described as illegal. Second, the BIA is controlled by the Interior Department, which is not responsive to Indian needs. The former head of the disasterous Intermountain School was recently made an advisor on Indian affairs to Secretary Morton. The Interior Department Solicitor has ruled, despite 25 U.S.C. §48, that the BIA has no authority to contract with tribes for the latter to assume control of reservation schools. And the Interior Department selected a non-Indian with no experience in Indian law to rewrite the only treatise on that subject.

The one disadvantage of the National Board would be a fragmentation of the Indian voice in government. However, that is the cost of placing Indian education in the hands of people who are responsive to Indian needs and not tied to past mistakes.

On the other hand, no good reason appears for creating a Bureau of Indian Education in HEW to handle new Indian education programs. Those programs should go, instead, to the National Board of Indian Education. HEW is already a vast bureaucracy. Indian education would only get subjugated to other, more powerful influences there. For instance, John Staehle, Assistant Director for Policy and Procedures, Division of Compensatory Education, recently wrote that Johnson-O'Malley funds are for "general education without catagorical restrictions." The National Board would be concerned only with Indians and would provide a unified voice and a fully coordinated program of Indian education.

Certain other changes in Amendment No. 6 should also be made to be consistent with the reasons for creating a National Board. For one thing, BIA personnel should not automatically

move over to the Board, because some BIA employees are part of the present problem. Rather, the National Board should be able to employ only those BIA administrators and educators who have been doing a good job. The last word of line 18 and all of lines 19-21 on page 27 should therefore be deleted.

Second, the bill should contain an Indian employment preference. The Board should be required and enabled to establish standards of experience, knowledge, ability, character, health, and age for the initial employment, training, promotion, and retention of employees; to hire, train, promote, and retain employees under those standards rather than the general civil service laws; and to hire, train, promote, and retain a non-Indian only when no competent Indian seeks to fill the same position. Cf. 25 U.S.C. §472. The reasons for such a law are that the general civil service laws and the Executive orders requiring equal employment opportunity in federal agencies would thwart the desirable goal of having competent Indians manage their own affairs. A very explicit law is essential to prevent a repetition of what has happened in the BIA under slightly ambiguous laws. See Remarks of Representative Arnold Olsen, Congressional Record E 10371, December 14, 1970. Of course, the law should provide that aside from employment standards and the Indian preference all employees, regardless of ancestry, would be entitled to the rights, priveleges, and benefits provided employees of the competitive service under Title 5 of the U.S. Code (the general civil service law).

Third, and in the same vein, the law should specify that only Native Americans could serve on the National Board and that the Board would choose its own Chairman and Vice-Chairman.

Fourth, the National Board should not be given more power than it needs to do its job. Specifically, Indian communities, not the National Board, should have the say as to when local boards of education are to be created to take over federal Indian schools. Accordingly sections 563 (2 and 3) of Part D should be reworded. The rewording should let the National Board establish general guidelines, but it should also make clear both that the power to establish local school districts would be in local communities and that local communities could de-federalize the schools. Section 563(2) might read: "to establish, under regulations of the National Board and as requested by Indian communities, local school districts comprising schools over which the National Board has jurisdiction and control;." Section 563(3) might read: "to establish and support, under regulations of the National Board, local school boards having control and direction over the school districts established pursuant to clause (2) of this section and over the facilities and employees of those districts;."

HIGHER EDUCATION

Indians have an acute need for post high school education at all levels: technical, junior college, college, and graduate. Especially needed are institutions controlled by Indians which will be attuned to Indian attitudes and foster the survival of Indian cultures.

Sections 582-584 are a step toward satisfying that need. Section 584 should not be limited to community colleges, however. In lines 6 and 9 of page 31 the phrase "community colleges" should therefore read "institutions of higher learning." Also, the benefit granted by section 582 should not be limited to institutions on or near reservations, but it should be limited to Indian controlled institutions. A non-Indian school should not secure a waiver of the 5 year rule just because it happens to be near a reservation; and an Indian controlled school should not be denied the waiver because of its geographical location. Lines 18-23 of page 30 should therefore read:

> end thereof a comma and the following: "except the Commissioner may waive the five-year requirement of this clause with respect to an institution at least fifty percent controlled by Indians in any case in which he determines that such action will increase the availability of higher education to Indians."

INDIAN ELEMENTARY AND SECONDARY SCHOOL ASSISTANCE ACT

Part A of Amendment No. 6 -- the Indian Elementary and Secondary School Assistance Act -- would be technically an amendment to the Impacted Areas Law. The provision has nothing to do with federal land, however. Like Title I of the Elementary and Secondary Education Act, which is also an amendment to the Impacted Areas Law, Part A is designed to help local school districts educate disadvantaged children. Part A is necessary, however, because very few ESEA Title I projects have been designed to meet the special educational needs of Indian children. Part A would, to a certain extent, overlap with the Johnson-O'Malley program, if Johnson-O'Malley were properly administered at the state and federal levels. But Johnson-O'Malley has not been and is not being properly administered at either level (see 25 C.F.R. §§33.4 & 33.5; Special Indian Education Subcommittee Report, supra; NAACP Legal Defense and Educational Fund Report, supra), and this maladministration is due in part to the lack of controls equivalent to those written into Part A. Moreover, under section 585 of Amendment No.6 non-federal on-reservation schools which were part of a reservation school system but not a state school system, and which were thus inelgible for Johnson-O'Malley funds, would qualify for aid under the [illegible] and Secondary School

Assistance Act.

Part A does require some modifications, however.

Section 308(b)(2) in Part A should not be adopted at all, for Indians should not be deprived of what benefits they may derive from attending schools that receive funds under the impacted area law in 20 U.S.C. §§236-241. No repeal is proposed of the construction assistance (as opposed to current expenditure) impacted area law (20 U.S.C. §§631-647) in so far as it relates to Indians (20 U.S.C. §§644, 645, 646). In fact, rather than repealing 20 U.S.C. §244(1)(A), 20 U.S.C. §238(e)(4)(A) should be amended to add funds under Chapter III (i.e. Part A) to the federal sources not used in determining the need for impacted area funds. After all Part A of this bill is very much like Title I of ESEA; and districts continue to receive impacted area funds even if they are elgible for ESEA Title I funds. 20 U.S.C. §238(c)(4)(A) even provides that ESEA Title I funds cannot be counted in determining impacted area aid.

Second, Section 308(b)(1)(B & C) in Part A should be left in only if Amendment No. 6 is otherwise changed to provide that federal Indian schools qualify for aid under Part A. If section 308(b)(1)(B & C) were left in without any other chage in the bill then federal Indian schools would not get a supplement to their minimal federal appropriations either under 20 U.S.C. §241c(a)(1)(A), as they presently do, or under Part A.

Third, the definition of Indian in section 308 in Part A is unsatisfactory. Many California Indians are not enrolled members of any tribe or band or the descendents of enrolled members. Many are enrolled only for claims award distributions, and some are not even enrolled for that. The reason for this situation is that about three fourths of the native California Indians never received reservations. Neither should Indians be asked to depend on the Secretary of the Interior's opinion of who is an Indian. At times the Secretary and his agents have denied Indian status to non-reservation Indians and to Urban Indians. This bill should expressly end such discriminations. It should expressly include on and off-reservation Indians, urban Indians (especially those relocated by the BIA) and rural Indians, Indians in all states (including the Indians in New York and Maine), and Indian who are now treated as non-Indians because of termination (which most people, including President Nixon, now recognize as a disaster). A possible alternative to the present definition is the one used by the Census Bureau, i.e. a person of 1/4 or more Indian blood or a person of any Indian blood who is recognized as an Indian by the community in which he lives.

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On a more technical level, 20 U.S.C. §244(5) should be amended by deleting the period at the end and adding on "subchapter III of this chapter or sections 452 to 454 of Title 25." Also, section 305(a) should include provisions cmparable to subsections 3(C), 8, 10, and 12 of 20 U.S.C. §241e(a). Third, lines 7-9 of page 9 should read: "under section 305, an amount equal to the amount which such agency is elgible to receive under such application." Fourth, in line 15 of page 5 "but" should read "and;" in line 13 of page 8 "half" should read "a majority;" and in lines 17-18 of page 8 "with, and the involvementof, parents" should read "with and involve parents."

SPECIAL PROGRAMS AND PROJECTS

Parts B and C of Amendment No. 6 would make a good law. Two changes are nevertheless desirable.

First, the preference given to Indian applicants should be extended to include certain types of programs to which the preference does not now apply. Indian organizations do or will exist to undertake projects covered by subsections d and e of section 810 in Part B (teacher training, dissemination of education information, and evaluations) and by subsection b of section 314 in Part C (dissemination of adult education information and evaluations). Deganawidah-Quetzalcoatl University, for example, is especially interested in undertaking teacher training. Accordingly, line 19 of page 18 should read "(a), (b), (d) or (e)" instead of "(a) or (b)," and line 22 on page 22 should read "(a) or (b)" instead of "(a)."

Second, no reason exists for taking out the Indian provisions of 20 U.S.C. §§822, 842, or 1412, as section 521(b) of Part B would do. Rather sections 822, 842, and 1412 should be modified to substitute the National Board of Indian Education for the Secretary of the Interior.

CONCLUSION

Amendment No. 6 to S.659 should be adopted with the changes recommended above. If it is, and if adequate appropriations are provided, the United States will have begun to satisfy its obligation to provide Native Americans with real educational opportunity.

NORMAL SCHOOL DISTRICT	DISTRICT WITH INDIAN RESERVATION	PRESENT AMENDMENT NO. 6	CILS PROPOSAL	ANOTHER POSSIBILITY
		Part A of Amendment No. 6		
ESEA Title I	ESEA Title I	ESEA Title I	Part A of Amendment No. 6	ESEA Title I with a special Indian provision
Taxes	P.L. 874	—0—	P.L. 874 + amendment for equitable distribution of local, state and P.L. 874 funds	P.L. 874 + amendment for equitable distribution of local state and P.L. 874 funds

P.L. 874 provides payments in lieu of taxes for current expenditures.
ESEA Title I provides supplemental funds for the special needs of the educationally disadvantaged.
Part A of Amendment No. 6 would provide supplemental funds for the special educational needs of Indians.

Senator PELL. Thank you very much indeed for your testimony.

Senator Mondale?

Senator MONDALE. I would like to ask many questions, but because of the time limitations, I won't.

Are you an OEO funded organization?

Mr. SCLAR. Yes.

Senator MONDALE. You represent Indians, that is your exclusive function?

Mr. SCLAR. Yes. I am not here purporting to represent all the Indians of California. I am here on behalf of my agency. But that is correct, we represent only Indians. In a couple of cases where non-Indians have been involved with matters of Indian law, we have provided some sort of assistance to them.

Basically our agency is designed to provide services on Indian law matters and questions of discrimination against Indians, although we do other things.

Senator MONDALE. Are you affiliated with a law school?

Mr. SCLAR. Not technically. We have a part-time office at the University of California, Los Angeles.

Senator MONDALE. Maybe you dealt with this fully. I know you commented on it. What might we do to prevent the diversion, waste and illegal expenditure of educational funds spent on behalf of Indian education?

I won't ask you to comment on it now because we are short on time. Maybe you could send us a letter as to what might be done. This plagues all the programs. Being a lawyer in that business, I would like to have your opinion.

Mr. SCLAR. I will be glad to submit such a statement.

Senator PELL. One other question. Are there any Indian lawyers in California?

Mr. SCLAR. Yes, we have one in our program, Jim Echohawk, and on the Board of Attorneys we have two Indian lawyers, Fred Gabourie and Casandra Dunn.

Senator PELL. Thank you.

The next witness is Gerald Wilkinson from the National Indian Youth Council from Albuquerque, N. Mex.

Senator MONDALE. I would like the record to show, following the and dates and copy of the letters be included, together with a letter went to various leaders of the Pueblo Tribe, and I ask that the names and dates and copy of the letters he included, together with a letter received from Mr. Joseph Sando on March 16.

Senator PELL. These documents will be included in the record at this point.

Mr. Wilkinson, I understand you are being accompanied by Mr. Dennis Banks, chairman of the board of directors of the American Indian Movement from Minneapolis, Minn.

Senator MONDALE. Once again we have some more good Minnesotans.

Senator KENNEDY. Is there anybody not from Minnesota?

Senator MONDALE. Where there is genius and creativeness, you will find they are from Minnesota. Dennis has been very active. I believe

he is an employee of Honeywell and works with Indian employment situations there.

Senator PELL. Yes. If you will introduce yourself for the benefit of the stenographer. Identify yourself from left to right.

Mr. TAHDOOAHNIPPAH. Cornell Tahdooahnippah.

Miss REEDER. Eve Reeder.

Mr. WILKINSON. Gerald Wilkinson.

Mr. BANKS. I am Dennis Banks, American Indian Movement, and I certainly hope that those comments of Senator Mondale get back to Honeywell.

Senator MONDALE. You will get a raise.

Mr. BANKS. Right.

Mr. WILKINSON. I will begin.

STATEMENT OF GERALD WILKINSON, EXECUTIVE DIRECTOR, NATIONAL INDIAN YOUTH COUNCIL

Mr. WILKINSON. Thank you very much for inviting the National Council to be here today. My name is Gerald Wilkinson and I am a Cherokee Indian. It is an honor for me to be here to testify before this committee. I am not speaking for any particular tribe because only the chosen tribal representatives can do that. I speak to you instead as Executive Director of the National Indian Youth Council, which is an organization of over 7,000 rural and reservation Indian young people with chapters in public high schools, BIA boarding schools, college campuses, Indian reservations, Indian communities and prisons.

NIYC, which is run and operated and controlled by Indian young people, engages in running education programs and civil rights activities. Our basic aim is the protection and enrichment of the Indian tribal community which we know is the basic source of Indian life and Indian destiny.

We as Indian young people place ourselves between the Indian community and those who would harm it and destroy it. We offer ourselves to take the first blows directed at our people.

Since the founding of NIYC in 1961, many Indian young people in pursuit of the ideal of self-determination have jeopardized their personal lives. Others, like Clyde Warrier, founder of NIYC, have given their very life itself. However, we are honored to take this responsibility for advocating for the people onto ourselves, and we feel a closeness to those relatives and tribal members whose names we do not know, but who sacrificed for the people in the past that we might be a people today.

What I tell you today will not be new. For over a hundred years Indian people have been brought here to Washington. Several generations of Indian people have in their own way told you the same things. They have told your predecessors in the Senate, and I suppose that the successors of the Indian people you have today will be telling the same thing to your successors who will occupy those chairs.

Indian people are reconciled to the fact that Congress, which has done so much to try to destroy us and keep us in poverty, will always be here, but Congress must become reconciled also that Indian people will always be here also.

We are not claiming special privileges. We claim what is ours, and we do demand what is due us. We seek justice, without which no brotherhood is possible.

Congress was made by man. Indians were made by God. It is not right that an institution of man should destroy a creation of God.

The concern of this committee is "Indian Education," but in reality, there is no Indian education. There are buildings where Indians enter, there are desks where Indians sit, there are books that Indians read, and there are teachers to whom Indians listen, but there is no such thing as Indian education. It is all an alien system to which the Indian is expected to adjust. It is not run by Indians, but by others. It is not the Indian parents who decide who teaches and what is taught, or how Indians learn. By the time an Indian student finishes public high school or BIA boarding school, he has every sacred notion he has been given by his people assaulted.

"Your religion is bad, your tribal dress is foolish, your native language is a handicap, your English accent is shameful, your tribal dances are ignorant, your skin color is regrettable, but you must live with it. Welding school, not college, is your destiny," and so on in other ways more subtle and less direct.

Gentlemen, you have caused us more pain and more anguish and more damage through the educational system you have imposed on us than you have to all the soldiers you sent to kill us during the "evil days."

It is disturbing that most Indian students drop out of school. It is even more disturbing that those who drop out are often the most intelligent and most sensitive. They see the hypocrisy of the school and in all honesty to themselves can have no part of it. Those who stay are often the ones who are the most plastic and who can conform the best.

Gentlemen, you have presented education to us as a passport, a passport out of the Indian world and away from our human identity as Indians, away from those ignorant people who live in shacks, away from those relatives who drink and need us, away from that pagan grandmother, away from tribal values and traditions that go to make up our rotten selves.

You cannot continue to destroy us and call it education. Unless education can be presented to the Indian people as a means of getting more effectively involved in Indian problems, rather than as a way of getting away from them, the poverty and misery of our people will continue.

In consideration of the bill now under discussion, two basic concepts must be adhered to. The first is that the Indian parents who sent their children to BIA boarding schools must control that school, and in integrated schools they must have a voice proportional to the number of Indian students. This is only just.

There is a strong tendency in that direction now, and any movement away from this idea is a slap in the face to the Indian people. Indian parents have nothing to prove to the rest of society. They care about their children and can direct their education.

Secondly, the sovereignty of the tribal governments must be respected. Indian young people have often been demoralized by the tribal councils. Sometimes their actions or lack of actions have caused Indian people great harm. Some are strong and some are weak, they are nonetheless our leaders.

Though the concept of the tribal council is an imposed one, it has nonetheless become an important institution for our economic and

social improvement. Any move which weakens the institution of the tribal council is a blow struck at the heart of the Indian people, but the need for change based on these two principles is self evident.

For example, John F. Kennedy School at San Juan, Pueblo in New Mexico, it is a public school on Indian land. About half the school is Indian. None of the teachers or staff is Indian. Several months ago students heard over the intercom that Indian students would not be able to attend a movie that afternoon because the Johnson-O'Malley money had run out and each student owed the school $185.

This was explained to the Indian students at a meeting with the principal. The students walked out of the school. Several days later the students returned on assurances from the tribal council that things would be worked out. A few days later Indian students discovered a note in the school yard making fun of the Joms, as the Indian students are known. This note was written by the daughter of the principal.

The principal was disturbed and called a meeting of the Indian students and his daughter. He forced her to apologize. Then he did something that showed a great ignorance and profound disrespect for them. He forced his daughter to go over and hug each Indian student around the neck.

This type of contact is highly offensive to Pueblo people. No wonder they refer to J.F.K. as "Jail for kids." Something must be done about schools which are run on Federal money which comes in because Indian students are there, and do not offer Indians a real education.

Several schools in Oklahoma have a high Indian enrollment, but graduate almost no Indians. They receive Federal funds and no Indian has ever been absent.

Another example of the need for Indian involvement in Indian education is what has apparently happened in Fort Lewis College in Durango, Colo. This school, under agreement between the Southern Ute tribe and the State of Colorado, is guaranteed to provide free tuition on an equal basis with white students. As a result of this agreement, the college was turned over to the State of Colorado. The college was originally a BIA boarding school.

Last year, the president of the college limited Indian enrollment to 10 percent. There are apparently 220 Indian students enrolled at Fort Lewis College. There is a strong Indian studies program and Indian cultural center.

Several days ago, the legislature of Colorado ruled that the only Indian students who would get through the college would be those from the State of Colorado. This involved less than 10 students out of the 220 which now attend. This is a flagrant violation of an agreement between an Indian tribe and the Government.

You don't have to go back a hundred years trying to find these kinds of agreements being broken. There is a total lack of Indian involvement in the planning of the educational program at Fort Lewis regarding the free tuition, and Indian people have found themselves quite powerless to deal with something while an agreement is being broken.

We have not received very much support from the Federal Government in this matter. There are many kinds of problems which are now confronting Indian people in the field of education. We must consider Indian involvement in any kind of program a step that must be done. The Indian world does not change overnight. Any kind of

program which evolves must be something which Indian people are demanding.

In conclusion, gentlemen, let me state that if you want brotherhood with Indian people, first give us justice. Do not cry brotherhood when we are protesting things that are wrong. Do not try to use the word brotherhood as a weapon to deter up from forcefully claiming what is ours.

You cannot institutionalize brotherhood, nor can you harangue it into existence. If you have it, you have it. If you want it to happen, give us justice.

Indian people are suffering. If I seem negative, and do not dwell on the few positive things that are happening, forgive me, but the white people in BIA and our white missionaries are doing such an overzealous job in telling us how much better off we are than in the "blanket days" and "pagan days" that it is hardly helpful for me to dwell on them. They are the experts in this kind of rhetoric.

Indian people are suffering. We realize that a lot of people are suffering in this country. We understand what suffering is as well as any people, and more than some. We are aware that the road you call self determination is long and difficult. The Indian way is a hard way and we are used to troubles.

Indian young people are not rootless. We act in the context of our relatives and our tribal communities. We are not afraid to accept demands put upon us for the common good for the survival of our people.

I remember a relative of mine at a school meeting when I was a little boy. She told the school officials:

> Why don't you give us our children back? Why do we always have to fight with you for their souls. We do not seek to capture the soul of your children. Why do you want to take what little we have left?

After almost 150 years of "Indian education," Indian people are asking for their children back. This is not unreasonable or a great deal to ask. You Senators have the power to do that for us. We have not lost faith in each other. We have lost faith, a great deal of faith, in you.

What we ask of your today is merely the courage to do the right thing.

Thank you.

Senator KENNEDY. A very good statement.

STATEMENT OF EVELYN REEDER, VICE PRESIDENT, NATIONAL INDIAN YOUTH COUNCIL CHAPTER IN INTERMOUNTAIN SCHOOL

Miss REEDER. My name is Evelyn Reeder, I am from the Intermountain Indian School.

On these things I am going to say, I am going to try to be reasonable and be concerned on behalf of students. I am vice president of the NIYC chapter in Intermountain School. There are 100 members. Since we started the chapter, we have been harassed in starting our chapter. When we started our chapter, our principal seemed to turn us down on a lot of things that we wanted to do, and a lot of times we wanted to say things that we wanted to say, but they kept us from saying them, and there are some things that we wanted to change

there that we disagreed with, that the Indians disagreed with, and I didn't like it myself. And some of the things that we mentioned were on such things as Thorazine, the drug that is given to the students who are drunk and they give it to us because when the student gets drunk, they are violent and want to fight back, and Thorazine would place handcuffs on them.

We approached the school board members that came to our school at one time and we tried to tell them that we didn't want Thorazine injected into the students that were drunk, but we couldn't convince them that we didn't want it there.

Also, our grades, we have 15 levels of grades in all the classes, in our senior class we have 15 levels, and in the top grade there is the Senior-1's, and the Senior-15's are real low. They do the same kind of class work that freshmen do in high school in the public school. I have been to a public school for one year and I used to stay in a bordertown dormitory. When I came to Intermountain, a lot of these things hurt me, and couldn't stand it, so I had to take the chance of standing up for my students there, and the fact that some of the students were being discrinminated against by beatings and against our religion, against our culture and against our tradition, and they had such punishments like head shavings—sometimes we couldn't speak our own language.

Our teachers there, some of our teachers are real old and some of our teachers, half of the time they are in class and sleeping and reading a book, and standing there swaying back and forth. We want to see if we can have some people that are in our own standing, that is young teachers who will teach us some of the things that we want to know, and this school, the Intermountain School, is controlled—they are Mormon controlled. There are more Mormons than Navaho. Our employees have more education. We want some of our employees to get promotions to where we could talk with them and reason with them and conusel with them, but some of the students there, they can't counsel with the white teacher because they feel that they are not smart enough to talk to them.

They feel our place and the beatings they get is when the students get drunk—I don't know. They like to take revenge. Things happened in the past to them, they want to get revenge, and they try to fight back when they get drunk, and they beat them up and take them to the hospital and give them Thorazine shots. It makes them relax and go to sleep.

The way we came out with it, it is a dangerous drug and just recently we had four boys who were in jail because they broke into our school kitchen. These four boys broke into the kitchen because they did not have meal tickets. We have meal tickets issued there, and some of the times our guidance counselors refused to reissue our tickets. Our guidance counselors think that we are not even smart enough to go to college. They don't even prepare us to go into society.

In Brigham City, where the school is at, the store times are limited to all Indian students who go to school there and most of the bars there won't sell beer to a 21-year-old Indian.

Also I was chosen valedictorian candidate, and because I wanted to voice up for the students and talk for them, I got off the valedictorian candidate.

These are some of the real needs for the school. I want to ask you if we can put our school back on the reservation, away from the Mormon country, so we can be close to our homes, instead of 500 to 700 miles away from our families. When we want to see our families, the only time we have to go is during the summertime which is only three months, and some of the students, when they get lonely, you know they just go AWOL and sometimes they don't make it back.

We have mail disturbances going on around there, and sometimes we have our own personal items, such as the mail, and these mails are listed and they are recorded in logs and sometimes we don't get our mail because some of the students there, they just refuse to do their detail and just such things like that.

If you don't do something that somebody tells you, they refuse you to get your mail and there are a lot of problems there in our school. Our dormitories, our dormitories, the school is so segregated, and all the dormitories are separated from each other, and some of the dormitories are real poor. These poor dormitories, there are some students that are 21 years old and they are treated like maybe a 13-year-old. We had an Indian Week up at Utah State University on April 12 through 16, and when I came back to the school—we had a panel discussion up there and we talked about some problems down at our school, and they wrote it in the newspapers, and when I got back to the school, I was questioned about a lot of things that happened around there, and they told me it wasn't true, and such things like that, but I know they were true because I have been there for almost 9 months now.

Well, tomorrow, for some of the wrong things that have been going on there in our school to our Indian students, to our Navaho students, there will be a lawsuit filed tomorrow there, and thank you for listening.

Senator KENNEDY. That is about as cruel an indictment of the boarding school system as we have heard, and it certainly substantiates what this committee has detected in its study of the problem, and what even the view of the Bureau itself is as reflected in the BIA report. Still I think, as Senator Mondale said so well yesterday, nothing is being done.

I can share your frustration on this and I am hopeful that we can get something done.

STATEMENT OF CORNELL M. TAHDOOAHNIPPAH, WASHINGTON RESEARCH CENTER, NATIONAL INDIAN YOUTH COUNCIL

Mr. TAHDOOAHNIPPAH. Honorable Chairman, I am privileged to testify today on this bill before your subcommittee. It has far-reaching implications for the future of my younger brothers and sisters and cousins at home in Oklahoma. The benefits it might secure may not affect me, as I will be out of school in a couple of years, but I hope the kind of experiences and what we students have learned from them could help to shape the form and substance of this amendment.

It certainly has been hard. I represent a statistical elite, having got this far in school. When I think of how many of my friends dropped out of high school permanently, and of those that were lucky enough to get to college, and the equally high Indian college dropout rate,

I almost regard myself as would the sole survivor of an airplane crash.

And I have seen many kinds of schools. I am a product of both public and boarding schools in Oklahoma. And I have attended college in Oklahoma and now here in Washington. It has been a long road.

The National Indian Youth Council is composed of student and community chapters all over Indian country. It is probable that we are now the largest Indian organization in the country, we are getting new chapters every day. Our main office is in Albuquerque, New Mex., we have only recently begun operations here in Washington, trying to get funds for our programs, trying to keep people informed back home.

The National Indian Youth Council had the privilege of testifying before the Special Subcommittee on Indian Education 2 years ago. At that time we were the leaders in experimental summer education projects for Indian college students. For the first time, in our Clyde Warrier Institutes in American Indian Studies, an Indian organization had the chance to get the funding, do the recruiting, keep our own books, write up and control the curriculum, and manage our own behavior. In doing those things we all matured as a result. We have the experience of operating our own institutions. How many Federal programs can give us that today?

Then we were informed last spring that some new bill prevented Upward Bound from funding us any more. If we wanted to have any more summer Indian institutes, we would have to cosponsor the program with some white school. And that is not self-determination. We tried it at Northern Oklahoma Junior College. The administrators thought that Upward Bound was a reform program to try to keep Indian children from turning criminal. It was difficult to bear.

When the parent advisory committee tried to exert their influence, the college decided to drop the programs. We think this amendment should make our tribes and our organizations eligible for Upward Bound and any and all other education programs. If this amendment cannot touch Upward Bound, then a rider should be attached to some other bill to accomplish that before another summer passes. We are ready now. But we have no resources.

I want to make one brief statement about the NIYC approach to Indian education.

We know that there is an increased concern about saving natural resources and a new concern for saving some of the natural resources for Indians. We were very pleased with the outcome of the Blue Lake issue, that the tribe got to keep their ancestral shrine. But Blue Lake did not cost the Government anything. And it is a distorted sense of values to call a victory keeping what you already own. In this education legislation we will see our real support in Congress.

Our National Indian Youth Council is also concerned with our dwindling human resources. Our best minds and a million kilowatts of Indian energy is either in prison or working for some white institution. There is a real brain drain. And most of the brain drain is caused by the very limited opportunities we have had to realize ourselves in our own terms.

We have had to either sell out or drop out. Very few Indians have escaped that vicious dichotomy. And make no mistake, there is a growing polarization between Indians who have both accepted a low defini-

tion of themselves and react to it by either spending all their time proving that they're alcoholics and criminals or else prove that they can be as white as anybody else. We all lose.

Our approach to Indian education is based on the premise that there is a third alternative to dropping out or selling out, and that is ordering your educational alternatives based on what makes sense to your people at this time in their history.

We cannot chase buffalo any more, and call that being Indian, but we can evolve for ourselves a reach way of life which combines the qualities of interpersonal life and naturalness which makes us human. And we need our own institutions to do that. We need our own schools, and where our tribes are not able or willing to operate a school, we need a quality control on the kind of public school education our children receive.

So while we welcome the new titles in this amendment which provides for control of public school programs, we do not feel it provides for an adequate structure for establishing and maintaining tribally operated schools.

In particular, we think the idea of a National Board of Indian Education is ridiculous and impractical.

Certainly there are monumental problems within the Bureau of Indian Affairs. We have never hestitated to criticize them, demonstrate against them, file complaints and suits against them, and generally give them a rough time.

Certainly there are problems the BIA has being inside the Department of Interior, with other branches of Interior.

Those structural problems can and should be changed, but it must be changed intelligently. With the recent ferment and controversy raging about us, we must take a hand in stabilizing those problems. However, reform must be aimed at the total operation of the Bureau of Indian Affairs, not just one part. Our problems will not be solved by fragmenting operations in the BIA.

There must be an overall effort and an overall change. Education is nearly half the BIA budget. Education is tied in with the thrust of the rest of the BIA programs. Taking education away from the BIA would be a dangerous abortion at this time.

We already have one national education setup in the White House which we had no hand in choosing. I do not even know how to contact with that board. Will they let me in the White House easier than I can walk in the BIA building?

Besides that, we have now started more communication with the BIA. We are getting to know who we can and cannot trust. We are starting to learn their ways. This is the kind of access we need to build upon, not destroy.

What the BIA needs at this time are new mandates, clearer authorities which will enable them to contract with us. And they need new money that they can contract with. If the Congress will give the BIA new muscle to fight Interior and the courts with, and more money to answer our needs, you can rest assured we will pound on their desks and lurk in their hallways until we get those contracts. We are ready to pay any price necessary for our education, but we need the options available. We are tired of the diet of promises we have been fed by Congress and the White House.

There are political questions which disturb me keenly. I am not familiar with the rules of the Senate regarding jurisdiction of legislation. I know that while this subcommittee is able to produce changes in the situation of children in public schools, I wonder if it can produce changes in programs relating to Federal Indian schools without taking that responsibility for Indian education away from the Bureau of Indian Affairs.

It seems that it would be a proper strategy for the Labor and Public Welfare Committee or the Committee on Interior and Insular Affairs to work together and secure a piece of legislation which would answer public and tribal school needs and maybe work on two bills that complement those areas.

I can understand the divisions which represents the party system and the ideological division which can lead to conflict. But those issues are not partisan issues, they are legal and moral issues, the nature of treaties and the Indians' relationship with this country. If the U.S. Senate cannot accommodate its rules and priorities to life and death needs of Indians, its capability to respond adequately to larger issues must be questioned.

The things we Indians want and need are not always the same, but they represent real needs. We need several approaches to education, depending upon local priorities and local situations. There is one thing we are united on, every one of us, accessibility, accountability, and responsibility for the education of our children and these are things that we cannot and will not compromise.

Thank you.

Senator KENNEDY. This is a very, very helpful comment, particularly your suggestion on Upward Bound. This is something that I think we specifically can do something about.

Your other comments are well taken, and these are precisely the kinds of suggestions we value in this hearing.

Mr. Banks.

STATEMENT OF DENNIS BANKS, CHAIRMAN, BOARD OF DIRECTORS, AMERICAN INDIAN MOVEMENT

Mr. BANKS. Senators, one short statement.

I certainly hope the character of this entire bill is the reflection of the entire Indian population and the statements that I am about to make are coming from the American Indian movement, and I am going to have to address myself to section (d). I really can't address myself to (a), (b) and (c) until, of course, a National Board of Indian Education is to be established. I am thoroughly convinced that the Office of Education—N.S. Office of Education—is not prepared to change the entire course of Indian education, therefore, if the Board of Indian Education is established, then these expressions coming from the American Indian movement I certainly hope are taken as a valid concern. I certainly believe that the National Board of Indian Education is a must, and certainly must come about. It must be separate, but also equal to the Office of Education, and the Office of Education must be responsible to this National Board of Indian Education in regard to the dissemination of historical data of the United States.

Of course a National Indian Board as it is spelled out will be funded by Congress and that there be established a U.S. Indian Commissioner on Indian Education. Also, point number two, that the National Indian Board would be responsible to and for Indian people, tribes, organizations and communities in regard to funding, the administration, the curriculum, the instruction.

Number three, the National Board of Indian Education, I would hope would assume the responsibility of the Johnson-O'Malley Act and all provisional section of public laws which affect Indian education.

Number four, the National Board of Indian Education would be empowered to introduce new bills from tribes, Indian organizations and Indian communities that bring forth legislation.

Number five, that the National Board of Indian Education would also be empowered to establish as well, local State school boards.

Number six, that the National Board of Indian Education would allow construction funds for urban Indian schools. I am sorry I was not here yesterday to hear the Commissioner's report, but one thing that was removed from the BIA educational manual is the term "scholastic retardation." I certainly think this is a very detrimental term. I think the Office of Education did not prepare at this time to handle a massive change, and I think only through the establishment of a National Board of Indian Education, and as I mentioned earlier, the entire character built by Indian people, Indian tribes, Indian organizations could possible be the only ones to establish guidelines for a new way of life.

Senator KENNEDY. Very fine statement.

I am interested in what your reaction is, if we establish the board, where we ought to put it? This is one of the questions. There are alternatives: the BIA, the Executive Office of the President, or the Department of HEW. Those are three possible alternatives.

We are trying to find out and get some kind of input on where this might best be placed. Do you have any views?

Mr. BANKS. I would put it in the Executive Branch, separate from the Office of Education. It can't be touched politically by any other organization or any other department. I think this is what we are faced with now, a multiple client relationship with the Bureau and with the many departments now. I sort of think that administratively there is a conflict of interest.

Senator KENNEDY. If it is independent, it has got to report to someone. Do you want it directly in the Executive Office, reporting to the President?

Mr. BANKS. It would have to come directly underneath the President of the United States. If you put it under any other department, it will be watered down and washed down.

Senator KENNEDY. What is the rest of your reaction to it? Are you in agreement on this? Do you have different views?

Mr. WILKINSON. It should be within the Bureau of Indian Affairs in that the Bureau of Indian Affairs is somewhat different, in that by law it is supposed to be a service predominately in the hands of Indian people and tribal chairman, and other Indian organizations have built up relationships and contracts and relationships and so forth over the years.

Senator KENNEDY. You have given a pretty rough indictment of the Bureau over the period of years in your statement, in terms of what that has produced. Its attentiveness to Indian education has not been great. Certainly that is our conclusion as well as yours. I am wondering if you think that you can establish this kind of board without its becoming just one more appendix in the BIA.

I am interested in this.

Mr. WILKINSON. There is a possibility that the Indian people can take over the BIA in terms of personnel and in terms of actually directing this operation.

Senator KENNEDY. What gives you that sense of calm and anticipation that this is possible, given the statements that were made by the Commissioner yesterday on vacancies that exist there, the rather poor record that the BIA has in terms of employment of Indians in responsible positions, and the facts that Senator Mondale brought out?

In the education part of the BIA over the last 20 months, there have been three or more vacancies. A top job was vacant 14 months. They said they can't find qualified people who are interested in the service.

Why should we be so hopeful? I hope you are right. I would like to be reassured by someone like yourself. You are enormously sensitive and committed and understand the problems which Indians are faced with.

Mr. WILKINSON. I don't want to defend what BIA has done in the past or at the present, especially as far as the International situation goes. On the other hand, I don't have any confidence that any kind of agency can handle these situations either, and it is a question of putting the board in an agency or in a branch of government in which Indians have no influence or control or expertise, or trying to do with what we have.

It is a question of jumping into the unknown.

Senator KENNEDY. Is this "The devil that you know is better than the devil you don't known," so to speak?

Mr. WILKINSON. Yes, in this case, yes. I think it would take an awful lot of safeguard and an awful lot of consultation with Indian people before we would want to kick a lot of the programs, a lot of the decisionmaking powers into another agency. There is no question that the BIA is not doing what it is supposed to do. There is no question that it is not fulfilling its mission to the Indian people.

I think basically what we would like to do is to see it fulfill its mission. It hasn't done so yet.

Senator KENNEDY. There is a long track record of good intentions and a very short record of results. That is why we are obviously interested in doing what you feel is in the best interests of the group.

Mr. WILKERSON. I don't see that the Executive Branch of the Government has a very good track record either.

Senator KENNEDY. In the development of programs, I remember President Kennedy went back and gave Shriver the responsibility to get the Peace Corps organized, and they got it done. There was the NASA organization, the Manhattan Project, independent operations which have reported to the President, that he has a direct accountability for, that he can be called upon to respond to.

I could think of some rather notable successes. I find that a President can get things done when he wants to, and he can get things done particularly when he is held accountable for them.

I think he ought to be able to get things done in the BIA, too.

Mr. WILKINSON. I think what I have said about BIA stands. I am not trying to push the Indian Board into BIA, but I think there is going to have to be a system that Indian people can live with in which Indian people have confidence.

I think that is the basis of consideration, and were you able to sell to the Indian people the fact that the Executive would do a better job, I think the Indian people will support that. I know you have done an awful lot in setting up Indian programs.

Senator KENNEDY. Can you make some comments regarding Indian community colleges? And do you think the board ought to be in the BIA?

Mr. TAHDOOAHNIPPAH. I would be concerned about having access to the man in charge. I don't know that I can be as open with the President as I can with the Commissioner, that is the whole thing.

But on the community colleges, I am not sure if this bill acknowledges existing programs with the Indian community colleges. There are three in existence, and perhaps five or eight more in the planning stage, but the system of Indian community colleges is very important to the Government educationally, to Indian people. What we need is one great Indian university following the traditions of Carlyle, intellectually and athletically. I think this could become a reality if it had the initial support comparable to Howard University.

There are approximately 40 black colleges in the United States, and they are funded in the area of $130 million from HEW. The community colleges would have a great input providing services to the university. They need some new degree programs. They need to have something in the line of a center for the studies of basic human problems.

I think this is something that Indians need. I would support as many Indian colleges as we could get run by and controlled by Indians.

Senator KENNEDY. Very good.

Senator Mondale?

Senator MONDALE. I was interested in your comment about not having much confidence in the National Indian Board. I must say that I share some of that concern, not because it wouldn't be a good board, but how does it get the power, even if we give it to it? We have school boards in major cities, boards elected by the people, boards which have nothing to say. I think this would be far more valuable than the advisory committees that are selected haphazardly or not consulted.

I think the heart of the issue is the control of the local systems, live boards, elected by the Indian people and with the power over their schools, to do the things that all boards have to, to hire, fire, develop curricula, pass on curricula and the rest. That is the heart of it. I don't know why that would be so mysterious, since the key to the education of most American children is elected school boards.

Somehow when it comes to Indians on reservations in the Federal schools, it is very difficult. Yesterday, you may have been here, we heard that it has been the policy of the Government for some time now to have locally elected school boards running these Federal

schools. Somehow, strangely, it never happens, or only occasionally it happens: six Indian school boards, at the maximum, now exist.

It was suggested that the Indians are fearful and reluctant to become involved in this way. Would you comment on that?

Mr. TAHDOOAHNIPPAH. Historically, the Indian has come from a stone age to a technological age faster than any other race of human beings in the world. When you start talking about school boards, you are talking about degrees of political sophistication and a level of social development, so I would think that there is some hesitancy on the part of many Indian people also, because how are you going to run a school board when there are children from a thousand miles away in this school system? You don't know—they are very backward on culture and it is extremely difficult.

I still think that we have to also concern ourselves with the accountability of such a board.

Senator KENNEDY. Thank you very much. It is very powerful testimony. It is very helpful to us. I appreciate very much your coming here.

The next witness, Mr. Dillon Platero, president, Navajo Indian Education Association.

Mr. MONDALE. I would like to include in the testimony following the testimony of NIYC, this letter.

(The material referred to may be found in the files of the subcommittee.)

STATEMENT OF DILLON PLATERO, PRESIDENT, NAVAJO INDIAN EDUCATION ASSOCIATION

Mr. PLATERO. I thank you very much, Senator Kennedy and Senator Mondale. I appreciate the opportunity to appear before the committee.

I am going to be dwelling mostly upon the vital areas pertinent to the Indian Education Act, and I might go over the five areas, and then I will make some general statements regarding the Indian Education Act.

The first part, I think a clearer definition of who is to be considered an Indian for purposes of this legislation.

Secondly, a decision as to just where the locus of operation will be for the new organization.

Three, clarification of the degree of actual authority the national board will possess.

Fourth, clarification is to how the board members will be selected. I would say, it should be proportional to the number of tribal members.

Five, authority to be given to parents in dealing with impacted areas should be presented in more detail.

It gives me great pleasure to appear before you today to comment on the National Indian Education Act. Having carefully studied it, I want to commend the Subcommittee on Indian Education for the depth of understanding they obviously have and for the general soundness of the proposal. By and large, one can certainly see much of value in the legislation.

Senator KENNEDY. I regret to interrupt you. I have to leave now. Senator Mondale is going to chair the hearing. I will look forward to reading your comments. I know you bring unique background experience to these hearings as the director of Rough Rock, which we

are extremely interested in, and where I had a chance to visit personally.

I hope you will indulge me, and I will look forward to reading your testimony. I looked over your summary points. Many of them are very sound and very useful suggestions and I look forward to reading the rest of your testimony.

Mr. Schifter is here as well, and I will express my apologies to him, if you will continue.

Mr. PLATERO. I would like to make a statement here which should preface my reading of the testimony, and this is the great interest that the Navajo chairman and the vice chairman and many members of the Navajo tribe who are interested in improving Navajo education had in getting together with me to get our comments in a written form. I try to cover these areas and I do have some personal comments which I would like to make after reading the testimony.

Senator MONDALE. Very well.

Mr. PLATERO. Specifically noteworthy is the recognition given to not only reservation communities, but to Indians living in urban settings, in rural off-reservation settings, and on State reservations.

This does, however, bring to the fore one item which will assume particular importance for nonreservation residents: What constitutes an Indian? The current working definition is, to some extent, tied in with place of residence. Provision of educational opportunites under the auspices of the National Indian Education Board would require some rethinking of who is and is not to be considered an Indian.

It is axiomatic that the Federal Government has longstanding contractual obligations to Indian peoples to provide their offspring with educational opportunities. No one questions this.

Just where the apparatus should be located in Government to best fulfill these obligations has, for some time, been in question. It would appear that the committee has found a resolution that should be at least acceptable to all concerned.

However, the actual location of the new board, and their working headquarters is of paramount importance. The unknown element in the relationship between the deputy commissioner of education and the commissioner also gives same pause. With a commissioner understanding of the requirements of Indian peoples, and with extensive freedom of operation afforded to the deputy commissioner, such an arrangement could work well. One wonders though if the potential for success doesn't hinge too much on the personalities of these two people. Independence of action within the general framework of the Federal Government is the sine qua non to successful operation of this plan.

Concerning the proposed National Board of Indian Education, I cannot help but have mixed feelings. The basic idea of such a board is applauded and something that can be of immense help to Indians.

The manner in which it is established and in which it functions, that is the responsibilities with which it is charged, is all important.

Of particular importance is the need for this Board to be advisory in nature rather than a new bureaucratic structure which dictates to Indian people. The concept of local control over their own affairs for Indians must be established and strengthened.

I cannot, therefore, too strongly emphasize the need for this Board to function in an advisory capacity rather than in a policymaking

and/or legislative manner. The latter functions should be the responsibility of local Indian groups. The degree of sophistication of Indians in matters affecting their children's education is sufficient to bring about the acceptance of such responsibility—now.

Senator MONDALE. Would you yield? You have the unique experience of being one of the first to serve as a director of a school under an elected Indian School Board, isn't that correct?

Mr. PLATERO. Yes.

Senator MONDALE. Rough Rock has been in operation how long?

Mr. PLATERO. 5 years.

Senator MONDALE. Is the Board able to deal competently with the education of their children?

Mr. PLATERO. Certainly.

Senator MONDALE. You found they keep an interest and dedicate themselves to a good education?

Mr. PLATERO. Much more so than the boards which I had an opportunity to observe in Arizona and New Mexico and up in Colorado, that is in cities and in rural areas and I feel that with time, that they will begin to understand education in such a way that you don't have to mention what some of the areas of studies the kids might be involved in.

It gets pretty technical, think, but as we mentioned, sophistication comes about with the experience that they gain while they work with the school in that capacity.

Senator MONDALE. Do you think that the community that you serve would want to go back to the old system of federally run schools in Washington?

Mr. PLATERO. No.

Senator MONDALE. Is there any doubt about it?

Mr. PLATERO. No.

Senator MONDALE. You heard, I think, the response of the young man from New Mexico on the question of locally elected school boards. He indicated he saw great problems with that.

Would you respond to that question?

Mr. PLATERO. I think in different situations, with the Pueblo Indians where you have mostly public schools, and then in a situation like the Navajo reservation, where it is on the reservation and it is in a Navajo community and it is completely funded by the Bureau of Indian Affairs that supplies the base funds for the operation of the school, I would certainly have, I think, a lot more and a firmer belief in the Indian people that they can certainly take care of the situations should they arise and should they be faced with it.

In other words, I am saying that I think they can without any doubt, do a much better job.

Senator MONDALE. Do you think the Bureau has been encouraging this movement for locally elected governing bodies as much as they could, or are you in a position to pass judgment?

Mr. PLATERO. I have had the experience of working with several communities who have indicated a strong interest to control and operate their own schools and it has been an unsuccessful venture as far as getting these schools to come under control of the local community.

I think mainly there is fear, they feel—by "they" I mean the Bureau of Indian Affairs feels threatened that the local community will take over these schools and I think there is much more than that. There is a feeling where the local people who are principals, who are teachers, of some reluctance to have this happen simply because they aren't interested in their careers. They have time that they spent there. They have some security and I think this has a lot to do with it.

But I think much more interesting to me and what we have practiced at Rough Rock is that no one, even the director of the school, is eligible for no more than a 1-year contract, and the board then acts on whatever the performance of that person who is in whatever position, so that in this type of thing, they either produce much better performance, possibly, and not sit on their laurels, which in part the accumulations are security and so forth.

Of concern is the manner in which the members of the national board are selected. There must be recognition of the fact that large tribes merit a larger voice in the deliberations of the board commensurate with their large populations.

In the section dealing with impacted areas, the degree of authority given to Indian parents should be spelled out in more detail. Such authority should be real, with options for action resting with the people rather than (a feared possibility) a matter of merely giving consent for actions initiated and executed by school authorities.

I think I want to point that out that in many cases we have applications that are processed and the Indian people are used to the extent that you have an ad hoc session in which you approve of the program and then your involvement after that is practically nil, so that more authority needs to be given to the parent committees in this sense.

The granting of such authority is excellent, the only need is to so define it as to insure that Indian people get a chance to actually exercise it.

The provision for the making of grants to different Indian groups directly is very good. Lack of ability for such groups to get funds directly has in the past hindered the operation of innovative groups, including Rough Rock Demonstration School.

While the upgrading of the Santa Fe Indian Art School to a 4 year college may be desirable, I would emphasize the need for primary consideration to be given to the institutions growing out of the actions of Indian peoples themselves. Thus such an institution as the Navajo Community College, whose Board of Regents are Navajos operating their own college, should be given high priority for financial assistance in becoming a 4 year college.

A definition of "local education agency" should be promulgated which recognizes the independent creations of Indian groups established for the control and management of their own educational institutions.

I am thinking in terms of Rough Rock Demonstration School which is a Rough Rock Corp. The thought concerning this, I think, must be spelled out much clearer so that these schools are included. I think with your good help last year we were successful in putting through the Education Act so that nonprofit corporations such as Rough Rock Demonstration School was eligible.

Senator MONDALE. How much do you receive?

Mr. PLATERO. Direct grants from the U.S. Office of Education.

Senator MONDALE. How much did you receive?

Mr. PLATERO. $150,000.

Senator MONDALE. That is quite helpful?

Mr. PLATERO. Yes, this is why I point out that many of the Indian agencies or schools at this time do not receive sufficient grants in order to bring about a real innovative program.

An underlying fear remains with me as to the manner in which funds might "shrink" from what the Congress appropriates for various tribes to what they actually get. Steps should be taken that overhead is kept at an absolute minimum and that there is no diversion of funds. The intent of Congress must be observed in actually getting the funds to the groups for whom they are appropriated. The discretionary power of administrators to allocate funds should be practically nil.

Of especial concern is the question: Where does ultimate power rest? While we would expect that the Deputy Commissioner and the national board would work together in harmony, one should be prepared for the contingency that such might not always be the case. If such an undesirable condition should arise, just who has the final word? It is hoped that local tribal units would have a large voice in Indian affairs and that their desires would carry great weight.

We are all aware of the far reaching impact this proposed Indian Education Act will have. The manner in which it seeks to establish and maintain local control over education, to give Indian people not just a voice in Indian education but "the" voice in Indian education is heartily commended.

The closer we get Indian people, the consumers of educational funds, to the Congress, the dispensers of educational funds, the better.

Our Indian people are ready, the subcommittee has done a sound job; let this proposal be implemented with all due regard to the rights of Indian peoples to be masters of their children's educational destinies.

Senator MONDALE. Thank you very much, Mr. Platero. That statement is of the high quality that we have come to expect from you. I don't think there is anything that has happened in this country in the Indian education field that has been a greater inspiration to me than the work that you are doing at Rough Rock.

It is such a simple thing to let the Indians do for their children what everybody else does for theirs, and yet to propose it seems to create such furor, I don't quite understand it.

One of the problems we are facing is the impression that we are very anxious to impose our will on the Indian community. Basically what we want to do is to let go and let the Indians run their schools. Yet you have heard today, and we have heard from some others, the feeling that we are moving too rapidly, that we are not listening to all sides, that we ought to have a new set of hearings, after the most exhaustive hearings any committee has had in the field.

The Indian Education Committee traveled more miles and took more pages of testimony, and viewed directly more facilities than any committee with a comparable problem, and we put together a bill and yet it is said: Now we better go out and start again—and Ruth Meyers said she hoped her grandchildren wouldn't be testifying back

here; if we can pass a good bill, her granddaughter won't be in here asking for help.

We are being asked to do something we are incompetent to do: Find out what the Indian community wants. I don't know. I am not an Indian. I can't speak for them. I wouldn't try.

Can you help us sort out how we should proceed now, the timetable and so on? This is not a fair question, I know, but it troubles me deeply.

Mr. PLATERO. Five and a half years ago people had the same feeling about Rough Rock and Navajo reservations, and the thought that Navajo people who didn't even have a year or less of schooling could sit on boards and actually make decisions and make the project a success. People fear failure and any new idea, I think, is going to certainly promote fears and uncertainty.

If Indian education is to make new inroads, to be creative, to be innovative and to improve its total programs by putting it in the hands of the Indian people, I don't see any reason why new ideas shouldn't be tried out. We have certainly worked with the Bureau of Indian Affairs and we have certainly experienced many set backs and continue to have these setbacks even today in some places. We have some successes, but I think overall there is nothing wrong really to try out some new ideas, even if you have set aside the education program away from the Bureau of Indian Affairs, and let the Indian people, let the people through their representation of various tribes take the helm and see what can be done.

I don't see anything wrong with that. I know it is simple to make these statements.

Senator MONDALE. I see an awful lot wrong with trying it any other way. It is significant that Rough Rock, governed by a board of elected non-English-speaking members, I think was the first to produce textbooks prepared by Navajos with Navajo culture and Navajo illustration. Am I right in that?

Mr. PLATERO. Oh, yes.

Senator MONDALE. I said yesterday you have more educated Navajo teachers in your school than in the Federal school systems combined.

Mr. PLATERO. In proportion to the number of kids you have in school.

Mr. MONDALE. In other words, they like to be a part of this system?

Mr. PLATERO. I might mention of 178 personnel that we have at the school, 154, I think, are Navajos.

Senator MONDALE. A slightly higher ratio than in some of the Federal schools?

Mr. PLATERO. Definitely.

Senator MONDALE. Would you submit the source of your funding and in what amounts? You can send us a letter. If you would rather not——

Mr. PLATERO. No, it is no secret. We get the Federal, the GAO people and we get other people who examine our books off and on, so that it is not a secret to anybody and I can certainly say so here.

We get our funding from the Bureau of Indian Affairs which is the base fund, we get for special programs, our experimental programs, $150,000 for Bilingual Education, this is the U.S. Office of Education, from title VII, and we get funds from title I in the amount

of $68,000 for dorm parents and for field trips for students. We get $130,000 from——

Senator MONDALE. Is the dormitory aid and assistance new?

Mr. PLATERO. It is new. I think in many places it is being implemented based on the success that we have had at Rough Rock.

Senator MONDALE. That is right.

Mr. PLATERO. We get $150,000 from the U.S. Office of Education, fallthrough, this is direct funding and title I funding which is eight-nine-one-zero, is through the Bureau of Indian Affairs.

We have a Navajo medicineman program where older medicinemen train younger medicinemen, which the National Institute of Mental Health funds. So we went right to the source at that time. So it is recognized by them that these programs are needed and the therapy is effective with Navajo people and Navajo kids.

Senator MONDALE. You are running one of the most remarkable school systems, and you are one of the most gifted "grantsmen" I have ever met in my life. You found all the pockets and cut a hole in them.

Thank you very much.

You are a member of the National Association for Indian Education?

Mr. PLATERO. I am the first vice president.

Senator MONDALE. Thank you very much.

Our final witness is the long suffering and patient Dr. Richard Shifter.

STATEMENT OF RICHARD SHIFTER, ESQ., GENERAL COUNSEL, ASSOCIATION ON AMERICAN INDIAN AFFAIRS

Mr. SCHIFTER. I am Richard Schifter. I am an attorney in Washington, D.C. I am here as general counsel for the Association on American Indian Affairs.

On behalf of the Association on American Indian Affairs I would like to express our sincere appreciation to this subcommittee for the excellent work which has been done in concentrating public attention on the problems of Indian education. The association has for many years been deeply concerned about the fact that among the handicaps with which young Indian people start in life is the lack of opportunity to obtain a good education. It is indeed high time that the Congress of the United States focus on this problem and attempt to provide solutions.

Of course, we must recognize that the Congress, which can only legislate, cannot assure Indian people of improved educational opportunities. The other side of the coin is competent and effective administration in the executive branch, a followthrough on a mandate from the Congress. However, the Congress can most certainly provide the blueprint for effective administration, and, above all, the founds that are needed to carry on a successful program. Thus, the association is in full accord with the basic principle underlying the amendment No. 6 to S. 659.

As the board of directors of the association has not been able to take a position on the specific provisions of amendment No. 6, my testimony on the association's behalf cannot continue beyond this point. However, I have been urged by a staff member of this subcommittee to present my own thoughts on the specific provisions of amendment No. 6 and shall now do so.

As far as my personal qualifications are concerned, let me say that I have worked with American Indian people for almost 20 years and have also served on a board of education, namely the State Board of Education of Maryland, for the past 12 years.

The most far-reaching change which amendment No. 6 proposes is contained in part D, which would shift the education functions of the Bureau of Indian Affairs to a new National Board of Indian Education. The basic principle of separating the education function from the other functions of the Bureau of Indian Affairs is most desirable.

Education is in many ways the most critical function of the Bureau of Indian Affairs. It uses up approximately one-half of the Bureau's appropriations. Yet, I would guess that as far as the day-to-day work of the top administrators of the Bureau of Indian Affairs are concerned, education must take a backseat in their time and attention when compared to problems of less long-range import, but which are forcefully brought to the attention of the administrators because they are part of the crisis of the day and because impatient adults insist on immediate answers.

Yet, I would be concerned about having the National Board of Indian Education dangling somewhere all by itself in the national bureaucracy without spokesmen with clout being able to defend it when it comes to the allocation of dollars in preparation of the President's budget. I would be concerned that the national board and its administrators might be eaten alive by more experienced and sophisticated executives in the administrative jungle.

My own suggestion, which I described briefly in an article in the South Dakota Law Review last year, is to create an Office of Indian Services headed by an assistant secretary, who would have responsibility for three bureaus, a Bureau of Indian Education, a Bureau of Indian Health, and a Bureau of Indian Social Services and Natural Resources. The assistant secretary would be a person of sufficient standing to go to bat for the bureaus under his jurisdiction.

I have not said in which department such an Office of Indian Services should be located. It is my belief that in the long run Indians would be best served if the office were in the Department of Health, Education, and Welfare, as its programs would be funded there more readily. However, as long as Indian people oppose the transfer from the Interior Department to HEW, it should not occur.

Let me interject in that context. Both you and Senator Kennedy have asked the question about the possibility of lodging this board in the Office of the President. I frankly think it won't work. Let me give just a few examples.

Senator Kennedy referred to the experience of the Peace Corps at the beginning of President Kennedy's administration. There was something rather unique about that experience in that the Peace Corps was at that time headed by the President's brother-in-law, who, as a matter of fact, happens to be my law partner, a most unusual person, who could just, because of his relationship with the President, be able to hold his own. Once Mr. Shriver was no longer in that position, the Peace Corps ended up elsewhere, no longer in the White House.

The Manhattan project was a very unique experience, based on

the fact that President Roosevelt recognized its vital importance to the survival of the United States.

My own direct exposure to this problem was as counsel to Senator McGovern when I drafted the Executive order signed by President Kennedy in 1961 establishing that office in the White House. The weakness in the months that followed—Secretary Freeman, Secretary of Agriculture, as head of the Department was able to exercise much greater authority in the field than George McGovern was able to do, even though he worked in the White House, and before long we were squeezed out of the White House, too.

It is simply the way Washington works, the way the bureaucracy works. I would think the chances of getting the kind of program that is needed here would be greatly enhanced if Indian education were placed in a department where an Assistant Secretary, and ultimately the Secretary can go to bat with the Bureau of the Budget.

At any rate, wherever the Office and its Assistant Secretary are located, one would hope that the Assistant Secretary would have free access to the Cabinet member in whose Department he is located and through him could make the kind of representations to the Office of Management and Budget that would result in budget allocations commensurate with the need.

The second suggestion which I would like to offer concerning the National Indian Education relates to the nature of its mandate. In this context let me say that I agree with much of the criticism which has been directed against BIA schools in recent years.

However, I do not believe that the Bureau of Indian Affairs should be considered unique in providing education of poor quality. Looking across the country we find that suburban schools have by and large been able to provide education of reasonably good quality, but that many urban and rural schools have lagged far behind.

I am inclined to believe that the record of the Bureau of Indian Affairs is neither significantly worse nor significantly better than that of a good many similarly situated rural school systems.

What I would hope is that in setting up a new Indian school administration, the Congress commit itself to create thereby an exemplary educational system, which could indeed serve as a model for the Nation. A great many Indian reservations exhibit the disadvantages of both our rural depressed areas such as Appalachia, with its geographic remoteness and lack of economic base, and of the inner city, with its problems of cultural alienation and social deprivation.

These double disadvantages can serve as double incentives to do better, for a federally funded school system to serve as a model that would not only help Indian people but that can light the way for State-operated school systems which must deal, on the one hand, with the problems of rural poverty and, on the other hand, with the problems of urban social disorganization.

Thus, I would urge that the enabling legislation contain a declaration of policy which would commit the Congress to use the Indian school program as a model for the nation. I submit that such a declaration should place particular stress on the need for an early childhood education program, a vocational education program of high quality and a comprehensive program of psychological guidance.

My third recommendation concerning part D relates to the problem of job security for the present staff. If there is any bureaucracy in which the greatest power is vested at the bottom rungs of the hierarchical ladder it is the education bureaucracy. It is in the last analysis the classroom teacher who makes or breaks any educational program.

If the new National Board and the local boards are to be given a real chance to make better educational services available to Indian people, they must be given the authority to clean house. Like every other school system, the BIA system has good teachers and it has bad teachers. Many of the latter category are now protected by civil service regulations concerning employment rights.

These regulations should be suspended temporarily to permit the replacement of unqualified and incompetent teachers by teachers who have the desire to give of themselves and the competence to help young Indian people. We may very well be entering an era in which an increasing number of qualified young men and women will be anxious to work on Indian reservations. The new National Board and the local boards should have the power to avail themselves of their services.

In that connection let me add I would certainly not find it at all objectionable to provide the kind of amelioration of this set of circumstances that the head of the National Education Association recommended.

Senator MONDALE. What did you say? That you endorse the NEA?

Mr. SCHIFTER. The head, or vice president of NEA expressed his concern about the possibility of incumbent teachers being fired, and suggested that there be some other opportunity for them to find jobs. I think that is fine, but the opportunity ought to be there to fire them.

In section 563, amendment No. 6 does make provisions for local school boards on Indian reservations to exercise administrative control and direction over Federal Indian schools. I would recommend, however, that the language of Section 563 be strengthened and that the legislative history make it clear that the regulations in question are expected to vest real decisionmaking authority in local school boards, rather than having them act as mere fronts.

While Part D deals with the education of Indian children in Federal Indian schools, Part A deals with the education of Indian children in State-operated schools. The concept of amending Public Law 874 and the Elementary and Secondary Education Act in this manner is a good one. However, special arrangements should be made to fund the program of those school districts which, because of their large Indian enrollment, depend on Public Law 874 for their basic educational program. You, Senator Mondale, have indicated you are prepared to have that done.

Let me add that I cannot see the purpose of administering part A through a Bureau of Indian Education in the Office of Education as provided in section 565. I would recommend that the program funded through part A be administered by the National Board of Indian Education and that specific provisions be made for affected Indian communities to influence the distribution of the funds in question here, so that there would be absolute certainty that monies intended for Indians are actually spent for their benefit on programs approved by the Indian people.

What I have just said about the exercise of control by affected Indian communities over the distribution of funds made available by part A of the new law should apply equally to Johnson-O'Malley funds which, under the provisions of section 564, would presumably be appropriated to the National Board of Indian Education.

Just as the National Board of Indian Education should administer the funds authorized by part A, it should also administer the funds authorized by parts B and C. With regard to part B, let me just add that the words and concepts on which this part of amendment 6 are based sound great on paper. However, after some experience with similar programs I have soured on these invitations to grantmanship.

After a project has been funded and has been carried out, a report on its results is often filed someplace and forgotten. Far too often a similar "innovative" program is funded again and the wheel is reinvented once more.

I would hope that whatever agency administers part B will take great care to see that any projects developed under that part relate directly to programs carried on under parts A and D and that the results of a successful innovative project are quickly disseminated, so that they can be taken advantage of in planning the regular educational program. (The doubts I have expressed do not apply to section 810(d), the section of part B relating to the training of educational personnel serving Indian children. Funding for such programs is very definitely needed.)

As I have said at the outset, the Special Subcommittee on Indian Education has done well in directing attention to the needs of Indian schoolchildren. The Association on American Indian Affairs hopes that the Congress will now accept this subcommittee's recommendations for action.

We are, of course, confident that before making your final recommendations you will take into full consideration the thoughts and recommendations of the authorized representatives of the Indian people themselves, and will hold field hearings to obtain these thoughts and recommendations.

In regard to this last point, Senator, I think the answer to the question that you posed is that you don't have to go on indefinitely, but once you have a legislative draft where all the specifics are really before us, it would be a good idea to have one more run at it and let Indian people comment on it.

Senator MONDALE. Very good. I would like to ask many questions, but it is now almost 1:30. We may submit questions to you which you can respond to in writing.

Thank you again for your characteristically able performance.

We have Mr. Stanley Red Bird, chairman of the board of directors of Sinte Gleska College Center, also representing the Lakota Higher Education Center at Pine Ridge; Mr. Michael Rogers, chairman of the Owens Valley Paiute-Shoshone board of trustees, and Mr. Ward V. Anderson, of the Owens Valley Indian Education Center, of Bishop, Calif., who have come here at their own expense. One of them was financed by votes of a tribe and sent out here, and I deeply regret—every once in a while this happens—I deeply regret that I do not have the time to hear these statements personally, but we would like to put them in the record, and you have my assurance that I will read them personally.

If we have questions, we will send them to you in writing and ask that you respond by letter. I shall instruct the staff especially to give special concern to those statements.

Your statements will be distributed individually to each Member of the Committee, which may mean it will be read more widely than those that have been heard today.

I deeply regret this, but at this point I will submit those statements for the record if you will bring them up to the staff.

(The statements of Mr. Red Bird and Mr. Anderson are as follows:)

STATEMENT BY STANLEY RED BIRD, CHAIRMAN, BOARD OF DIRECTORS, SINTE GLESKA, COLLEGE CENTER, ROSEBUD RESERVATION BEFORE THE SUBCOMMITTEE ON INDIAN EDUCATION OF THE COMMITTEE ON LABOR AND PBULIC WELFARE, U. S. SENATE, APRIL 29, 1971

As representatives of the Pine Ridge and Rosebud College Centers are very happy to see this committee concerned not only with the educational needs of our people on the elementary and high school level, but also with the post-high school training our tribes feel is the key to true Indian self determination and leadership. While we have authority to speak only for the Pine Ridge and Rosebud Sioux people, we believe that other tribes, and indeed all rural minority and disadvantaged peoples, would second our testimony.

Because, however, of the prime concern of this committee and of Amendment 6 of Senate Bill 569 with the problems of Indian Education below the college level and because of the dramatic pace of our people toward rebuilding our societies in the past few years, we feel that the intent and much appreciated support of this subcommittee for Indian community colleges and higher education might best be expressed through the backing of certain types of amendments to Senate Bill 545 introduced by Senator Harrison Williams or similar bills.

Senate Bill 545 in its present form provides for the support of community colleges through direct grants to the several states. However, Title II, Sec. 202 (a) (1) of this bill also provides for an allotment of funds by the Commissioner of Education of "not more than

5 percentum thereof among Puerto Rico, Guam, American Samoa, the Virgin Islands, and the Trust Territory of the Pacific Islands according to their respective needs...." It is our strong recommendation that Title II Sec. 202 (a) (1) and all parallel provisions of the bill be amended to include direct funding to Indian tribes recognized by the Federal government for community colleges as defined in the bill. Also that the percentum of funds be raised to a minimum of 7 per centum to cover the costs.

The Pine Ridge and Rosebud Centers request such amendments to Senate Bill 545 as an alternative to the legislation presently under review because already three reservations have community college operations in existence and others are planned or probable. It is our feeling that assurance of funding with adequate Indian control can most appropriately be had under this Bill concerned with the total national need in the area of community college education. In order, however, to guarantee the local control of Indians over their own affairs supported by this Committee, Congress, and the present administration and to assure that appropriated funds are actually available to Indians, we feel it absolutely necessary that legislation specifically earmark funds to be directly granted to Indian tribes according to need. Such assurance that the will of Congress for Indian participation benefits, we feel necessary in view of the difficult circumstances of higher education generally and the consequent danger that monies channelled through the respective states would reach our Indian tribes only with the greatest luck or altruism. Our experience with other such channelled programs leads us to this recommendation.

It is also imperative that our Indian societies and people be actually given the real control of their institutions which is being verbally offerred. But long experience in all societies has shown that real control follows only with the degree of control over financial resources.

The representatives of the Pine Ridge and Rosebud College Centers are aware, however, that this committee is concerned to know what the needs of our people are in higher education and what is being done, for instance, at Pine Ridge and Rosebud and what is needed there. We can only hope that you will be able to find the legislative means to meet our needs. We would therefore like to testify at this hearing regarding the operations of our centers with the strong belief that our situation represents that of many other reservations and rural disadvantaged groups. We would also like to request permission to testify to such bills as S. 545 or its equivalents whenever hearings are held.

There are four basic higher education needs to be met on the Pine Ridge and Rosebud Reservations:

(1) To create opportunities for all reservation Indians to receive post-secondary education under the most positive conditions.
(2) To radically invert the present economic and social pyramid, with Indians at the base and outsiders occupying the middle-income, professional, and policy making positions, through career ladder training and job restructuring.
(3) To maximize the student's ability to cope with his own identity and the mainstream by the creation of materials and a curriculum enabling him to biaccultureate himself for effective action both in his home culture and off the reservation.
(4) To demonstrate the effectiveness of a model for educational and career development in rural poverty areas in the United States and elsewhere.

The situation on the two reservations, as in other rural poverty

areas, is one wherein the local population finds itself unqualified for existing middle income jobs, effectively handicapped in efforts at self-determination and development through lack of qualified administration and leaders, and limited ability for attracting industry or developing latent resources through the same absence of trained manpower. Manpower training on a post high school level and open to the bulk of the population is essential if Indians are to take advantage of present jobs and create or attract more. In addition, the lack of training makes it difficult for the people to understand the complexities, problems, and opportunities of their society. This contributes significantly to the sense of frustration and apathy already posed by poverty and lack of economic mobility.

Since the job structure calls and will call for post high school training and credentials, opportunities must be devised to open such training to all Sioux residents as well as to prived a bridge curriculum preparing them for college level work. It is essential that training be done in conjunction with a career ladder restructuring effort that would offer meaningful salary and responsibility increments as a result of qualifying education and experience.

To reach the two-fold goal of manpower training and job restructuring, a local system of higher education is demanded. The present lower echelon of workers as well as the majority of the unemployed would experience immense difficulty in leaving the reservation for higher education. Most have family responsibilities and many lack the self-confidence and sophistication to place themselves in an alien environment for a long period of time. A large number require remedial

work and counseling which few campuses can provide. Furthermore, it is unrealistic at present to expect that funds to maintain a critical number of Sioux families or students at an off-reservation site will be forthcoming.

It is an assumption of this proposal that a very large segment of the United States would benefit from the application of this model. Other Indian reservations most obviously.

Spanish-speaking areas, those of the rural Southwest, present almost an identical economic and social picture. There are also the rural Blacks of the Southwest. And while the demand for a bi-cultural orientation may be less central, very large areas of white rural America would also benefit through the institution of such decentralized systems of higher education. Not only the areas of traditional poverty such as Appalachia, mining districts, and the Ozarks, but also rural America generally.

Within the context of the above background and exposition of general needs, the objectives for a system of higher education for the Pine Ridge and Rosebud reservations as well as other reservations and rural disadvantaged groups, may be stated operationally as follows:

(1) A system reaching out to the bulk of the area population through courses and training in the various communities.
(2) A system making full provision for Adult Basic Education, remedial work, and counseling to form a bridge for the academically underqualified.
(3) A system integrated with the agencies and establishments employing the reservation population in order to develop career ladders, facilitate job placement, and to fully utilize educational resources without waste.
(4) A system providing for continuous progression toward credentials and particularly the Associate Degree in the areas of greatest need, viz., administration and clerical, business, education social services, health, agriculture and recreation.

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(5) A system guaranteeing the validity of course work for transfer to other institutions and for job purposes.
(6) A system with curricula oriented to meet the special cultural needs and demands of the Lakota people and providing the area with cultural resources both of an Indian and non-Indian nature.
(7) A system providing for local tribal and community control.

PROGRAM: PINE RIDGE AND ROSEBUD COLLEGE CENTER

A system of higher education supporting the above objectives for the reservations has been initiated on a pilot basis and it is hoped that it be stabilized through adequate staffing and resources. In the case of Pine Ridge, this system has been developing with actual classes held since June of 1970. Rosebud began offering classes in January of 1971. Developmental planning has been going forward since the Spring of last year. It is already clear from the vantage of a year at Pine Ridge and ½ year at Rosebud that there are a large number of interested students, that the concept of using locally available resources is viable, that the universities and colleges are able to assist the Centers, and that interagency cooperation towards upgrading and training is enthusiastic. It is also very evident that to continue operations at the present level or to expand in any way, a core administrative, instructional, and counseling pattern must be developed and staffed. The reservations are at a point where it is possible to project essential program needs, and seek staffing and facilities that experience has shown to be needed.

The Rosebud and Pine Ridge College Centers have been operating since February 1971 and June 1970 respectively. They enroll currently 400 students with conservative estimate of 600 students for future semesters. The Centers offer 47 courses of a general liberal arts and career oriented complexion. Each Center is also envolved in basic

adult education and community education.

The Staffs of the Centers consist of 2 (Pine Ridge) and 3 (Rosebud) full-time staff members. These persons have complete responsibility under the Board of Directors for administration, development, and coordination of the College Centers. They are unable to do all of the necessary tasks to provide quality education and counseling for the students and direction and supervision for faculty. The Centers' staff and Board of Directors recognize the central need for a budget that will enable us to hire the necessary administrative, counseling, and instructional staff to meet the students and faculties needs.

A three year development plan delineated the budgetary needs for the next three years as:

Year I	
Pine Ridge	$233,830
Rosebud	$206,070
Year II	
Pine Ridge	$196,280
Rosebud	$193,070
Year III	
Pine Ridge	$196,280
Rosebud	$193,070

After this three year development period has placed the centers on an efficent and high quality level, the Centers will need the following amounts per year:

Pine Ridge	$153,080
Rosebud	$149,870

STATEMENT OF: Ward V. Anderson, Executive Director
Owens Valley Indian Education Center
Bishop, California

Supplementary Education of Indians in
Rural and Reservation Areas.

Title III ESEA OEG - 9-8-006205-0149 (056)

On Amendment No. 6 (Indian Education) to S.659

April 29, 1971

ADMINISTRATIVE STRUCTURE:

I endorse local Indian control through a definite and continuous structural mechanism, and a national Indian education board at the executive level, with executive authority.

1. Indian Education projects in relation to public education: administrative authority should be strengthened by stipulating implementation structures through which fiscal and personel decisions by Indians served by projects. There must be definite mechanisms guaranteed, a prior allocation of funds. Indian advisory committees etc. are not sufficient.

2. Administrative authority mechanisms must be a continuous process through funding periods.

3. A National Indian Education Board should be responsible to insure the proper functioning of such mechanisms and serve as grievence board and arbitrator

of authority and responsibility conflicts between involved parties. The National Indian Education Board should be at an executive level to insure unbiased and unobstructed authority.

ABOVE STATED OPINIONS BASED ON SUCCESSES STATED BELOW

Owens Valley Indian Education Center

Grant Rec ipient:	Inyo County Superintendent of Schools, Independence, California
Expended funds:	1968-69 $38,848.07, 1969-70 $54,045.00, 1970-71 $42,348.00
Participants:	Students 534 Community 800 Public School teachers 21

The key purpose of the project is to retard and eliminate the Indian students' deceleration in achievement as they progress through school. The High School drop-out rate has decreased from 40% in 1966-67 to 10% this year. Student achievement has improved by a minimum of .5 in all grade levels. The number of Indians enrolled in Colleges has increased from 1 in 1968, to 12 in 1969-70 to 41 in 1970-71, to an expected 60 in 1971-72. Eleven Indians have received GED diplomas.

The Center has helped decrease unemployment in the Indian Community: 61 Indians directly employed by the Education Center, 52 adults placed in permanent jobs and 126 in temporary jobs.

Successes have been realized because the processes of decision making, implementation and evaluation are controlled by an all-Indian Education Committee (5adults and 2 students). The committee has been made the official education arm of the tribal government. Learning activities have been extremely varied and have reached adults as well as children.

Geographic isolation has limited dissemination. Many official Indian groups have visited the Center -- one from New York State and another from Ontario, Canada. The Center has been featured in several Indian newspapers. The Los Angeles Times, although 300 miles away, has featured the Center's activities as did KNXT, a Los Angeles TV station. The director has given many talks locally and in southern California, but has declined many invitations because of distance and lack of time and funds.

The future of the project looks both bright and dim. Bright in as much as the Paiute/Shoshone community solidly supports the Center and because the Center is becoming a showcase to other Indian communities. Dim because of limited funding resources and a danger of another let down

of the Native American by the dominant society. A Title III Incentive Grant is being requested. An ESEA Bi-lingual/Bi-cultural Project to revitalize the Paiute Culture through the Paiute language has been submitted. The County of Inyo, hampered by a poor tax base, may maintain the Center facilities with on clerk. However, these prospects are far from certain.

Ward V. Anderson II, Executive Director
Owens Valley Indian Education Center
P.O. Box 1648
Bishop, California 93514

Senator MONDALE. We will stand in recess until Thursday, May 6, at 9:30 a.m. Thank you very much.

(Whereupon, at 1:30 p.m. the subcommittee adjourned, to reconvene at 9:30 a.m., Thursday, May 6, 1971.)

EDUCATION AMENDMENTS OF 1971

THURSDAY, MAY 6, 1971

U. S. SENATE,
SUBCOMMITTEE ON EDUCATION OF THE
COMMITTEE ON LABOR AND PUBLIC WELFARE,
Washington, D.C.

The subcommittee met, pursuant to recess, at 9:30 a.m., in room 4232, New Senate Office Building, Senator Mondale presiding.

Present: Senators Mondale (presiding pro tempore) and Kennedy.

Committee staff members present: Stephen J. Wexler, counsel; Richard D. Smith, associate counsel; and Roy H. Millenson, minority professional staff member.

Senator MONDALE. The committee will come to order.

Our first witness this morning is Mr. Arnold Sowmick, a Chippewa, and a member of the Michigan Commission on Indian Affairs.

Mr. Sowmick, if you would come to the witness table.

I would like to place in the record at this time a telegram from Senator Kennedy and a list which was sent April 30, 1971, a list of the tribal chairmen, inviting them to testify on S. 659. I ask this be made part of the record at this point.

(The information referred to follows:)

1900

April 30, 1971

THE SENATE EDUCATION SUBCOMMITTEE WILL RESUME HEARINGS THURSDAY, MAY 6, ON THE INDIAN EDUCATION AMENDMENT 6 TO S. 659, COPIES OF WHICH WERE SENT TO TRIBAL CHAIRMEN IN MARCH. WRITTEN STATEMENTS AND RESOLUTIONS MAY BE SUBMITTED BY MAIL AND WILL BE INCLUDED IN THE HEARING RECORD. PLEASE INFORM MEMBER TRIBES, AND IF YOU, TRIBAL CHAIRMEN, OR REPRESENTATIVES OF THOSE MEMBER TRIBES WISH TO TESTIFY, PLEASE NOTIFY US BY WEDNESDAY MORNING.

NO TRAVEL EXPENSES AVAILABLE.

EDWARD M. KENNEDY
UNITED STATES SENATOR

April 30, 1971
Telegrams to go to:

Mr. Clarence Skye, Executive Director
United Sioux Tribes
Post Office Box 1193
Pierre, South Dakota 57501

Mr. Peter Larson, Chairman
Great Lakes Intertribal Council
Route 2
Hayward, Wisconsin 54843

Mr. Ben Quigno, Chairman
Michigan Intertribal Council
Route 4
Mount Pleasant, Michigan 48858

Mr. Louis Goodhouse, Chairman
United Tribes of North Dakota
Fort Totten, North Dakota 58335

Mr. Webster Two Hawk, Chairman
United Sioux Tribes of South Dakota
St. Francis, South Dakota 57572

Mr. William Youpee, Chairman
Montana Intertribal Council
Poplar, Montana 59255

Mr. Earl Old Person, President
Northwest Affiliated Tribes
Browning, Montana 69417

Mr. Roy S. George, Sr., President
Small Tribes Organization of Western Washington
33324 Pacific Highway South
Federal Way, Washington 98002

Mr. Fillmore Carlos, Chairman
Arizona Intertribal Policy Commission
Route 1, Box 120
Scottsdale, Arizona 85257

Mr. Benny Atencio, Chairman
All Indian Pueblo Council
907 Indian School Road
Albuquerque, New Mexico

Mrs. Margaret Powell
Chairman of the Board of Directors
California Intertribal Council
2015 J Street
Sacramento, California 95814

Mr. Donald Wright, President
Alaska Federation of Natives
Post Office Box 3408
Anchorage, Alaska 99501

Mr. W. E. McIntosh, President
Five Civilized Tribes of Oklahoma
1601 South Detroit Street
Tulsa, Oklahoma 74120

Senator MONDALE. I also have a series of telegrams which I will place in the record at this pont, including one, I am glad to say, from Senator Conzemius, secretary of the Minnesota Indian Affairs Commission, strongly supporting amendment 6. I ask that it be made part of the record.

(The telegrams referred to follow:)

western union Telegram

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M LLJ062 NT NL PDB MINNEAPOLIS MINN 27

APR 28 1971

HON SEN CLAIBORNE PELL

WASHDC

DEAR SENATOR PELL PLEASE CONSIDER OUR SUPPORT FOR THE INDIAN EDUCATION ACT, AMENDMENT 6 TO SENATE BILL 659 AS OFFERED BY THE HONORABLE SENATORS MONDALE AND KENNEDY THIS LEGISLATION IS A MILESTONE OF COGNIZANCE TO THE DEPLORABLE CONDITIONS IN INDIAN EDUCATION. IT IS ALSO A TREMENDOUS STEP TOWARD INDIAN SELF DETERMINATION SO ESSENTIAL IN PROVIDING INNOVATIVE AND COMMUNITY BASED EFFORTS IN CULTURALLY ORIENTED PROGRAMS. THE CONSIDERATIONS OF ALL MEMBERS OF CONGRESS IS APPEALED TO FOR THE PASSAGE OF THIS LEGISLATION

SENATOR GEORGE R CONZEMIUS MINNESOTA STATE LEGISLATURE AND SECRETARY MINNESOTA INDIAN AFFAIRS COMMISSION.

WU SEN WSH $

NC SOU RY KSC

VS

WU SEN WSH $

GSA FTS WSH

Rec'd APR 29 1971

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CLAIRBORNE PELL CHAIRMAN SUB COMMITTEE EDUCATION SENATE LABOR
AND PUBLIC WORKS SENATE OFFICE BLDG WASH DC

AS CHAIRMAN OF YAKIMA INDIAN AGENCY GENERAL COUNCIL AND MEMBER OF JOM PARENT COMMITTEE AND ON BEHALF OF THE YAKIMA INDIAN NATION IN CONSENSUS WITH TRIBAL EDUCATION COMMITTEE AND TRIBAL COUNCIL WE OPPOSE ACTION ON SENATE BILL 659 AND SENATE BILL 1401 UNTIL SUCH TIME AS FIELD HEARINGS WITH INDIAN PEOPLE AFFECTED HAVE BEEN COMPLETED.

LEONARD TOMASKIN CHMRN YAKIMA INDIAN AGENCY GEN. COUNCIL MEMBER
OF JOM PARENT COMMITTEE YAKIMA INDIAN NATION BIA

GR 751P/175/IOIA/

TS

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APR 28 1971

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TLX PD TDW PWS TOPPENISH WA 4-28-71 120P DST

CLAIRBORNE PELL CHAIRMAN SUBCOMMITTEE EDUCATION SENATE LABOR AND PUBLIC WORKS SENATE OFC BLDG WASH DC

THE YAKIMA TRIBAL EDUCATION COMMITTEE IN CONSENSUS WITH THE YAKIMA TRIBAL COUNCIL OPPOSE ACTION ON SENATE BILL 659 AND SENATE BILL 1401 UNTIL SUCH TIME AS FIELD HEARINGS WITH INDIAN PEOPLE AFFECTED HAVE BEEN COMPLETED.

HARVEY ADAMS SECTY YAKIMA EDUCATION COMMITTEE AND WATSON TOTUS MEMBER EDUCATION COMMITTEE YAKIMA INDIAN AGENCY BIA

LF 127P/IOIA

Senator MONDALE. Mr. Sowmick, I am glad to have you with us this morning. Please proceed.

STATEMENT OF ARNOLD J. SOWMICK, CHIPPEWA, MICH., COMMISSION ON INDIAN AFFAIRS

Mr. SOWMICK. Thank you.

Mr. Chairman, members of the Senate Subcommittee on Education, friends and fellow Indians, gentlemen, I can't convey to you how strongly I, as an Indian—more important, as an Indian parent—feel about this legislation. This legislation gives to us things we have never had before. Everyone talks about how bad my people are doing in school, but no one seems to want to take the time or effort to correct this. Every time we see or suggest something, there is never enough money to do it.

I am sure the impact of this bill on the Indian communities will be a totally new and dramatic beginning for Indian education.

Besides this new approach to Indian education, the other thing I am excited about is Indian involvement and Indian control. It always seems that someone is devising a program for the training and education of Indians. Unfortunately, we have never been given a chance to make suggestions or recommendations. That is why many of these educational programs have failed. This bill can change that.

In regard to the National Board of Indian Education, I hope this will be made a part of the Executive Office of the President. Hopefully, this will eliminate the agonizing slowness of bureaucratic procedure and in the selection of the board, I hope you consider the possibility of an Indian. The reason I say this: There are a number of strong advocates of justice for the Indian, such as the Kennedy brothers, and others. Possibly if we had a 100 percent native American board, the non-Indian could serve as consultants.

I hope Congress will pass this bill.

Thank you.

Senator MONDALE. Thank you, Mr. Sowmick, for a most useful and refreshingly short statement that says things clearly and succinctly.

You are a Chippewa from Michigan?

Mr. SOWMICK. That is right.

Senator MONDALE. Approximately how many Indians are there in Michigan?

Mr. SOWMICK. Well, the figure goes anywhere from—if you were to ask a number of people in the State, you would get anywhere from 10,000 to 20,000.

Senator MONDALE. I gather there are no Federal schools in Michigan. All of the Indian children are going to public schools?

Mr. SOWMICK. Yes, this is correct.

Senator MONDALE. At least, not to Federal BIA schools?

Mr. SOWMICK. No, we don't have a Federal BIA school. What happens is, in 1934 we did have the Mount Pleasant Indian School. This was a Federal school. At that time, there was an agreement between the State and the Federal Government, and at this time, in exchange for the school, the State said, "well, we will take care of the Indian population."

Now, unfortunately, this hasn't been so. I guess, for the first year it happened this way. They provided the schooling, you know, the necessary things for school——

Senator MONDALE. Where are most of the Indians located in Michigan?

Mr. SOWMICK. Well, we have four reservations. We have the Isabella Reservation, which I am from, and there is the Bay Mills Reservation, Lotts and Hanifal. We have a number of Indian communities such as the Potaskey area, the Atkins area, the Shabetung, but these aren't Federal reservations.

The one thing I like about this bill, being a commissioner on the State commission, you see the people who live off trust land are penalized for some of the benefits that they could get, that the reservation people get, which the nonreservation people can't get.

In reading this bill, I see this opens this up.

Senator MONDALE. That is right.

In Minnesota, our Indians are predominantly Chippewa, too. We have something like 12,000 Indian school children, and only about 2,300 get this kind of help because the others are not on or near a reservation.

What we hope to do with this measure, in addition to making all Indian children eligible, is to provide some control by the Indian parents over how that money will be spent on the education of their children in their public school.

I gather you strongly support that approach?

Mr. SOWMICK. Yes, very much.

Senator MONDALE. You further testified you support the idea of a national Indian education board, but you want it located, in effect, in the White House, under the President, rather than one of the other agencies?

Mr. SOWMICK. Yes, I think this would be a more direct action approach, rather than going through—I know in other areas where you go to your different secretaries on up the line, it is rather slow. I think this has happened throughout the years.

Senator MONDALE. You have watched the education of Indian children in Michigan for some years. Do you think that there is a need for advice and consultation, possibly control, by Indian parents over the expenditure of funds for the education of their children, as you have seen the schools operate? Do you think the schools and the children would profit from that kind of arrangement?

Mr. SOWMICK. Definitely so. I know I had the opportunity to visit your State and see what your people are doing over there, and what Mr. Antell is doing, and the things that the Indian people are getting involved in. I know I was up at Permidre seeing the things that they are doing there.

When I see what they are doing over in your State, and come back to my State, I feel very frustrated.

Senator MONDALE. Minnesota usually leads most States, so that is to be expected.

Well, thank you very much for your most useful statement, and for its impressive brevity. Thank you very much.

Our next witness is Mr. Robert Carr of the Upper Midwest Indian Center in Minneapolis, Minn.

We are very glad to have Mr. Carr with us.

If you would, please come to the witness stand.

STATEMENT OF ROBERT CARR, UPPER MIDWEST INDIAN CENTER, MINNEAPOLIS, MINN.

Mr. CARR. Thank you.

Senator MONDALE. We are very pleased to have you here.

Mr. CARR. Mr. Chairman, my name is Robert Carr. I am a member of the Laguna Pewablo Tribe of New Mexico. Presently, I am the executive director of the Upper Midwest Indian Center in Minneapolis, Minn. The statement which I am going to present to you has come from the membership of this organization.

First of all, we would like to commend Senator Kennedy, along with the other cosponsors of the Indian Education Act, for getting underway what we hope will eventually lead to quality education for Indian people.

Secondly, we appreciate the opportunity of appearing before this committee. We can't help but believe that the procedure being followed today—that is, listening to as many Indian people as possible, to learn their views of Indian education as it now exists, and what they hope will come about in the immediate future—will lead to something greater for Indian people in the area of education. For the presentation of this kind of opportunity, we commend you.

Very briefly, I would like to tell you something about the Upper Midwest American Indian Center, because I believe it illustrates what a community of concerned Indian people can do for themselves and for their community.

In 1961, a small group of Indian people incorporated themselves into this organization for the purpose of helping their fellow Indians. However, it was not until 1967 when this organization had any money to hire a staff. Since 1967, this organization has grown to where we have a full-time staff of 11 people, and a part-time staff of 10 people.

This staff is responsible for the carrying out of approximately 12 programs and activities in the areas of housing, employment, emergency services, scholarships for college, high school and elementary students, and for vocational students, a halfway house for single Indian men, group activities for the entire family, and a group work program for elementary age Indian youngsters who are referred to us by the Minneapolis public school system, and also a summer camp program.

Senator MONDALE. Mr. Carr, what is your annual budget, and what is the source of those funds?

Mr. CARR. For 1970, our annual budget was approximately $115,000. $70,000 comes from the United Fund of Greater Minneapolis, and the rest comes from small contracts from Model Cities and a contract with the Presbyterian Church.

Senator MONDALE. You don't have any money from OEO?

Mr. CARR. Our organization is involved in this model urban Indian center demonstration project, and OEO has some part in it, but it isn't yet underway.

Senator MONDALE. Very well.

Mr. CARR. The point that we would like to make is that Indian people weren't only the founders of this organization, but they were also the planners, developers and implementers of all the programs and activities which this organization is involved in. Because of our ex-

perience within and without our organization, we are firmly convinced that if we are to make constructive and effective long range changes, we have no choice but to develop to the fullest degree those people who will be affected by any program that is to be developed.

We must be willing to go beyond this point which this Education Act stresses, and is to develop only those programs which have been determined by Indian people themselves. Too long we have had programs developed for us. Then the planners wondered why they failed.

We feel that this Education Act provides that opportunity for Indian people to have a very definite part in determining the kind of education they want for their children. We believe that we have come to a time that we can no longer view education as something that takes place 5 days a week between the hours of 8:20 and 3 o'clock, in school buildings within our communities. The total educational process with which we must concern ourselves includes not only the time the youngsters spend in the school building, but also attempting to supplement in overall education by involving the children and their parents in activities which relate in some way to their identities as American Indians, if they so desire.

This is where we believe the noneducational agencies, such as our organization, could provide the greater support for students and their families. For example, we received a grant from the Minnesota Governor's Commission on Crime Prevention and Control to develop a group work-oriented program for elementary age youngsters who are referred to us by the Minneapolis school personnel. We feel we are not only providing a resource for the youngster and his family, but also providing the same resource for the public school personnel.

Should not the development of this kind of a program be the responsibility of an educational agency? Hopefully, the passage of this Education Act will provide the financial resources to develop innovative programs, not only within the educational system, but also outside of these institutions. This Education Act provides some opportunities to develop programs and activities that take into consideration the needs of the total child.

We believe there must be a much heavier emphasis on counseling both within and outside the schools. It is therefore imperative that much more effort be placed in the training of social workers, psychologists, guidance counselors, and other supportive personnel. We must emphasize the need for Indians in these professions.

Along with the emphasis on counseling comes the need for the development and the use of appropriate testing techniques that could be used for evaluating Indian children. We must keep in mind that tests which might be appropriate for evaluating white middle class children might not give us a reliable picture of the Indian youngsters.

Is not proper evaluation of a child's capabilities and potential as important as teaching them how to relate to his peers? We believe it is. Therefore, we feel there is a tremendous need to develop appropriate evaluative methods and techniques so that our children will be no longer evaluated by standards which don't take into consideration the possible differences between two cultures.

Although we have more Indian people graduating each year with teaching degrees, we also realize there are few colleges and universities that offer courses which focus on how best to work with Indian chil-

dren. For this reason, it becomes extremely important that we make available to individuals and/or institutions of higher learning, who are interested in developing better teaching methods and techniques which might be more relevant to the teaching of Indian children. Priority for such grants must be set by a body of Indian people, knowledgeable about Indian education.

Many demonstration projects are presently in existence which were probably designed and implemented by non-Indians for Indians. We believe it would be advantageous to both the Indian communities and the funding agencies if Indian people would have an opportunity of evaluating such projects. We believe we have, today, expertise in various fields, so such evaluations could be carried out.

In the area of adult education, must we continue to stress the GED for all adults? We believe there are many Indian adults who would utilize the program, not to work toward a GED, but possibly for other reasons. For example, in a program of adult basic education as being carried out now by an organization called "Opportunities Unlimited" for Minneapolis Indians in Minneapolis, Duluth and Bemege, Minn. One of the greatest things we have observed within this program is the older Indians teaching the youngsters various forms of arts and crafts. No other program has presented the Indian in this kind of learning experience for both the young and the old.

This Education Act stresses program development opportunities for both reservations and urban Indians. We would like to make it clear that we are interested in cooperative projects, rather than competing with reservation Indians for available moneys.

We have received little or no encouragement from funded agencies to develop joint proposals. In order to better serve the Indian people, funds must be available for joint projects. If not, competition for moneys will develop and program coordination between reservations and cities will never come about. All of this results in poor services to those who need it most.

We believe the Federal agencies have some responsibility in the encouragement of joint projects between reservations and urban centers, and we believe very strongly that the quality of services will improve greatly.

We believe this Education Act encompasses some of the things we have talked about and dreamed about in the past. We believe this—we have talked and dreamed about parental involvement in the past, but someone has always limited us on how far we were to go. We have talked and dreamed about Indian control, but things were always predetermined for us by some bureaucracies or non-Indians. We have talked about Indian education, but there weren't many, if any, involved in it.

We believe some of these things are needed. However, unless all of us are committed to what has been stated in this Education Act, we are going to continue to just talk and dream about Indian control and Indian education. The only way we can accomplish our goals of Indian control over education of Indian people is to have Indian people not only at the highest level of authority in our Government, but at all levels which have anything to do with the planning, development and implementation of educational programs for Indian people.

A commitment of this nature is imperative. If there is this commitment, we will be able to fulfill our goals.

Thank you very much.

Senator MONDALE. Thank you, Mr. Carr, for a most useful statement, and for summarizing, in a very rapid way, the effective work of your organization.

As I understand your testimony, you are in support of the Kennedy amendment to the Higher Education Act?

Mr. CARR. That is right.

Senator MONDALE. One of the key reasons being that you find it essential that Indians be in control of the education of their children?

Mr. CARR. Very denfiitely so. I believe, in terms of my limited experience with the community in Minneapolis, that some of the areas that we seem to have succeeded in are those in which we have really made an all-out effort to get people involved, not only putting them on advisory boards, but really getting down and saying what kind of programs and activities, and how should we develop them. I believe that we really don't have any choice but to do this. I think some of the programs that have been implemented by non-Indian groups, organizations, and even by some Indian organizations that have tried to do it for, say, the community, these are programs that really have faltered and probably won't last very long.

So, I am definitely in support of this.

Senator MONDALE. I find that very significant testimony, because I think it is correct that Minneapolis has the highest ratio of urban Indians of any central city in the country. The numbers aren't large, but the percentage is very high as compared to any other central city; so you have seen through your experience what a better than average public school system has done, and nevertheless you testify for the need for parental control of funds spent for Indian education.

Mr. CARR. I think we have come to a time that the public schools, whatever their size may be, really must begin getting out into the community. We have too many school buildings that are standing empty after 3:30 in the afternoon that could very easily be utilized by the neighborhood children. They don't have anyplace to go play, other than out in the streets or a few playgrounds around the area. Therefore, I think in order to become more effective with whatever the community is, whether it be Indian, black, Chicano or whatever, they are going to have to become serious in wanting to get out into the community and say, how can we work with you. I have a feeling that if they don't go in this direction, that we are going to have very serious problems within all of these communities in the next few years.

I think the Minneapolis public school system is probably ahead of other public school systems of its size in terms of trying to make some initial approaches to the Indian community, and saying, how can we work together. Therefore, on this basis we developed a consultant in Indian education which we now have established within their administration of the public schools, which I don't believe is in existence in any other public school system. But yet I think this is only an initial step, because I see the next step as the public schools coming back to the Indian community and saying, look, there is this title program available for, say, community involvement. Can we work with you to develop a proposal that would give the moneys to a community organization, say, like Upper Midwest Indian Center, like Indian Upward Bound, rather than saying could you serve in an advisory

capacity while we develop a program for you. This is where we are. They still have not taken the next step in terms of saying, what kind of proposal do you want to draw up, and we will support you in getting you the money. This is not the case at this time.

Senator MONDALE. At the conclusion of the exhaustive work of the Indian education subcommittee, which has now expired, we came down to the same thing you do. Control is the central question. So long as it is an outside-dominated institution which does things for the Indian, maybe with some consultation, the effort will fail. We have to start the other way around. I feel very strongly about that.

In addition to that, this bill for the first time tries to help Indian children, wherever they are located, and make them eligible for Indian education assistance; the "On or near" reservation distinction on the present title denies about 80 percent of our Indian schoolchildren that assistance.

Approximately how many Indian children are there in the Minneapolis public schools?

Mr. CARR. I am sorry, I don't know the breakdown. I know the highest concentration is on the very near north side of Minneapolis, and on the near south side. I think in the junior high that is highly approximately 800 children, there are approximately 150 Indian children, and in the high school, probably over 100, the south high school, which has the highest concentration of Indian children. And on the north side, it is a little smaller, so these are the one junior high on the north side and the high school that are the areas where they are highly concentrated.

Senator MONDALE. How are the children doing in the school, in your opinion?

Mr. CARR. The latest figures that we got, I think it was in the League of Women Voters' booklet, Indians in Minneapolis, that they did 2 or 3 years ago, stated that the dropout rate was up to close to 60 percent, or about 60 or 65 percent, and I am a social worker by background and I worked as a school social worker at Phillips Junior High, which has the highest concentration of Indian students there 2 years ago, and I think one of the things that I noticed that—Indian children just cannot remain in classes. There is a high absentee rate. There is a high rate of children missing 2 or 3 days a week and coming back for a day and going back out.

I think part of the problem that I see is that, number one, very little effort is made by the schools themselves—primarily because of lack of personnel—to really establish any kind of close contact with the families of these children.

I think the second part of it is that very little effort on the schools' part to develop working relationships with community organizations that might be working within their particular district. I think third, of course, that always comes up, is that there is very little—maybe it is changing just a little bit—but very little with which the Indian children can identify that relates in some way to their identities as American Indians.

Senator MONDALE. How many teachers, if you know, are Indians in the Minneapolis school system?

Mr. CARR. In the Minneapolis school system right now, we have—we had about three of them. Right now we only have two that are

active school teachers. One of the other Indian teachers became head of the audio-visual department for them on a special project. We really only have two.

Senator MONDALE. So, they don't have any adult figures in the school system, or very few, that they can identify with?

Mr. CARR. Right. One program that is trying to maybe help in some way in this area is the Indian upward bound program, which is geared to seventh- and eighth-grade children rather than the regular 11th- and 12th-grade children, and they are concentrated in the two schools, junior high schools. Here, there are Indian people available within that program that at least provide some kind of possible or positive image for some of these children. But again, along with a few aides that the public schools hire, nothing any higher than, say, aides at this point.

Senator MONDALE. Do you have any idea what percentage of Indian children in the Minneapolis public schools are at grade level in the basic skills? Are you provided with data, or is there data available——

Mr. CARR. I am sure data is available to a limited degree. One of the problems that we have had with the public schools—this may be changing—was the problem relating to not being able to identify children by race other than sight count. Therefore, this created some problems in terms of really knowing how many Indian children are going to a public school.

We know that many of the children drop out in the seventh and eighth grades, and especially in the ninth grade, so that there are very few going on into high school. This is the reason for the emphasis of the Indian Upward Bound programs at the junior high level as opposed to the high school.

Senator MONDALE. How long has that Upward Bound program been in effect?

Mr. CARR. It has been in existence since the fall of 1968.

Senator MONDALE. Do you think it is helping?

Mr. CARR. I think it is helping primarily because, if not for any other reason, the fact that they have provided them with activities outside of the school, and they have, I think, developed a very strong summer program for them. The teachers or some of the people that work within the program have provided them some emotional support. At least they know maybe they can go to someone within a school, when something comes up and they need some help.

I think it could also do a lot more, and I think—I often think when we get governmental grants we are so—we get so caught up in working toward the next year's funding that we have very little time to concentrate on really developing innovative kinds of activities.

I would like to recommend also that I think in the future, should anybody have anything to do with us, that when demonstration grants are provided that somehow there must be some incentive within these grants whereby the funding agencies could say, you will be able to receive, say 20 percent more for the next year if you maintain your present program but also develop another innovative program attached to your present program. This, I believe, is the kind of thing that we need so that it will help us to grow in a program development and to provide a wider range of services.

Senator MONDALE. As you may know, there is a section in the Kennedy amendment which provides for direct funding of nonprofit organizations such as yours. I will have this material sent to you. I wanted to make one other point. We just passed in the Senate what we call the Quality Integrated Education Act, with funds for which minorities are eligible. We set aside 10 percent of the funds for nonlocal educational associations, organizations nonprofit, which would include organizations such as your own. The fund is $150 million. I will send you some material and you look at it.

I would think that it is very likely that these funds would be available for Indian efforts in Minneapolis, in Minnesota. I think there is a great role for organizations such as yours outside the school system, working in cooperation with the school system.

I think this bill is the broadest and boldest effort to bring outside organizations to bear on the school problems outside the school system.

Thank you very much, Mr. Carr, for your very useful testimony.

I understand we have some Indian students from Fort Lewis, Colorado. Would you please come to the witness table? Would you please give us your names.

STATEMENT OF HAYES LEWIS, ZUNI, PUEBLO, N. MEX., ACCOMPANIED BY PHILLIP CUMMINS, CROW-SIOUX, AND CAROL LITTLE WOUNDED, CHEYENNE RIVER SIOUX, SOUTH DAKOTA

Mr. LEWIS. My name is Hayes Lewis. I am from the Zuni, Pueblo, New Mexico.

Mr. CUMMINS. I am Phillip Cummins.

Miss Little Wounded, Cheyenne River Sioux from South Dakota.

Senator MONDALE. Fine. Would you proceed?

Mr. LEWIS. We would like to thank this committee and Senators Kennedy and Mondale for allowing us to give a few ideas of our own on this amendment to Senate bills before us now.

We have a statement that has been submitted to you for the record.

Senator MONDALE. Is this to the subcommittee investigating 659, three pages here?

Mr. LEWIS. Yes.

Senator MONDALE. Signed by several students?

Mr. LEWIS. Yes.

Senator MONDALE. We will include that as though read, unless you would like to repeat it. We will put this in the record, and you may comment on such points as you wish; however you wish to proceed.

Mr. LEWIS. We would like to just comment more or less informally.

Senator MONDALE. Very well.

(The material referred to may be found in the files of the subcommittee.)

Senator MONDALE. Let me just quickly say that the main points you make, along with the students that you represent, is the great lack of svmpathetic instruction to the Indian history, Indian culture. Two, the dire need for competent counselors responsive to the educational needs of Indian students. Three, a need to inform sometimes indifferent or hostile administrators of the possibilities in Indian education programs. Four, the unnecessary sending away of young Indian children to Indian schools.

Those are the central points that you wish to make. These are matters we uncovered in our work. Wherever we went, we kept hearing the same points from Indians.

But you proceed to make these points, or any others, and expand on it; whatever you wish to do.

Mr. LEWIS. The primary reason we are here in Washington is we are under a program, a 2-week program, to study and evaluate the BIA structure, and how we could possibly make recommendations for recruitment in some areas. We have been going mostly department by department, having the speakers come in and talk to us. Possibly this would have an effect on our future plans and goals after graduation. That is the main reason we are here.

We thank you again for letting us come and give some of our ideas.

Senator MONDALE. What year are you in school?

Mr. LEWIS. I am going to be junior this year.

Senator MONDALE. Did you go to a Federal school?

Mr. LEWIS. I attended junior high and high school in a public school on Indian land.

Senator MONDALE. I see.

Mr. LEWIS. The portion concerning section D about the Indian Board of Education, we would like to see this at the central level and have Indians in control of this board. There is a need for many special projects in schools on the Indian reservations that the Indians are setting up themselves, like the Indians in Minnesota, and this type of school would have a great effect on the high dropout rate that we now experience among Indians and it has a great effect on the environment, the learning environment, and the learning process. That concerns the Indians.

We would like to say we are in support of this amendment to bill 659, and although there hasn't been too much in the past concerning Indian legislation, we would like to see more in this area.

We are glad to see that Senators Kennedy and Mondale are in support of Indian education. We would like to see this continued.

Senator MONDALE. Very well.

Who would testify next? Would you like to add anything?

Mr. CUMMINS. Mr. Lewis said everything we want to say.

Mr. LEWIS. We would like to have you consider our other ideas in the statement.

Senator MONDALE. That is right.

We thank your fellow students for joining in that statement. We will make that part of the record and refer to this in developing the legislation.

Would you like to make some points? All right.

Carol, where did you go to public school?

Miss LITTLE WOUNDED. During the early part of my high school, I was in a private boarding school for Indian girls, under the Episcopal Church.

Senator MONDALE. Where was that?

Miss LITTLE WOUNDED. In Springfield, S. Dak. It was St. Mary's School.

Then my mother got sick, so I had to go home and I was in the BIA school for about half a year.

Senator MONDALE. Which one?

Miss LITTLE WOUNDED. In South Dakota.

Then I went to school in Reading, Mass., under the Lexington Congregational Church.

Senator MONDALE. In other words, you went to Massachusetts to a religious school?

Miss LITTLE WOUNDED. A public school.

Senator MONDALE. A public school?

Miss LITTLE WOUNDED. Yes.

Senator MONDALE. How long were you in that school?

Miss LITTLE WOUNDED. I was there for 2 years.

Senator MONDALE. How old were you when you attended that school?

Miss LITTLE WOUNDED. I was about 16 when I went out there, but then tribal rules got my date of birth and everything all mixed up, so I was actually 15, and then after high school, I went to college, a private college in New Concord, Ohio.

Senator MONDALE. How long did you go to that school?

Miss LITTLE WOUNDED. I was there for about 1 year. I was the only Indian student there.

Senator MONDALE. How did you happen to go there?

Miss LITTLE WOUNDED. Well, the people I stayed with in Massachusetts wanted me to go to school in Massachusetts, and my parents back home wanted me to go to school in South Dakota.

Senator MONDALE. So they compromised in Ohio?

Miss LITTLE WOUNDED. Yes. That was like half a scholarship there, too, and this other place——

Senator MONDALE. Now you are going to Fort Lewis College?

Miss LITTLE WOUNDED. Yes.

Senator MONDALE. What year are you in there?

Miss LITTLE WOUNDED. I am a sophomore, but after credits this summer, I should be a junior in the fall.

Senator MONDALE. What are you majoring in?

Miss LITTLE WOUNDED. I don't know yet. Sometimes I want to look into sociology, and sometimes law interests me, but whatever I feel like going into, I don't think it will be working in Washington. I would rather be at home.

Senator MONDALE. Get out of this town?

Miss LITTLE WOUNDED. Yes.

Senator MONDALE. I don't blame you. [Laughter.]

Could we ask Mr. Cummins, would you tell me where you went to school, what year you are in now at Fort Lewis?

Mr. CUMMINS. I attended public school in Montana, graduated from there, went to high school in Kansas, graduated from there, and went to——

Senator MONDALE. Where did you go in Kansas? A Federal school?

Mr. CUMMINS. Yes.

Senator MONDALE. What is the name?

Mr. CUMMINS. High School of American Indian Junior College.

From there, I went to Fort Lewis. I am a junior now.

Senator MONDALE. You are a junior at Fort Lewis. What is your major?

Mr. CUMMINS. Business administration. Minor in education.

Senator MONDALE. I see.

Can you comment on what you thought of the Federal schools, how they responded—what kind of an education you thought you got in the Federal school?

Mr. CUMMINS. Well, my experience in the high school-junior college was very influential to me. I thought it helped me to go on to college. It did help me. In comparison with public schools, I think it was on an equal level, but in some areas it wasn't, whereas public schools didn't have Indian programs in the BIA.

Senator MONDALE. How many Indian teachers did you have in the years you have been attending school?

Mr. CUMMINS. Approximately four, I believe.

Senator MONDALE. How many Indian teachers have you had in the years you have been going to school?

Miss LITTLE WOUNDED. I never had any.

Senator MONDALE. You never had one?

Miss LITTLE WOUNDED. No.

Senator MONDALE. How about you?

Mr. LEWIS. I had two.

Senator MONDALE. You had two.

Now, you have spent several years in all-white school systems, haven't you?

Miss LITTLE WOUNDED. Yes.

Senator MONDALE. Public schools, private schools. What does it feel like being the only Indian, or one of a few?

Miss LITTLE WOUNDED. I really didn't like it. I think the main reason I left Ohio was because their values weren't the same as mine, and their emphasis was mostly on socializing and on how to make money real quick and everything, so I didn't go back there last year. I just stayed at home and rested, I guess, and tried to think of what I wanted to do. But I wouldn't want to go back there again. They really messed my mind up and everything. I didn't learn that much about Indian education or Indian legislation or anything that in the back of my mind I wanted to know about. That is why I went to Fort Lewis.

Senator MONDALE. Why did you leave Massachusetts so fast?

Senator KENNEDY. Careful, now. [Laughter.]

Senator MONDALE. That was not a serious question.

Go ahead.

Senator KENNEDY. I am very sorry I missed your testimony. I just got back from the Midwest where I was with the Senate Health Committee in Chicago. I was in the northern part of the city, where there are approximately 17,000 to 18,000 native Americans, and there was a real underutilization of the health services. They were trying to establish some maternal clinics, developed by the board of health in Chicago.

One of the principal problems that we observed was the fact that there were no American Indians involved in the planning and formulating of programs, or on the council for the maternal clinic. Later on in the afternoon we heard some really eloquent testimony about the general health problems of the native Americans in one of the great urban areas. This morning we address ourselves to the problems of Indian education. I certainly hope we can make some inroads in both of these areas.

Senator Mondale pointed out so well, in the past this has, of course, been a troublesome problem, and I am hopeful that this legislation before us today will help to move in that critical area of need.

As I say, I apologize for not being here for your statement. I look forward to reading it with interest.

Senator MONDALE. Thank you very much for your helpful testimony.

Our next witness is Mr. Lehman Brightman, president of the United Native Americans, lecturer, University of California.

Mr. Brightman?

STATEMENT OF LEHMAN L. BRIGHTMAN, PRESIDENT, UNITED NATIVE AMERICANS, LECTURER, UNIVERSITY OF CALIFORNIA

Mr. BRIGHTMAN. Thank you.

Senator MONDALE. We are glad to have you back again, proceed.

Mr. BRIGHTMAN. Well, one of the basic reasons I came, 2 weeks ago I was at Utah. I gave a talk at Utah State College, or university, in Logan, Utah, and while I was there a number of Indian students, as well as employees of Intermountain Indian School, asked me to come down and look over their school. They told me some of the sad conditions that existed there.

I stuck around an extra day and went down and visited Intermountain Indian School, located in Brigham City, Utah.

Senator MONDALE. Is that a Federal school?

Mr. BRIGHTMAN. Yes, sir. It is run by the Bureau of Indian Affairs. This is the largest coeducational boarding school in the United States, possibly the world. They have approximately 1,600 Indian students there. The majority are Navajo. It is about 400 miles from the Navajo reservation.

The conditions that exist at their particular school are the worst that I have ever seen. I personally investigated five—this is the fifth Indian boarding school run by the Bureau of Indian Affairs that I investigated, and this is by far the worst of the lot.

The conditions that exist in this school shouldn't be allowed in any particular school. As an example, they are shooting the young students there with a drug called thorazine, which is a tranquilizer. It is a suppressant. When they find Indian kids coming in drunk, they shoot them with this drug. Thorazine is a depressant. They are using a depressant on top of a depressant, which is alcohol. One girl complained she had dizzy spells ever since she had been given this drug. She said she lost her equillibrium at times. Some students said it takes 4 to 5 days to come off the full effects of the drug.

Thorazine is mainly used on mental patients who become violent. I asked some of the employees there why they were using this drug. They said they have a drunk tank in one of the boys' dorms, and when the boys come in drunk, they bring them into the drunk tank, and the drunkest ones, they put them into the U.S. Public Health Hospital there, and they then shoot them with this drug.

Up until a year ago, they were using handcuffs on these students and shaving their heads for drinking. I talked to some of the students and they said a lot of the students still carry the scars from the handcuffs that were put on. I saw some of the memos put out. The memos stated they weren't to show the handcuffs or wear them in visible sight. While

I was there visiting some of the boys dorms, I saw a set of handcuffs on one of the beds.

These kind of conditions, you would think, would have disappeared about 50 years ago, but nevertheless at Intermountain Indian School, they do exist.

The dormitories—I visited three different boys' dormitories, three girls' dormitories. The buildings are old, dilapidated, very sad condition. The furniture is mismatched. It is old, broken furniture. Broken furniture was stacked in corners. They had broken furniture stuffed into extra rooms. One dorm there had the front porch completely stuffed with broken furniture. No rugs on the floors. The place was dirty. The floor was dirty. Trash inside and outside the building. The bathroom smelled. You could smell it three doors down. Some of the commodes were run over. There was no toilet paper. Windows were broken throughout the building. The walls were dingy, dirty, needed painting. Many had markings on them.

When we got inside some of the living quarters, there were virtually no desks for any of the buildings in the living quarters. They had six to eight students stacked in these overcrowded conditions in these rooms. They are using double-decker beds which you found in the Army about 20 years ago with siding mattresses and bedsprings. Broken windows inside. As for dressers, some of them had no dressers for the students to put their clothes in. Some had one dresser with maybe four drawers in them, not enough to go around for the six to eight students. The wall lockers they had for the students, many were broken, doors hanging by one hinge. I asked them why they weren't repaired. They said they don't have repair kits. They break down and get shoved in the corner or get thrown away.

The lighting in these rooms was extremely bad. It would be impossible to read in there without straining your eyes. They don't have desks anywhere.

We found that there are virtually—the students complained there was virtually no privacy, they are so overcrowded in these rooms.

The candy machines in the boys' dormitories, the employee in charge told me, were removed because they found mice in them.

All the TV sets, a majority of them anyway, in the boys' dormitories were broken, old, outdated, wouldn't work. There was no door handle on the girls' dormitory we went into.

The reason I bring some of these things up is because the United States is the richest, strongest country the world has ever known, and we have a branch of that Government over American Indians, and they can't provide adequate facilities and buildings and so forth for these people, Indian people, who are by far the worst off in this country educationally, economically, and healthwise, and who need help the most. Indians are by far the worst off in this country economically, and they can't provide adequate sanitation or building facilities for these students.

I looked at their library. I talked to some of the students there. They said it was only open from 9 in the morning to 4:30 in the afternoon. It isn't open on weekends. They claim that there were virtually no books on Indians.

Senator MONDALE. Did you look at the library?

Mr. BRIGHTMAN. I couldn't get in. It was closed. It was on a Saturday that I visited. But I went by and looked and some of the students told me that the ones who want to study on weekends can't, because it isn't open.

The teachers don't give homework, virtually no teachers give homework in this particular school. Some of the students complain that the teachers fall asleep while reading to them. The literature teacher in particular has only one book, and he reads to these students, and when the students complain they would like books to take home, they tell them, you would only lose them if we gave them to you. This is the pathetic attitude of the teachers there. They tell them, you would only lose the books if we gave them to you.

Also, they post the names of the students throughout the entire school who are failing for sloughing, insufficient grades, AWOL, or coming in late, or aren't doing their make-up work.

There was a small group of students who formed a NIYC chapter, National Indian Youth Council, there. The students who joined this particular group, which is a bonafide national Indian organization, are being punished. Their meetings are disrupted. They transfer them from one dormitory to the next. The students complain they are being graded on attitude, rather than on their grade work that they are handing in. They tried to discourage any type of self-determination among young Indian youth and any Indian that stresses Indian power, which is defined by myself and many other people as self-determination, are called Black Panthers and they tell them they are like Black Panthers. They told them the National Indian Youth Council and my organization are like the Black Panthers, stressing violence and so forth. This is a lie. I have never been involved in any violent activity, and don't believe in violence.

The PE classes, physical education classes, they give mass punishment there if any of the students are found goofing off or coming in late, called sloughing.

There are approximately 120 to 130 teachers at this particular school, at Intermountain. Only five are Indian. They only have four Indian counselors at this particular school. These teachers there evidently don't want the Indian youth to get involved in any type of national Indian organizations, and as I said before, they downgrade them. They give them bad grades if they try to join any of these.

SENATOR MONDALE. In other words, the kids told you that they were discouraged from joining any national Indian youth organization?

Mr. BRIGHTMAN. Yes, sir.

While I was there talking to a group of the students, a student chairman came in and said that my organization, UNA, and NIYC were similar to the Black Panthers and they shouldn't associate with us.

At this particular school, they had two girls, two rape attempts on two of these young girls coming from Brigham City back to the school. On one side of the campus, the north side, there is a little wooded area there, and they had two girls who had rape attempts on them in the past 2 months. They had numerous girls who had their clothes ripped off. They lost their packages and shoes running back to the dorm when people were trying to attack them. The non-Indians wait in this particular area and try to lift the girls' dresses. They fondle them. Many of the girls actually had to run for their lives in this particular area.

They asked the Bureau of Indian Affairs staff there at this particular school to put in flood lights there so in the evening there would be a little protection for them. The Bureau of Indian Affairs' officials refused. They also asked them to supply extra guards in this particular area so these girls wouldn't be molested in coming home. So far, they haven't complied with this.

The students I talked to, particularly a lot of the girls, and they were very upset about this—also, Brigham City, Utah, there is a four-lane highway which is right adjacent to the school. There are approximately 1,600 students in this school. They cross this four-lane highway at one time or another during the 24-hour period, because there are a number of Dairy Queens and other stores across it. When they cross this extremely busy highway to go over and buy food and so forth, they have asked the City of Brigham to put in a crosswalk or street light. Brigham City has refused. Yet they had two Indian youths hit in the past 2 years by cars, and they had numerous other students who complained they were nearly hit, and they say it is almost a race for your life to get across this highway. Yet Brigham City won't put in any type of street lights or crosswalk for these children.

The students complained of discrimination in Brigham City. They say that some of the stores there won't serve them after 7 o'clock in the evening. One particular store called the Hamilton Drug Store, they have a chain there, refuse to serve Indians after 7 o'clock in the evening. They will serve non-Indians. When the students walk in, they watch them like hawks. They say that Hamilton Drug Store has another chain of stores further down into the interior of town where the prices are extremely—they are much cheaper there. Evidently, they charge the Indians more than they do non-Indians there.

I visited the cafeteria there. I had lunch. The food was very bad. The students complained that they were given beans about three to four times a week for a couple of meals a day. They are not given seconds at this school. When I talked to some of the girls, they said yes, they do give seconds the last 15 minutes of every meal. Can you imagine 1,600 students trying to get seconds in the last 15 minutes of the meal? Also, they don't serve coffee at this school. About 75 to 80 percent of the employees there are Mormon, and they don't believe in drinking coffee, so they don't serve coffee to any of the Navajo students or the other people working there. Yet coffee is almost a staple part of the young Navajo diet when they grow up. Coffee, meat, mutton, and so forth. Yet they are refused coffee here.

The students tell me whenever they lose their meal cards, they don't eat. One girl did without food for 3 days because she lost her meal ticket, and they take their sweet time in issuing new cards for them.

I talked to some of the personnel there, and they told me until last year they had powdered eggs there. You could smell the odor when you walked in. It would turn your stomach. They quit issuing them this year, but the food is still bad, virtually no variety. Some of the students complain they would like some juice in the morning, and coffee with their meals.

Recreation at this school, most of the recreational activities they charge for. For instance, they charge them to play pool. They charge for athletic events. They charge for the movies. They charge for the dances. If you are a poor student there, you don't have any money, you can't ever participate in any of the recreational activities.

Most of these kids come from parents where there income is far below the poverty level. It is no wonder they turn to drink.

The VD rate at this school increased 80 percent over the last year. They have an exceptionally high runaway rate, and some of these students, they have been tested out, they find they can't read very well. I don't doubt this, since they don't issue them books. The library is closed on weekends, not open in the evenings.

The employees at this particular school have cited a number of complaints against the school. I have some of the complaints that were filed last year as well as this year.

Some of the complaints read off as such—the particular complaints I will read off were filed by Amerino, which is a Government employees' union. They sent copies of their complaints to the Commissioner of Indian Affairs in 1970, and again this year. So far, nothing was done. Virtually the same.

Intermountain Indian School is a bed for elicit practices, a major practice is discrimination. The Indians have been consistently excluded from promotions to higher levels, or to promotions of responsibility whereas the non-Indians are quickly moved up and out to higher positions. The Indians have been denied relevant and meaningful training opportunities, whereas the non-Indian supervisors choose their favorites for training. The Indian employees are burdened down with harassment by ill-defined regulations and by non-Indians.

The Intermountain School has engaged in, and continues to engage in a pattern of flagrant and humiliating discrimination against Indian students through outright mistreatment and inferior management. It appears that equality as a theory is more adequate than equality as a right. A suffocating atmosphere of despair, distrust, and fear tries the Indian at this school.

The Indians are tired of living with daily abuses of discrimination. The Indians are tired of their every action being scrutinized and criticized. The Indians are tired of the long delay between job promotions. The Indians are tired of the lack of relevant training. The Indians had extreme patience in affiliations, but this stifling air has reached an intolerable level.

We believe the time has come for this school to become responsible to the needs and wishes of the Indians. In the past, our advice for changes have been muffled by deliberate schemes. Today, our grievances will be clearly heard. We hope that resort to more forceful legal methods are unnecessary. We join now together in this presentation. and these are some of the conditions:

Discrimination in promotions. When Intermountain School came into being, the Indian predominated the dormitory and guidance positions. Almost 100 percent of those Indians were Navajos. Today, Indians comprise 20 percent of the staff. The most dedicated Indian personnel have been suppressed in promotions. Many Indian employees complain that their last promotions were granted 4 to 5 years ago. Indian employees with 15 to 20 years experience at Intermountain School maintain GS–3 to GS–7 level ratings. Indians who have earned college credit have not been rewarded with promotions. There are many with as much as 100 hours of credit. Although several Indian employees have been recommended for incentive salary increases, it has been denied without explanation.

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Senator MONDALE. Mr. Brightman, let me suggest this: You have prepared a very detailed report which we have, which I will put in the record. As you know, it is a repetition of what we heard time and time again from these schools. I think what interests us here is what can we do about it. Where do we go? This is an off-reservation boarding school?

Mr. BRIGHTMAN. Yes, sir.

Senator MONDALE. It is the largest one in the system. As I recall, about 3 years ago, the BIA funded a series of studies on these schools. Some of the reports were just as devastating as the one that you have read. Then, when they testified here the other day, they said they were studying them again, have a new study going. Apparently, the Indian students can't do anything about it.

Mr. BRIGHTMAN. Right.

Senator MONDALE. The schools are not under the control of the Indian parents in any way at all?

Mr. BRIGHTMAN. No.

Senator MONDALE. So, the parents can't do anything about it. The Indian employees apparently feel that at this point, nothing is being done about their grievances. In many of them, there seems to be precious little education being achieved, and the other things to which you made reference. Our Indian education report was very, very clear on this. Yet so little seems to be happening. You have watched this system for some time. What do you think should be done?

Mr. BRIGHTMAN. It has been proposed that they form a National Indian Education Board, and I am highly in favor of that. I know a lot of Indian educators throughout the U.S. are very much in favor of this. I think it would alleviate some of the problems. I understand that the Bureau of Indian Affairs is against that for the fear that it might take some of the authority away from them. Also, that some of the tribal leaders are against this. A lot of these tribal leaders have third and fourth grade education, and some of them have trouble finding their rear if they actually were to search for it, and I don't know what they are going to do in education. Most have a third and fourth grade education. I can't see how they can feel competent to judge whether a national board can do the work or not.

The Bureau of Indian Affairs has the longest reign of failure of any branch of government. They would have to look hard to find any evidence of success in their educational policy, so I don't know why they are against it unless they are afraid it will take away some of their authority.

But I think this national board would do an awful lot of good, especially if they would pick people democratically. This could be done on a national level, and it should be done on a State level also, to further disseminate this information and help select them in these areas.

Indian education will have to take a drastic change if it is going to meet the needs of Indian people. They will have to change the curriculum completely. They will have to start teaching Indian history in these schools, of the particular reservations and tribes. They will have to teach Indian history and culture. They should be teaching the language and give them credit. Bilingual people offer much more to society and their learning experiences are much more meaningful. They are overlooking this.

I think it will take some drastic changes within the Bureau of Indian Affairs' educational system before any of these come about. I think the scene has changed now. Young Indians across the country—I gave 45 talks last year at different universities, colleges, and reservations, and the young people that I talked to are all demanding that they change the educational policies today. Change the curriculum. Start teaching Indian history and culture. Develop pride and confidence in Indian youth.

They are searching everywhere for this leadership, for something to grab on to, and I think that is why the slower Indian power is becoming so prominent among young people, because there is hope there. I think you will see Indian youth on these reservations' boarding schools start demanding to get rid of the non-Indian teachers and start supplying more Indian teachers, Indian teacher aides, resource people, hire more Indian counselors. This is something badly needed. Most of the youth that I have talked to complain—they can talk to non-Indians, but would prefer an Indian to talk to, to get some of the things off their chest because they feel they have more feeling for what they are trying to do.

The Bureau of Indian Affairs has made some minor changes in the past year. I look for them to make some more changes in the next year or two, possibly, because you are going to see young Indians all over the country demanding this, but until they hire more Indian teachers, Indian resource people, teacher aides, change the curriculum to meet the needs of the Indian people and of the specific communities and reservations, they are also going to have to change the atmosphere of the schools themselves to make it a little different.

Senator KENNEDY. Do you have a feeling where a national Indian education board ought to be?

Mr. BRIGHTMAN. Sir?

Senator KENNEDY. Do you have a feeling of where the national board ought to be located? Should that be within the Department of the Interior, or independent, or within the Executive Office of the President, or in the Department of HEW? This is one of the features that we are trying to wrestle with. There are a lot of different factors besides the strict education question which I know you are very sensitive to. I think we need some guidance on this, because I am sure the last thing that Senator Mondale and myself want to do is try to come up with something that is running contrary to the interests of the Indian people. I think we are realistic that a matter such as this will be controversial, and I think we are prepared to take whatever heat there is in coming to a conclusion. But we want to make sure that at least we are marching in step with people like yourselves who are completely committed to Indian control in terms of education, health, and human resource development.

I am just wondering whether you have given this some thought, and whether you could help us in trying to make some legislative proposals on that?

Mr. BRIGHTMAN. My own feeling is that I think it should be independent, out of the Bureau of Indian Affairs, and out of the Interior Department. It is a conflict of interest to have the Bureau of Indian Affairs where it is. I can't see the need of adding to this. In think they would stifle any type of growth.

Senator KENNEDY. There is a lot to this, I think, if you get it firmly under the Executive. Then the Executive is accountable, perhaps, more directly. When the President says he wants local control of Indian schools, if it is within his immediate control, he would not be able to find the excuses for not having achieved it. I don't think there is justification in any event for not moving more rapidly. The President can get things done if he really wants to. There are strong arguments for it.

I think this is certainly one of the areas where we need some guidance. I know you have given it some thought. That is why we appreciate your comment.

Senator MONDALE. Thank you very much, Mr. Brightman, once again, for helping us understand, and for your really unique work in going on the scene and reporting what you see. That is fresh information. We appreciate that.

Senator KENNEDY. I want to thank you. You have been a great help to us, and this kind of testimony which gives chapter and verse lends itself to giving us the kind of information which is so essential if we are really going to bring about change. I know you have taken an extraordinary interest in this, and I know you must share the same kinds of frustrations that many parents of young people do, and as we do here. I want to thank you for the service you provided to this committee, and I think really to the Indian people.

Senator MONDALE. It would be a good idea to send this report to the BIA and ask for their response.

Senator KENNEDY. I think we ought to send it to the Secretary of the Interior directly.

Mr. BRIGHTMAN. I was going to do that. Will you take this responsibility, or shall I?

Senator MONDALE. Why don't you send it, and we will also send it. That way, one of the letters may get to him.

Mr. BRIGHTMAN. I tried to get hold of the Commissioner yesterday to make an appointment for today. If I can't see him, I will leave one in his office. I will send one to the Secretary, too.

Senator MONDALE. I understand there is a representative in the room today.

We now have Mr. Don Lagarde of the Grand Portage Tribal Council, Minnesota.

We are very glad to have Mr. Lagarde here. Please come to the witness table?

STATEMENT OF DON LAGARDE, GRAND PORTAGE TRIBAL COUNCIL, MINNESOTA

Mr. LAGARDE. Thank you.

Senator MONDALE. We are very pleased to have you with us this morning. I understand you may be expressing your personal views here, and not necessarily speaking for the council, which is fine.

Mr. LAGARDE. Yes. I was contacted late Monday evening to come in here, and of course we didn't have any—there was no time to get a group together or anything to come up with the feelings of a lot of people.

I read this bill quite thoroughly, and I read it again yesterday on the way in. The only thing that most people are concerned with right now is taking the—relieving the BIA and setting up the national board. Most of the people don't agree with this. They would like to remain in the Bureau of Indian Affairs. Personally, I would like to see the national board set up. I think we would get a lot more done.

Senator MONDALE. Can you tell us why you feel that way?

Mr. LAGARDE. Well, I think there would be more control this way if we had a national board, and if we could have local school boards set up, I think we would get more control over funds that are being spent. I know in our particular situation where I am, our school district has been cut drastically by the State and they are suffering financially right at the present time. They were cut $110,000 earlier. Right at the present time they are facing an $85,000 additional cut. I don't know where they are going to cut.

Senator MONDALE. They have no real estate tax base to pick that up?

Mr. LAGARDE. None whatsoever. Our land is 90 percent untaxable.

Now, the first thing that comes up when they say cut is we will close a school. We have a very small school, and a two-room school, a very limited amount of students. The per pupil cost in our own particular school, the Indian school, is $2,500 per year per pupil.

Senator MONDALE. Is that boarding?

Mr. LAGARDE. No. This is public. Against the county average, which is right around $500 to $600, the first thing comes up is, we would like to cut your school. Our school is supported by Johnson-O'Malley about 74 percent right at the present time, with the county coming in with a very small amount. Now, most of the Johnson-O'Malley funds that are put in there, no one knows where they are going, whether they are spent on Indian students or Indian education.

Senator MONDALE. Mr. Lagarde, that percentage of the students in the Grand Portage School are Indian students?

Mr. LAGARDE. Eighty percent.

Senator MONDALE. What percentage of the school board are Indian?

Mr. LAGARDE. None.

Senator MONDALE. None?

Mr. LAGARDE. None.

Senator MONDALE. How many Indian teachers in the Grand Portage school system?

Mr. LAGARDE. None.

Senator MONDALE. How widely does the local schoolboard consult with Indians in developing curriculum for the Indian children?

Mr. LAGARDE. I have been there since 1967. I moved back to Grand Portage. In that time we have set up an Indian education committee locally, just with the Cook County School District, and the parents and concerned people from the reservation.

Senator MONDALE. In other words, this school is run by the Cook County School Board?

Mr. LAGARDE. Right.

Senator MONDALE. Countywide?

Mr. LAGARDE. Right. This is the only contact we have, this little local Indian education committee taht we have set up. We don't have a whole lot of people involved in it.

Senator MONDALE. Does the local principal consult with that committee?

Mr. LAGARDE. Yes, he is one of them.

Senator MONDALE. Is this Mr. Peterson?

Mr. LAGARDE. Right.

Senator MONDALE. Is he still there?

Mr. LAGARDE. Yes. He is not there as a teacher. He is working as elementary director now.

Senator MONDALE. I was told a few years ago that this school had 100 percent graduation rate, that the kids were getting through school and——

Mr. LAGARDE. Yes, sir. In the last 10 years, we have had three dropouts. In the last 5 years, we had one dropout.

Senator MONDALE. This is a really remarkable story of Indian education. We just had a report in Minneapolis of 65 percent dropouts. We have schools in Minnesota where it is 100 percent dropouts. In Grand Portage you had in some classes 100 percent retention to high school graduation.

Mr. LAGARDE. Right. One in the last 5 years has dropped out.

Senator MONDALE. That is a remarkable story.

Mr. LAGARDE. In this past year, we had six signed up going on to higher education.

Senator MONDALE. What is the key to that success?

Mr. LAGARDE. I don't know. I think we have probably more parents being involved in what their children are doing. Of course, the teachers have a lot to do with this also.

Senator MONDALE. Mr. Peterson is an extraordinary man.

Mr. LAGARDE. Yes, and he has taken no credit from his wife. She is also a good teacher.

Senator MONDALE. Isn't she a Chippewa?

Mr. LAGARDE. I think she has Cherokee. It is minute. But the work of these people has been real good. They worked real hard. They got a lot of support from the local people.

Senator MONDALE. Under this bill, funding levels would be increased. In addition to that, before expenditure, the Indian parents would have to be consulted and approve the programs for the expenditure of that money for their children. They have to be consulted and approve the program. Do you agree with that approach?

Mr. LAGARDE. Yes, up to a certain point. Personally, I don't feel that I would be qualified to say where the funds should be spent. I would like to have a board set up that would do this.

Senator MONDALE. In addition, of course, we would call for the establishment of a National Indian Education Board, which I gather you favor, but we would also like to get some local control vested in Indian parents over the expenditure of funds.

Mr. LAGARDE. I was hoping that before we would get down here we would have a lot more involvement with people. I was real disappointed when we didn't have, so that we could get more feelings of local people and Indian people.

Senator MONDALE. This record will be open for a while. When you get back home, get some people together and go over this. We will give you a summary before you leave, give you some copies. You might discuss it with them and write us a letter, and we will put the letter in the record.

Mr. LAGARDE. I would like to ask you one question. You have been contacted by the Minnesota Chippewa Executive Committee on a regional hearing.

Senator MONDALE. I am sorry?

Mr. LAGARDE. Have you been contacted by them on a regional hearing?

Senator MONDALE. Yes. You see, our problem is that we are not in a position to go out on the road. We had traveled nearly 10,000 miles—I was a member of the Indian Education Subcommittee which has now expired. We established the most exhaustive hearings on Indian education—field hearings—that have ever been held by a congressional committee. Now, many say start over again. Well, we are never going to pass a bill if we delay. What we have tried to do is encourage the Indian representatives to come here and tell us about it. We have sent copies of the bill, explanations of the bill to several—to all the representatives we can think of. Then we have encouraged the National Congress of American Indians, and the other groups, to circularize their members, and hold meetings, and tell us what they think. There have been some meetings—there was a meeting in Pierce, S. Dak. of the Association of Tribal Chairmen, and we sent a staff member from this committee out there with copies of the bill, and they had long meetings, and they approved the Kennedy amendment with certain reservations, and we have put that in the record.

Then, just to make certain that no one was left out, we called this meeting today, and we wired any number of people saying, "Come on in. We would like to hear from you." Plus the higher education bill, to which we hope to attach this, is being marked up in about a month. If we have to go out and hold field trips again; I don't think it will happen. It will kill the bill. That is what will happen. Then it will be 15 years, and maybe somebody else will try later on.

In addition to that, the Indian Education Committee made one of its strongest recommendations, the convening of a White House Conference on Indian Affairs, broadly representative of Indians, to go over these questions of Indian control: National Indian Board, where should Indian affairs be? BIA, HEW? Both? White House? These questions.

We have been unable to get such a White House conference called.

But I think we have heard at least 15 witnesses.

Mr. LAGARDE. Yes; there was a group down last week.

Senator MONDALE. From Duluth, Minneapolis, Jerry Bucknawa, Will Antel, Ted Mahto. Will served as a staff member with us to help on Indian education matters. Yourself. In addition to that, we had witnesses—we had a witness this morning from the Upper Midwest Indian Center in Minneapolis, Mr. Carr.

We tried very hard to hear—if we have to take to the road, we are just not going to get a bill.

Mr. LAGARDE. I was at this meeting where they agreed to try to set up a regional hearing with the tribal executive committee, and they expressed the feeling that they didn't want education taken out of the Bureau of Indian Affairs.

Senator MONDALE. Several witnesses have said that.

When you return, would you tell them to send up a letter stating exactly what they think should happen?

Mr. LAGARDE. Yes. I will have a meeting with them.

Senator MONDALE. Tell them I will put that in the record here and read it personally to make certain that these views are expressed.

Mr. LAGARDE. Yes.

We had a meeting along with the Minnesota Indian Education Committee and the tribal executive committee. This was the feeling, one particular part, that they didn't want education taken out of the BIA.

Senator MONDALE. We heard many witnesses say that.

Mr. LAGARDE. On the rest of the bill, they were—they felt most of the bill was pretty good, except for the taking out of the BIA. I don't agree. I would like to see the national board.

Senator MONDALE. I would say what you have just said is pretty much what the Minnesota witnessess——

Mr. LAGARDE. If it is made up of Indians.

Senator MONDALE. I think so.

If you would ask them to look at anything they want to suggest, we want to hear about it.

Mr. LAGARDE. OK.

We will have time to write letters back?

Senator MONDALE. Yes. If they could get us a letter, say, in 2 weeks, it would be helpful.

Mr. LAGARDE. All right.

Senator MONDALE. The record will close 2 weeks from today. Could we have it in by then? That would be helpful.

Mr. LAGARDE. Okay. I will make phone calls.

Senator MONDALE. It would help us.

Thank you very much.

We will stand in recess.

There were some other witnesses, including Mr. Don Wright, president of the Alaska Federation of Natives, who is over in the House side testifying this morning. We will hold the record open. Their testimony will be submitted.

Thank you. We stand in recess to the call of the Chair.

(Whereupon, at 11:30 a.m., the subcommittee was recessed, to reconvene at the call of the Chair.)

APPENDIX A

Memorandum of Understanding Between Bureau of Indian Affairs (Department of the Interior) and Office of Education, DHEW, Relative to Title I, Elementary and Secondary Education Act of 1965

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE
OFFICE OF EDUCATION
WASHINGTON, D.C. 20202

MAY 7 1971

Honorable Claiborne Pell
Chairman, Subcommittee on Education
Committee on Labor and Public Welfare
United States Senate
Washington, D.C. 20510

Dear Senator Pell:

It was a privilege to appear before your Subcommittee last week to discuss ways of meeting the critical needs in Indian education. I join you and the other Subcommittee members in your deep concern for these problems and I look forward to the positive action that must follow our discussion.

I am pleased to announce that the same afternoon Commissioner Bruce of the Bureau of Indian Affairs and I signed the enclosed memorandum of understanding regarding the use of Title I funds allocated to BIA. This agreement represents a positive and significant step in the cooperation between the Office of Education and the Bureau of Indian Affairs. This cooperation must grow if we are to address the pressing needs in Indian education.

Sincerely,

S. P. Marland, Jr.
U.S. Commissioner
of Education

Enclosure

MEMORANDUM OF UNDERSTANDING
BETWEEN
BUREAU OF INDIAN AFFAIRS
(Department of Interior)
AND
OFFICE OF EDUCATION, DHEW
RELATIVE TO
TITLE I, ELEMENTARY AND SECONDARY EDUCATION ACT OF 1965

GENERAL

Title I of the Elementary and Secondary Education Act of 1965 authorizes financial assistance to meet the special educational needs of educationally deprived Indian children in BIA (Department of the Interior) schools and out-of-State Indian children being educated in elementary and secondary schools of local educational agencies under contract to the Department of the Interior.

POLICIES

I. BIA RESPONSIBILITIES

1. The program will be conducted through discrete projects developed and approved in accordance with the legislation, regulations, and criteria issued pursuant thereto by the U.S. Commissioner of Education. All Title I funds must be spent in accordance with such approved projects or project amendments.

2. All Title I project applications and project amendments must be submitted by BIA school or agency administration to the Commissioner of Indian Affairs for approval or disapproval. Headquarters (Central Office) and Area Office projects will be limited to those prescribed in sections IV-1, IV-2 and IV-4 of this memorandum except as mutually agreed to by BIA and OE.

3. A project application will be considered for approval by the Commissioner of Indian Affairs only if it contains but is not limited to the following:

(a) Identification of the groups that were involved in analyzing needs and planning the program and a description of the nature and extent of their involvement, including meetings with Indian parents for their consultation and assignment of priorities.

(b) An analysis of the needs of the children, involving appropriate objective educational measurements, indicating the source of information and major conclusions concerning the incidence and severity of needs.

(c) All data required by the Title I regulations on parental involvement.

(d) Statement of performance objectives.

(e) Description of proposed program to meet the performance objectives.

(f) Description of inservice training to be provided including joint training activities for education aides and professional staff members.

(g) Description of program to meet the special education needs of Indian students attending private schools within the jurisdictional area of the applying agency.

(h) Specific provision, where applicable, for the participation of parents in the programs designed to meet the needs of the children in order to build meaningful relationships between the parents and the school.

(i) Specific provision where applicable, for an Indian person to act as liaison between non-English speaking local Indian communities, school boards and the school; to hold community seminars on Title I, disseminate information and to establish communication between school professional staff and local Indian communities through PTA type meetings.

(j) Description of evaluation methods.

(k) Description of dissemination activities.

(l) Budget, including an explanation of items of expenditures and appropriate justification of all items of equipment, equipment inventory, and construction.

4. BIA will utilize the results of annual evaluations to improve subsequent years' programs and will assure that development of current year projects reflect the influence of latest available evaluation results.

5. BIA school or agency administration will be responsible for implementing the program.

6. BIA Central Office will furnish the Office of Education with a copy of each approved project and each approved project amendment within five (5) days of approval. It will also provide OE with copies of the evaluation report and such statistical and other reports as may be required by the Commissioner of Education.

II. TITLE I PARENT COUNCILS

1. BIA will be responsible for the establishment of the parent councils as required by Title I regulations and their meaningful involvement in the planning, development, and operation of Title I programs. Furthermore, BIA will adhere to the Title I regulations with regard to parent councils, and all such regulations are made a part of this agreement. The travel and per diem expenses of parent representatives on Title I parent councils for off-reservation boarding schools may be approved as part of the project application.

III. OUT-OF-STATE INDIAN CHILDREN IN PUBLIC SCHOOLS

The following policies will govern payments to local education agencies that provide services to out-of-State Indian children under contract with BIA.

1. BIA will make Title I funds available annually to local education agencies under contract for the education of out-of-State Indian children. The amount to be made available shall be consistent with the amount per child made available to the State (in which the agency is located) by the Commissioner of Education in accordance with the formula in the statute.

2. BIA will establish a count of out-of-State children in BIA dormitories and attending public school as of February 1, determine amounts to be made available to the affected local education agencies, and notify simultaneously, the Office of Education and the Title I Coordinators in the cognizant State education agency of these amounts as soon as possible for the succeeding fiscal year.

3. State Departments of Education will have authority to negotiate project revisions, approve projects and/or project amendments funded through this procedure. A copy of the approved project application will be forwarded to BIA and the U.S. Office of Education by the State education agency.

4. Following receipt of the State approved project application or amendment thereto, BIA will make payments to the local education agency through its existing contractual authority.

5. In the event any local education agency chooses not to participate, the unused funds will become available for use in Title I projects in BIA schools.

IV. BIA ADMINISTRATION

1. BIA will exercise strong leadership and administrative direction of the Title I program. The administrative arrangements for staffing, organization and functions to be performed will be set forth in a special project, together with a budget, to be approved by the Office of Education. This special project will include a description of all functions to be performed in the administration of the Title I program.

2. BIA will make provision for training sessions for the members of Title I parent councils, either by contract or in cooperation with the local school.

3. BIA will make the following documents available for inspection or, upon request and at reasonable cost, (not to exceed the additional cost incurred to BIA) provide an interested party with a copy of the documents. In no event will members of parent councils be charged for any Title I documents.

(a) current and past Title I applications,

(b) all documents and records (except those which relate to the performance of named students and teachers) relating to the planning, development, operation, and evaluation of Title I programs,

(c) other documents and records, whether prepared for Title I specifically or not (except as exempted in item b), containing information necessary for comprehensive planning or evaluation of the compensatory education program.

4. BIA Central Office will conduct or contract for a cross-section evaluation of all BIA Title I program or agency projects.

5. BIA will be responsible for monitoring BIA Title I programs yearly.

6. BIA will be responsible for making a maximum effort to combine its Follow Through Projects with special activities for the same pupils under Title I in accordance with the regulations and guidelines of the Follow Through program.

7. BIA will investigate and resolve complaints related to the Title I program. Within five (5) days of receiving a complaint, the Title I office will send a copy of the complaint to OE. BIA will notify OE of the actions taken with respect to the resolution of such complaint on a timely basis.

8. BIA will be responsible for implementing any changes identified by the OE through program reviews as necessary to bring the program into compliance with the statute and the regulations.

9. As a part of its dissemination program, BIA will provide a copy of this document to each BIA local school administrator and each local parent council.

V. OE RESPONSIBILITIES

1. The Office of Education annually will review BIA program administration and implementation to determine compliance and effectiveness of Title I programs and will report its findings to BIA.

2. BIA, in the first instance, is responsible for the investigation and resolution of all complaints. If a complainant is dissatisfied with the final action taken by BIA he may present his complaint to the U.S. Commissioner of Education. The findings of fact by the U.S. Commissioner of Education with regard to such complaints shall be conclusive.

3. OE will provide technical assistance to the Bureau of Indian Affairs in the administration of the Title I program.

4. DHEW General Counsel's office will interpret and clarify Title I regulations and requirements for the Bureau of Indian Affairs.

5. The BIA Title I program will be audited by the Department of Interior.

VI. GENERAL

1. OE will transfer to BIA the amounts available on a quarterly basis.

2. This memorandum will be reviewed annually and mutually agreeable changes will be made on the basis of legislative changes and of the experience gained in the program.

3. This memorandum will be effective and implemented immediately upon its approval by OE and BIA.

APPROVED:

Allan Bowman — DATE: 4/28/71
U.S. Commissioner of Education

Louis R. Bruce — DATE: 4/28/71
Commissioner of Indian Affairs

APPENDIX B

Material submitted by Health, Education, and Welfare

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE
OFFICE OF EDUCATION
WASHINGTON, D.C. 20202

Honorable Edward M. Kennedy
United States Senate
Washington, D.C.

Dear Senator Kennedy:

This is a further response to your request of February 5 for information and financial data indicating the extent to which our programs are affording educational opportunities to American Indians.

As you know, we already have provided you with the materials gathered in the course of the contract study on Indian education conducted by Dr. Havighurst. With this letter, I am pleased to forward the remainder of the information and data compiled in response to your request. I trust you will find these materials informative and helpful.

Enclosed you will find a copy of the consultants report on Title I and various data on expenditures for Indian education under Office of Education programs.

Regarding your inquiry concerning the recommendations made in the final report of the Indian Education Subcommittee, let me say that my upcoming testimony on the proposed legislation will bear upon the substance of those recommendations. In addition, and at my direction, those recommendations are under study by a specially constituted policy group. The preliminary findings and recommendations of that group, with respect to a broad spectrum of policy considerations in the area of Indian education, are expected to be available in the near future.

A Memorandum of Understanding between this Office and the Bureau of Indian Affairs, Department of the Interior, dealing with that part of the Title I, Elementary and Secondary Education Act, program administered by BIA, is now being prepared in final form, with a view to its submission to BIA at the earliest practicable time. It is believed that implementation of the contents of the Memorandum of Understanding will further strengthen the cooperation and coordination between the two agencies and produce increased and improved educational benefits for Indian school children.

Page 2 - Honorable Edward M. Kennedy

If this Office can be of further assistance to you in your efforts to improve and expand educational opportunities for American Indians, please call upon me.

Sincerely,

S. P. Marland, Jr.
U.S. Commissioner
of Education

13 Enclosures

DSAC FUNDS FOR THE EDUCATION OF INDIAN CHILDREN, FISCAL YEARS 1966-70

Program	Fiscal year— 1966	1967	1968	1969	1970	Total
ESEA title II:						
BIA		$125,161	$141,807	$72,945	$60,693	$400,600
State	$200,000	203,750	198,100	84,800	99,800	786,450
Total	200,000	326,911	339,907	157,745	160,493	1,157,050
NDEA title III:						
BIA				76,523	42,500	119,023
State	176,400	173,400	154,000	231,500	73,270	808,570
Total	176,400	173,400	154,000	308,023	[illegible]	972,593
NDEA title V-A:						
BIA				20,000	17,000	37,000
State	49,000	49,000	49,000	50,900	28,800	226,700
Total	49,000	49,000	49,000	70,900	45,800	263,700
ESEA title V-A: State			11,000	16,500	11,000	38,500
Grand total	425,400	551,311	553,907	553,168	333,063	2,416,849

Note: All amounts from State-administered funds for NDEA titles III and V-A are estimates based on the proportion of the public elementary and secondary school population which is Indian. For ESEA title II, the number of children in private elementary and secondary schools are also taken into account. Amounts for State supervisory and related services transferred from NDEA title III to ESEA title V-A in fiscal year 1969 are prorated in the same manner as those for NDEA titles III and V-A.

EXPENDITURES FOR INDIAN EDUCATION, DPSC, BESE, FISCAL YEAR 1966-70

	Title II, ESEA LEA's	Title II, ESEA BIA allotments	Title VII (bilingual) ESEA	Title VIII (dropout) ESEA
Fiscal year:				
1966	$89,088	0	[1] 0	[1] 0
1967	20,440	$204,524	[1] 0	[1] 0
1968	507,686	331,210	[1] 0	[1] 0
1969	327,663	325,568	$198,215	$220,000
1970	333,542	230,458	737,117	220,000
Total	1,278,419	1,091,760	935,332	140,000

[1] Not funded.

Total Expenditures

[By fiscal year]

Fiscal year—	
1966	$89,088
1967	224,964
1968	838,896
1969	1,071,446
1970	1,521,117

BUREAU OF HIGHER EDUCATION, FUNDS OBLIGATED BENEFITING INDIANS

	Fiscal years 1967	1968	1969	1970	1971
Educational opportunity grants	(1)	$375,800	$577,100	(1)	(1)
College work-study	(1)	449,000	678,100	(1)	(1)
National defense student loans	(1)	535,000	548,700	(1)	(1)
Total		1,359,800	1,803,900		

[1] Figures not available.

FUNDS OBLIGATED BENEFITING INDIANS

	Fiscal years				
	1967	1968	1969	1970	1971
HEA-I, university community services	$52,070	$97,261	$143,799	$148,325	$150,000

FUNDS OBLIGATED BENEFITING INDIANS

	Fiscal years				
	1967	1968	1969	1970	1971
Title III, strengthening developing institutions	$140,154	$257,338	$300,000	$325,000	[1] $375,000
Title V-E, EPDA, training programs	NA	NA	120,000	93,000	[2] 217,532
Cooperative education programs	NA	NA	NA	99,360	[1] 100,000

[1] Estimated.
[2] Actual.

AMERICAN INDIAN DOLLAR SUPPORT: TALENT SEARCH PROGRAM

	Fiscal year 1966	Fiscal year 1967	Fiscal year 1968	Fiscal year 1969	Fiscal year 1970
Alaska				$40,000	$45,000
Arizona			$70,000	78,811	35,000
Colorado			75,000	71,586	
Minnesota	$26,500	$24,000	26,250	32,300	52,600
Montana		19,500	25,000	25,000	50,000
Nevada					50,000
New Mexico			38,000	38,000	108,695
North Dakota			18,500	23,000	40,000
Oklahoma	16,000	17,000	13,000	70,000	68,612
Oregon		14,000	18,000	17,000	15,000
South Dakota			15,000	21,000	47,000
Utah				13,000	16,500
Washington					50,000
Totals	42,500	74,500	298,750	429,697	578,407

AMERICAN INDIAN DOLLAR SUPPORT: STUDENT SPECIAL SERVICE PROGRAM

	Fiscal year 1966	Fiscal year 1967	Fiscal year 1968	Fiscal year 1969	Fiscal year 1970 [1]
Alaska					$50,000
Arizona					28,400
Idaho					26,000
Minnesota					90,000
Montana					97,000
New Mexico					10,000
Oklahoma					9,000
Oregon					82,000
South Dakota					75,000
Utah					15,000
Washington					17,500
Total					499,900

[1] New program initiated 1 July 1970.

AMERICAN INDIAN DOLLAR SUPPORT

Upward Bound program	Fiscal year— 1966	1967	1968	1969	1970
Alaska	84,600	94,000	104,500	116,160	69,100
Arizona	40,000	155,500	172,700	191,27[illegible]	211,400
Arkansas	13,100	14,600	16,200	18,000	19,950
California	62,000	65,900	76,500	85,000	94,430
Illinois	22,600	25,100	27,900	31,0[illegible]	34,580
Iowa	14,600	16,200	18,000	20,000	22,610
Idaho	84,700	94,100	104,600	116,262	91,770
Maine	27,100	30,100	33,400	37,100	41,230
Michigan	19,800	22,000	24,400	27,125	33,260
Minnesota	156,200	173,500	192,800	214,255	243,390
Montana	98,600	109,600	121,800	132,312	166,250
Nebraska	18,200	20,200	22,400	24,858	31,910
Nevada	10,300	11,400	12,700	14,136	53,210
New Mexico	152,100	169,000	187,800	208,705	42,560
New York	27,100	30,100	33,400	37,100	41,260
North Carolina	30,500	33,900	37,700	41,900	46,560
North Dakota	54,100	60,100	66,800	74,200	82,460
Ohio	14,000	15,600	17,300	19,200	21,260
Oklahoma	104,900	116,600	129,600	144,027	235,410
Oregon	41,700	46,300	51,500	57,166	43,990
South Dakota	77,800	86,400	96,000	106,620	134,330
Utah	25,200	28,000	31,100	34,495	63,840
Washington	26,600	29,600	32,900	36,58[illegible]	73,160
Wisconsin	120,700	134,100	149,000	165,573	192,860
Wyoming	32,500	36,100	40,100	44,550	43,830
Total	1,459,000	1,621,000	1,666,700	2,001,211	2,134,600

BUREAU OF ADULT, VOCATIONAL, AND TECHNICAL EDUCATION

EXPENDITURES FOR INDIAN EDUCATION

Program	Fiscal year— 1966	1967	1968	1969	1970
Adult education:					
Grants to States		$78,840	$305,900	$360,000	$417,000
Special projects				250,000	425,000
Teacher training			30,000	181,472	174,998
Subtotal		78,840	335,900	791,472	1,016,998
Manpower development and training		1,546,233	1,239,384	1,283,177	3,025,541
Vocational education	(1)	(1)	(1)	(1)	(1)

[1] Information not available.

REPORT ON FUNDS ALLOCATED TO THE BUREAU OF INDIAN AFFAIRS FOR INDIAN EDUCATION BY THE OFFICE OF EDUCATION

1. Data that are available from the former Title I publications and 1969 CPIR for Indian education through Federal funding are as follows:

a. The amount of funds, over the past five years, allocated and spent for Indians under Title I, ESEA, for public and federal schools.

TITLE I—ASSISTANCE FOR EDUCATIONALLY DEPRIVED CHILDREN ALLOTMENTS AND EXPENDITURES FOR FISCAL YEARS, 1967, 1968, 1969, 1970, AND 1971

Fiscal year	Allotments	Expenditures
1967–68	$5,000,000	$4,413,398
1968–69	9,000,000	8,907,237
1969–70	9,000,000	8,966,255
1970–71	10,660,353	[1] 10,000,000
1971–72	11,702,304	(2)

[1] Estimated.
[2] Not available.

b. Allotments for Fiscal Year 1970 and 1971, under programs administered by the Bureau of Elementary and Secondary Education.

ALLOTMENTS FOR FISCAL YEAR 1970, 1971 PROGRAMS ADMINISTERED BY THE BUREAU OF ELEMENTARY AND SECONDARY EDUCATION

Program	Allotment	
	Fiscal year 1971	Fiscal year 1970
Title I, assistance for educationally deprived children	$11, 702, 304	$10, 660, 353
Title II, ESEA	117, 233	60, 693
Title III, ESEA	298, 113	230, 458
Sec. 402—ESEA		
Title V, ESEA		
Title III, NDEA	50, 000	42, 500
Title V-A, NDEA		17, 000

Note: Previous years are in a report prepared by Ila Reamer, title II, Dr. Philips office.

c. Highlights for the 1967 Title I publication *Statistical Report, Fiscal Year 1967, Title I/Year II.*

1. Three percent of total entitlement was withheld for use by the Department of the Interior (Bureau of Indians Affairs).

2. Number of children participating in Title I activities by grade span.

Grade span	*Number of participants*
Total, all participants	48, 370
Prekindergarten	100
Kindergarten	320
Grades 1 to 3	19, 530
Grades 4 to 6	11, 790
Grades 7 to 9	8, 740
Grades 10 to 12	6, 640
Ungraded	1, 250

3. Number and percent of children in public and nonpublic schools participating in Title I activities, fiscal year 1967.

Control of school	Participants	
	Number	Percent
Total, all schools	48, 370	100. 0
Public	47, 670	98. 6
Nonpublic	700	1. 4

4. Total entitlements for the Department of the Interior for fiscal year 1967 was $5,000,000. Their total expenditures were $4,413,398. The percent of entitlements expended was 88.3 percent and the average expenditure per child was $91.

5. The Department of Interior is treated as a eligible school district, in stratum 1 with a weight of 100.0.

6. Number of employed staff members and volunteers.

Type of staff members	*Number of staff members*
Employed staff:	
Total, all employed staff	1, 080
Professional:	
Teacher	170
Other	100
Nonprofessional:	
Teacher aides and library aides	520
Other	290
Volunteers	----

TABLE 5.—NUMBER AND PERCENT OF RESIDENT CHILDREN AND CHILDREN PARTICIPATING IN TITLE I REGULAR SCHOOL TERM AND SUMMER PROGRAMS, BY ETHNIC AND RACIAL CHARACTERISTICS: UNITED STATES, FISCAL YEAR 1968

Ethnic or racial characteristic	Resident children		Children participating in—			
			Regular school term		Summer programs	
	Number	Percent	Number	Percent	Number	Percent
Total	48,365,091	100.0	7,946,413	100.4	2,571,294	100.0
White	38,482,282	79.6	4,347,470	54.7	1,259,305	49.0
Negro	7,129,527	14.7	2,815,517	35.4	1,060,106	41.2
American Indian	108,021	.2	47,562	.6	5,922	.2
Oriental	146,863	.3	20,416	.3	23,242	.9
Puerto Rican	459,544	1.0	182,769	2.3	93,826	3.6
Mexican American	1,669,801	3.5	467,842	5.9	112,041	4.4
Other	369,053	.8	64,837	.8	16,852	.7

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ANNUAL STATISTICAL REPORT OF TITLE I PROGRAM ACTIVITIES
Fiscal Year ending June 30, 1969, ESEA, P.L. 89-10, as amended

PART I – GENERAL INFORMATION

STATE CODE	FILE CONTROL NUMBER	FATS NUMBER	COUNTY CODE	AGENCY CODE

A. IDENTIFICATION OF REPORTING AGENCY

BUREAU OF INDIAN AFFAIRS
COUNTY
FCN 3530 STATE CODE 61
REGION CODE 9 STRATA 1

1. LEGAL NAME OF AGENCY: Bureau of Indian Affairs
2. STREET ADDRESS: 1951 Constitution Avenue, N.W.
3. CITY OR TOWN: Washington, D. C. 20242
4. COUNTY: District of Columbia
5. STATE:
6. ZIP CODE: 20242

CERTIFICATION

I hereby certify that, to the best of my knowledge, the information contained in this statistical report is correct and that any information on the participation of children enrolled in private schools has been disclosed to appropriate officials of those schools.

7. TYPED NAME AND TITLE OF AUTHORIZED AGENCY REPRESENTATIVE: Heinz E. Meyer, Program Assistant
8. SIGNATURE: Heinz E. Meyer
9. DATE SIGNED: 1/31/69
10. TELEPHONE: 202 343-5595

B. APPROVAL OF STATE EDUCATION AGENCY

I hereby certify that I have reviewed this statistical report and that, to the best of my knowledge, the information contained in the report is correct.

1. TYPED NAME AND TITLE OF STATE APPROVING OFFICIAL: Charles H. Zeller, Assistant Commissioner (Education)
2. SIGNATURE: Chas. H. Zeller
3. DATE SIGNED: 1/6/69

C. AVERAGE PER PUPIL EXPENDITURE FROM NON-FEDERAL FUNDS, FISCAL YEAR ENDING JUNE 30, 1967 (School Year 1966-67) $ | 02 | 9-14

D. SCHOOLS IN AGENCY'S DISTRICT

	PUBLIC BIA ELEMENTARY	PUBLIC BIA SECONDARY	PRIVATE	TOTAL		
1. TOTAL NUMBER OF SCHOOLS	208	28	-	236		18-22
2. SCHOOLS WITH PARTICIPANTS	208	28	-	236		31-40

E. SCHOOL AGE CHILDREN RESIDING IN AGENCY'S DISTRICT (Indians only)

MEMBERSHIP STATUS	PUBLIC ELEMENTARY	PUBLIC SECONDARY	PRIVATE	WITHIN INSTITUTION	TOTAL		
1. IN SCHOOLS IN APPLICANT'S DISTRICT	BIA 36,196	11,982	-	-	50,178		47-60
2. IN SCHOOLS IN OTHER DISTRICTS	Total Elem & Sec. 87,361		8,544	-	95,905	02	9-22
3. NOT IN MEMBERSHIP IN ANY SCHOOL BUT ELIGIBLE FOR ENROLLMENT IN AGENCY'S SCHOOLS (Include dropouts only)					9,456		33-46
4. TOTAL NUMBER OF CHILDREN RESIDING IN AGENCY'S DISTRICT (Sum of items 1, 2, and 3 above)					[illegible]		
5. NUMBER OF CHILDREN (Included in item 4) FROM LOW-INCOME FAMILIES (See Instr. 1)					[illegible]		

OE FORM 4375, 4-69 PREVIOUS EDITIONS ARE OBSOLETE.

1945

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1933

F. ETHNIC OR RACIAL CHARACTERISTICS OF RESIDENT CHILDREN

WHITE	NEGRO	PUERTO RICAN		
				03

AMERICAN INDIAN	ORIENTAL	MEXICAN AMERICAN	OTHER (Specify)	TOTAL (Same as 1-5)	
155,539				155,539	04

G. TOTAL TITLE I ALLOCATION	[illegible]	
H. AMOUNT OF TITLE I [illegible] COST [illegible]	-	
I. AMOUNT OF TITLE I [illegible] PROGRAM	101,972	
J. EXPENDITURES FOR FY 68 PROGRAM (Current Expenditures)		
1. TOTAL EXPENDITURES FOR PROGRAM ACTIVITIES OF REGULAR SCHOOL TERM (See page 6, Item N, line 5)	$7,148,560	
2. TOTAL EXPENDITURES FOR PROGRAM ACTIVITIES OF SUMMER SCHOOL PROGRAM (See page 8, Item L, line 6)	$ 482,030	03
3. CONSTRUCTION COSTS (Account nos. 1210 and 1220)	$ 33,550	
4. EQUIPMENT FOR INSTRUCTION COSTS (Account no. 1230C)	$ 469,567	
5. ALL OTHER EQUIPMENT COSTS (Account nos. 1230 except 1230C)	$ 93,854	
6. ADMINISTRATION COSTS, OPERATION OF PLANT, MAINTENANCE OF PLANT AND FIXED CHARGES (Account nos. 120, 250, 700, and 800)	$ 679,676	
7. GRAND TOTAL OF EXPENDITURES FOR ENTIRE FY 68 PROGRAM	$ 8,907,237	

K. NUMBER OF DROPOUTS FROM TITLE I SCHOOLS COMPARED WITH OTHER SCHOOLS IN DISTRICT

TITLE I PUBLIC SCHOOLS

GRADE	MORE THAN 1/3 OF PUPILS ARE PARTICIPATING				ALL OTHER SCHOOLS WITH TITLE I PARTICIPANTS				
	TOTAL MEMBERSHIP		NUMBER OF DROPOUTS		TOTAL MEMBERSHIP		NUMBER OF DROPOUTS		
	1966-67	1967-68	1966-67	1967-68	1966-67	1967-68	1966-67	1967-68	
12	2,357	2,296	230	192					05
11	2,723	2,741	341	232	Not		not		
10	2,953	3,225	370	327					07
9	3,532	3,657	464	373	Available		available		
8	2,817	2,659	163	175					05
7	3,054	2,957	135	126					

ALL OTHER PUBLIC SCHOOLS (Non-title I)

GRADE	TOTAL MEMBERSHIP		NUMBER OF DROPOUTS			
	1966-67	1967-68	1966-67	1967-68		
12					09	
11						
10						
9	N. A.	N. A.	N. A.	N. A.		
8					10	
7						

L. NUMBER OF TWELFTH GRADE GRADUATES CONTINUING EDUCATION BEYOND HIGH SCHOOL

PUBLIC HIGH SCHOOLS	MORE THAN 1/3 OF PUPILS ARE TITLE I PARTICIPANTS		ALL OTHER PUB HIGH SCHOOLS WITH TITLE I PARTICIPANTS		ALL OTHER PUBLIC HIGH SCHOOLS (Non-title I)		
	1966-67	1967-68	1966-67	1967-68	1966-67	1967-68	
1. TOTAL NUMBER OF GRADUATES	2,093	2,296	N.A.	N.A.	N.A.	N.A.	
2. NO. OF GRADUATES CONTINUING EDUCATION	1,174	917	N.A.	N.A.	N.A.	N.A.	11
3. NO. OF SCHOOLS WITH 12TH GRADE	26	25	N.A.	N.A.	N.A.	N.A.	

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PART II - REGULAR SCHOOL TERM PROGRAM

A. PROJECT PARTICIPANTS - REGULAR SCHOOL TERM

GRADE LEVEL	MEMBERSHIP IN BIA ~~XXXXXX~~ SCHOOLS	Indian MEMBERSHIP IN ~~XXXXXX~~ SCHOOLS	TOTAL
~~XXXX~~	Upper Aud Elem. 2,257		
K	[illegible]		
1	[illegible]		
2	[illegible]		
3	[illegible]		
4	[illegible]		
5	3,805		
6	3,307	[illegible]	
7	[illegible]		
8	2,629	211	
9	3,661		
10	3,225	[illegible]	
11	[illegible]		
12	2,286		
TOTAL	Upgraded Sec. 33 50,178	2,541	52,711

B. NUMBER OF CHILDREN INCLUDED IN ITEM A FROM INSTITUTIONS FOR

GRADE	NEGLECTED		DELINQUENT	
	PUBLIC	PRIVATE	PUBLIC	PRIVATE
PRE-K & K				
1-6				
7-12				
TOTAL				

C. ESTIMATED NUMBER OF DROPOUTS INCLUDED IN ITEM A

~~PUBLIC~~ SCHOOL		~~PRIVATE~~ SCHOOL (Indian membership	TOTAL
BIA	2,005	Public 50	2,055

D. ESTIMATED NUMBER OF HANDICAPPED CHILDREN, BY MAJOR HANDICAP, WHO PARTICIPATED

MENTALLY RETARDED	HARD OF HEARING	DEAF	SPEECH IMPAIRED	CRIPPLED
800	100	50	100	100

VISUALLY HANDICAPPED	SERIOUSLY EMOTIONALLY DISTURBED	OTHER HEALTH IMPAIRED	TOTAL
100	200	200	1,650

E. ESTIMATED NUMBER OF RESIDENT CHILDREN, BY RACE, WHO PARTICIPATED

WHITE	NEGRO	AMERICAN INDIAN	ORIENTAL
		52,711	

PUERTO RICAN	MEXICAN AMERICAN	OTHER (SPECIFY)	TOTAL (Should equal Part IIA total)
			52,711

F. LOCATION OF ACTIVITIES

LOCATION	NO. OF PUBLIC SCHOOL CHILDREN WHO PARTICIPATED	NO. OF PRIVATE SCHOOL CHILDREN WHO PARTICIPATED
PUBLIC SCHOOL PREMISES	2,541	
BIA ~~XXXXXX~~ SCHOOL PREMISES	50,178	
TOTAL	52,711	

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PART II - REGULAR SCHOOL TERM PROGRAM - (Continued)

G. STAFF AND SALARY PAID FROM TITLE I FUNDS (Round to Nearest Dollar)

ACTIVITY ASSIGNMENT	NUMBER OF STAFF POSITIONS: TOTAL	NUMBER OF STAFF POSITIONS: AT PRIVATE SCH.	TOTAL SALARY PAID (Round to Nearest Dollar)		
1. TEACHING-PRE-KINDERGARTEN			$		
2. TEACHING-KINDERGARTEN	19		$ 83,[illegible]		
3. TEACHING-ELEMENTARY (GRADES 1-6)	126		$ 600,[illegible]		
4. TEACHING-SECONDARY			$ 352,[illegible]		
5. TEACHING-HANDICAPPED			$ 14,805		
6. TEACHER AIDE	[illegible]		$1,734,275		
7. LIBRARIAN	1		$ 30,876		
8. LIBRARY AIDE	8		$ 14,029	22	
9. SUPERVISION	39		$ 156,059		
10. DIRECTION AND MANAGEMENT	2		$ 2,100		
11. COUNSELING	35		$ 133,264		
12. PSYCHOLOGIST	1		$ 2,500	23	
13. TESTING	–		$		
14. SOCIAL WORK	18		$ 48,913		
15. ATTENDANCE	1		$ 1,295		
16. NURSE	2		$ 3,739	24	
17. PHYSICIAN	–		$		
18. DENTIST	–		$		
19. CLERICAL	61		$ 190,850		
20. OTHER PROFESSIONAL	230		$ 244,315	25	
21. OTHER NONPROFESSIONAL	324		$ 170,402		
22. TOTAL (Sum of lines 1-21)	1,712		$3,824,658		

H. NUMBER OF STAFF MEMBERS RECEIVING INSERVICE EDUCATION FUNDED BY TITLE I

ACTIVITY ASSIGNMENT	NUMBER	AVERAGE NUMBER OF TRAINING HOURS		
TEACHING	2,197	20		
TEACHER AIDE	640	20	25	
OTHER	745	20		

I. NUMBER OF VOLUNTEERS

PARENTS	OTHER ADULTS	YOUTH (16 and under)	TOTAL		
250	325	–	575		

J. PROGRAM INSTRUCTIONAL ACTIVITIES - PARTICIPANTS (A child may be counted more than once)

ACTIVITY	PUBLIC SCHOOL GRS. 1-6	PUBLIC SCHOOL 7-12	PRIVATE SCHOOL GRS. 1-6	PRIVATE SCHOOL 7-12	TOTAL NO. OF PARTICIPANTS	NO. FROM INSTITUTIONS		
1. ART	1,229	5,000	–	–	6,229			
2. BUSINESS EDUCATION	–	50			50		27	
3. CULTURAL ENRICHMENT	12,000	8,995			20,995			
4. ENGLISH READING	10,480	10,000			20,480		23	
5. ENGLISH 2ND LANGUAGE	50,000	25,177			75,177			
6. ENGLISH SPEECH	–	650			650		27	
7. ENGLISH OTHER	2,500	3,940			6,440			
8. FOREIGN LANGUAGE	–	–			–		30	
9. HEALTH/PHYS. ED./RECREATION	15,000	10,607			25,607			
10. HOME ECONOMICS	–	600			600		31	
11. INDUSTRIAL ARTS	–	–			–			
12. MATHEMATICS	1,975	3,000			4,975		32	
13. MUSIC	2,000	4,212			6,212			
14. NATURAL SCIENCE	–	[illegible]			[illegible]		33	
15. SOCIAL SCIENCE								
16. VOCATIONAL EDUCATIONAL	–	1,204			1,204		34	
17. SPECIAL ACTIVITIES FOR HANDICAPPED	60	30			90			
18. PRE-KINDERGARTEN AND KINDERGARTEN					2,[illegible]		35	
19. OTHER INSTRUCTIONAL ACTIVITIES	10,000	7,000			17,[illegible]			

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K. INSTRUCTIONAL ACTIVITIES - ESTIMATED COST OF ACTIVITY (Round to Nearest Dollar)			
1. ART	$ 22,[illegible]		
2. BUSINESS EDUCATION	$ 7,[illegible]		
3. CULTURAL ENRICHMENT	$ 67[illegible]		
4. ENGLISH - READING	$ 28[illegible]		
5. ENGLISH - 2ND LANGUAGE	$ 1[illegible]		
6. ENGLISH - SPEECH	$ 63,[illegible]		
7. ENGLISH - OTHER	$ 118,[illegible]		
8. FOREIGN LANGUAGE	$ –		
9. HEALTH/PHYS. ED./RECREATION	$ 269,[illegible]		
10. HOME ECONOMICS	$ 41,113		
11. INDUSTRIAL ARTS	$ 12,000		
12. MATHEMATICS	$ 102,[illegible]		
13. MUSIC	$ 116,[illegible]	37	
14. NATURAL SCIENCE	$ 79,0[illegible]		
15. SOCIAL SCIENCE	$ 316,[illegible]		
16. VOCATIONAL EDUCATION	$ 20,5[illegible]		
17. SPECIAL ACTIVITIES FOR HANDICAPPED	$ 12[illegible],[illegible]3		
18. PRE-KINDERGARTEN AND KINDERGARTEN	$ 317,6[illegible]		
19. OTHER INSTRUCTIONAL ACTIVITIES	$ 390,283		
20. TOTAL COST OF INSTRUCTIONAL ACTIVITIES (Sum of Lines 1 thru 19)	$ 3,744,675		

L. SERVICE ACTIVITIES - PARTICIPANTS (A child may be counted more than once.)

ACTIVITY	PRE-K & K	PUBLIC SCHOOL GR. 1-6	PUBLIC SCHOOL GR. 7-12	PRIVATE SCHOOL GR. 1-6	PRIVATE SCHOOL GR. 7-12	TOTAL NO. OF PARTICIPANTS	NO. FROM INSTITUTIONS		
1. ATTENDANCE		4000	2059			6,059		30	
2. CLOTHING		100[illegible]	800			1,800		39	
3. FOOD		824	1000			1,824		40	
4. GUIDANCE AND COUNSELING		10000	10,3[illegible]			20,300		41	
5. HEALTH-DENTAL		–	–			–		42	
6. HEALTH-MEDICAL		59[illegible]	[illegible]			459		43	
7. LIBRARY		4500	9945			14,445		44	
8. PSYCHOLOGICAL		–	–			–		45	
9. SCHOOL SOCIAL WORK		622	10000			16,229		46	
10. SPEECH THERAPY		25	75			100		47	
11. TRANSPORTATION		424	2000			2,424		48	
12. SPECIAL SERVICES FOR HANDICAPPED		–	–			–		49	
13. OTHER SERVICE ACTIVITIES		33708	18000			51,708		50	

M. SERVICE ACTIVITIES - ESTIMATED COST OF ACTIVITY (Round to Nearest Dollar)			
1. ATTENDANCE	$ 121,266		
2. CLOTHING	$ 142,591		
3. FOOD	$ 104,793		
4. GUIDANCE AND COUNSELING	$ 316,680	51	
5. HEALTH-DENTAL	$ 62,522		
6. HEALTH-MEDICAL	$ 57,421		
7. LIBRARY	$ 117,285		
8. PSYCHOLOGICAL	$ 175,560		
9. SCHOOL SOCIAL WORK	$ 189,050		
10. SPEECH THERAPY	$ 25,521		
11. TRANSPORTATION	$ 323,655		
12. SPECIAL SERVICES FOR HANDICAPPED	$ 23,452		
13. OTHER SERVICE ACTIVITIES	$ 432,136	52	
14. TOTAL COST OF SERVICE ACTIVITIES (Sum of Lines 1 thru 13)	$ 2,093,9[illegible]		

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PART II – REGULAR SCHOOL TERM PROGRAM – (Continued)

N. EXPENDITURES FOR PROGRAM ACTIVITIES OF REGULAR SCHOOL TERM (Round to nearest dollar)

1. TOTAL EXPENDITURES FOR INSTRUCTIONAL AND SERVICE ACTIVITIES (Sum of Items K – M)	$ 5,838,[illegible]
2. STAFF INSERVICE EDUCATION COSTS	$ [illegible]
3. SERVICES TO PRIVATE SCHOOL CHILDREN	$ [illegible]
4. TOTAL EXPENDITURES FOR PROGRAM ACTIVITIES (Sum of Items 1 thru 3)	$ 7,248,560

PART III – SUMMER SCHOOL PROGRAM

A. ENROLLMENT BY GRADE LEVEL

GRADE LEVEL	MEMBERSHIP IN BIA [illegible] SCHOOLS	MEMBERSHIP IN Public [illegible] SCHOOLS	TOTAL
PRE-K	300		
K	330	15	[illegible]
1-6	139	180	[illegible]
7-12	–	220	220
TOTAL	769	375	1,144

B. NUMBER OF CHILDREN INCLUDED IN ITEM A FROM INSTITUTIONS FOR

NEGLECTED	DELINQUENT
–	–

C. ESTIMATED NUMBER OF RESIDENT CHILDREN, BY RACE, WHO PARTICIPATED

WHITE	NEGRO	AMERICAN INDIAN	ORIENTAL
		844	

PUERTO RICAN	MEXICAN AMERICAN	OTHER (Specify)	TOTAL (Sum of BIA items)

D. LOCATION OF ACTIVITIES

LOCATION	NUMBER OF PUBLIC SCHOOL CHILDREN PARTICIPATING	NUMBER OF PRIVATE SCHOOL CHILDREN PARTICIPATING
BIA [illegible] SCHOOL PREMISES	469	375
PRIVATE SCHOOL PREMISES		
TOTAL		

E. STAFF AND SALARY PAID FROM TITLE I FUNDS (Round to nearest dollar)

ACTIVITY ASSIGNMENT	TOTAL NUMBER OF POSITIONS	SALARY PAID
1. TEACHING-PRE-KINDERGARTEN		$
2. TEACHING-KINDERGARTEN		$
3. TEACHING-ELEMENTARY (Except pre-k and k)		$
4. TEACHING-SECONDARY	12	$ 11,[illegible]
5. TEACHER AIDE	38	$ 21,[illegible]
6. OTHER PROFESSIONAL	40	$ 7,[illegible]
7. OTHER NON-PROFESSIONAL	3	$ 1,[illegible]
8. TOTAL (Sum of Items 1 thru 7)		$ 42,[illegible]

F. NUMBER OF STAFF MEMBERS RECEIVING IN-SERVICE EDUCATION FUNDED BY TITLE I

ACTIVITY ASSIGNMENT	NUMBER	AVERAGE NUMBER OF TRAINING HOURS
TEACHING	50	[illegible]
TEACHER AIDE	6	[illegible]
OTHER	11	[illegible]

G. NUMBER OF VOLUNTEERS

PARENTS	OTHER ADULTS	YOUTH (Under 18 years)	TOTAL

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H. PROGRAM INSTRUCTIONAL ACTIVITIES - PARTICIPANTS (A child may be counted more than once)

ACTIVITY	PUBLIC SCHOOL GR. 1-6	PUBLIC SCHOOL 7-12	PRIVATE SCHOOL GR. 1-6	PRIVATE SCHOOL 7-12	TOTAL NUMBER OF PARTICIPANTS	NUMBER FROM INSTITUTIONS		
1. ART	300	85	300	260	945			
2. BUSINESS EDUCATION	-	-	-	-	-			
3. CULTURAL ENRICHMENT	[illegible]	85	[illegible]	260	[illegible]			
4. ENGLISH-READING	[illegible]	-	[illegible]	-	[illegible]			
5. ENGLISH-2ND LANGUAGE		-	-	-				
6. ENGLISH-SPEECH					[illegible]		69	[illegible]
7. ENGLISH-OTHER					[illegible]			[illegible]
8. FOREIGN LANGUAGE							69	[illegible]
9. HEALTH/PHYS. ED./RECREATION	[illegible]	[illegible]	300	86	966			[illegible]
10. HOME ECONOMICS	110	120			230		42	[illegible]
11. INDUSTRIAL ARTS	110	70			180			[illegible]
12. MATHEMATICS	110	70			180		[illegible]	[illegible]
13. MUSIC	300	85	300	260	945			[illegible]
14. NATURAL SCIENCE	110	70			180		61	[illegible]
15. SOCIAL SCIENCE	110	70			180			[illegible]
16. VOCATIONAL EDUCATION							69	[illegible]
17. SPECIAL ACTIVITIES FOR HANDICAPPED								[illegible]
18. PRE-KINDERGARTEN AND KINDERGARTEN					300		69	[illegible]
19. OTHER INSTRUCTIONAL ACTIVITIES	110	70		285	465			[illegible]

I. INSTRUCTIONAL ACTIVITIES - ESTIMATED COST OF ACTIVITY (Round to Nearest Dollar)

1. ART	18,[illegible]	[illegible]	[illegible]
2. BUSINESS EDUCATION	$ -		[illegible]
3. CULTURAL ENRICHMENT	$ 93,[illegible]		[illegible]
4. ENGLISH-READING	$ 2,[illegible]		[illegible]
5. ENGLISH-2ND LANGUAGE	$ 19,[illegible]		[illegible]
6. ENGLISH-SPEECH	$ 3,[illegible]		[illegible]
7. ENGLISH-OTHER	$ 11,[illegible]		[illegible]
8. FOREIGN LANGUAGE	$ -		[illegible]
9. HEALTH/PHYS. ED./RECREATION	$ 17,[illegible]		[illegible]
10. HOME ECONOMICS	$ 3,[illegible]	69	[illegible]
11. INDUSTRIAL ARTS	$ [illegible]33		[illegible]
12. MATHEMATICS	$ 10,[illegible]		[illegible]
13. MUSIC	$ 13,[illegible]		[illegible]
14. NATURAL SCIENCE	$ 17,[illegible]		[illegible]
15. SOCIAL SCIENCE	$ 33,[illegible]		[illegible]
16. VOCATIONAL EDUCATION	$ -		[illegible]
17. SPECIAL ACTIVITIES FOR HANDICAPPED	$ -		[illegible]
18. PRE-KINDERGARTEN AND KINDERGARTEN	$ -		[illegible]
19. OTHER INSTRUCTIONAL ACTIVITIES	$ 1,182	69	[illegible]
20. TOTAL COST OF INSTRUCTIONAL ACTIVITIES (Sum of Lines 1 thru 19)	$ 278,136		[illegible]

J. SERVICE ACTIVITIES - PARTICIPANTS (A child may be counted more than once)

ACTIVITY	PRE-K & K	PUBLIC SCHOOL GR. 1-6	PUBLIC SCHOOL 7-12	PRIVATE SCHOOL BIA GR. 1-6	PRIVATE SCHOOL 7-12	TOTAL NUMBER OF PARTICIPANTS	NO. FROM INSTITUTIONS		
1. ATTENDANCE									[illegible]
2. CLOTHING	300	-	-	300	50	6[illegible]		70	[illegible]
3. FOOD	300	110	70	300	50	830			[illegible]
4. GUIDANCE AND COUNSELING	15	110	170	-	50	345		71	[illegible]
5. HEALTH-DENTAL									[illegible]
6. HEALTH-MEDICAL								70	[illegible]
7. LIBRARY			100			100			[illegible]
8. PSYCHOLOGICAL	15	110	70		50	2[illegible]			[illegible]

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II – SUMMER SCHOOL PROGRAM – (Continued)

CARD NO. | CARD COLUMN

SERVICE ACTIVITIES – PARTICIPANTS – (Continued)

ACTIVITY	PRE-K & K	PUBLIC SCHOOL GR. 1-6	PUBLIC SCHOOL 7-12	PRIVATE SCHOOL GR. 1-6	PRIVATE SCHOOL 7-12	TOTAL NUMBER OF PARTICIPANTS	NO. REACHED PER PARTICIPATING
. SCHOOL SOCIAL WORK							
. SPEECH THERAPY							
. TRANSPORTATION	300	140	170	300	-	910	
. SPECIAL SERVICES FOR HANDICAPPED							
. OTHER SERVICE ACTIVITIES			100			100	

SERVICE ACTIVITIES – ESTIMATED COST OF ACTIVITY (Round to nearest dollar)

		CARD NO.	CARD COLUMN
1. ATTENDANCE	$	26	[illegible]
2. CLOTHING	$ 28,550		[illegible]
3. FOOD	$ 5,590		[illegible]
4. GUIDANCE AND COUNSELING	$ 33,375		[illegible]
5. HEALTH-DENTAL	$		[illegible]
6. HEALTH-MEDICAL	$		[illegible]
7. LIBRARY	$ 1,550		[illegible]
8. PSYCHOLOGICAL	$ 633		[illegible]
9. SCHOOL SOCIAL WORK	$		[illegible]
10. SPEECH THERAPY	$	77	[illegible]
11. TRANSPORTATION	$ 22,935		[illegible]
12. SPECIAL SERVICES FOR HANDICAPPED	$		[illegible]
13. OTHER SERVICE ACTIVITIES	$ 2,633		[illegible]
14. TOTAL COST OF SERVICE ACTIVITIES (Sum of lines 1 thru 13)	$ 95,540		41-48

. EXPENDITURES FOR PROGRAM ACTIVITIES OF SUMMER SCHOOL PROGRAM (Round to nearest dollar)

1. SUM OF EXPENDITURES (Summer 1968) FOR INSTRUCTIONAL AND SERVICE ACTIVITIES (Sum of items I and K)	$ 373,676		49-56
2. STAFF INSERVICE EDUCATION COST (For training reported in Item F)	$ 15,904		57-64
3. SERVICES TO PARENTS OF PARTICIPATING CHILDREN — NUMBER OF PARENTS	$		65-72
4. EXPENDITURES FOR PROGRAM ACTIVITIES OF THE 1968 SUMMER SCHOOL PROGRAM (Sum of lines 1 thru 3)	$ 389,580	78	9-17
5. EXPENDITURE OF FY 1969 FUNDS DURING SUMMER OF 1967	$ 92,450		18-25
6. TOTAL OF FY 69 FUNDS EXPENDED FOR SUMMER 1967 AND 1968 PROGRAMS (Sum of lines 4 and 5)	$ 482,030		26-33
7. AMOUNT OF THE EXPENDITURE OF FY 68 FUNDS IN THE SUMMER OF 1967 (Line 5) USED FOR IN-SERVICE EDUCATION	$ 64,500		34-42

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Report on P.L. 81-874 and P.L. 81-815 Funds

for Indian Children

1. Approximately 700 school districts claim pupils in connection with Indian properties under Title I of Public Law 81-874. In addition to payments for pupils claimed from Indian properties, many of these districts receive payments for pupils claimed from other (Federal) properties. Estimates of payments for Indian pupils as well as estimates of total payments to these 700 school districts are as follows:

FISCAL YEAR	ESTIMATED PAYMENTS FOR INDIANS	ESTIMATED TOTAL PAYMENTS (INCLUDING PAYMENTS FOR INDIANS)
1966	$14,139,000	$56,066,000
1967	15,039,000 1/	62,926,000 1/
1968	16,977,000 2/	73,980,000 2/
1969	17,837,000 3/	77,085,000 3/
1970	18,784,000 4/	77,181,000 4/

2. These payments are deposited in the general maintenance and operations expense accounts of the school districts and, therefore, are used to maintain the educational program for all children attending schools in the districts. Most of the payments for Indian pupils are made under Section 3(a), children who live on, parent employed on Federal property. Language in the 1971 Appropriation Act provides 90 percent funding, 100 percent in some cases, under Section 3(a). Thus, payments for Indian pupils are expected to be $23,000,000, an increase of over $4 million from 1970.

1/ 98 percent of entitlements
2/ 98.7 percent of entitlements
3/ 91.7 percent of entitlements
4/ 84.7 percent of entitlements

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3. During the five-year period, 1966-1970, $11,975,499 was reserved to construct schools under Sections 14(a) and 14(b) of Public Law 815. These subsections of the Act provide for the construction of school facilities for children who reside on Indian lands. In fiscal year 1970, Public Law 815 was amended by Public Law 91-230 to grant priority in funding Sections 14(a) and 14(b) equal with Sections 9, 10 and 16. As all funds appropriated through fiscal year 1970 were committed to on-going project applications, the 1971 fiscal year appropriation will be the first one for which Sections 14(a) and (b) applications will compete for funding.

4. The Division of School Assistance at this time has 44 tentatively eligible and eligible applications which total over $34 million for the construction of Indian schools under Public Law 815. See enclosed table.

Gerald M. Cherry

Gerald M. Cherry
Director, School Assistance
in Federal Affected Areas

Enclosure

UNFUNDED ESTIMATED PUBLIC LAW 81-815 ENTITLEMENTS UNDER SUBSECTIONS 14(a) and (b) BASED ON MOST RECENTLY FILED APPLICATIONS BY A SCHOOL DISTRICT 1/. YEAR OF LATEST APPLICATION 2/

STATE	1968	1969	1970	1971	TOTAL
Alaska 3/	--	--	--	--	--
Arizona	--	$ 8,854,924	$4,377,386	$ 7,298,987	$20,531,297
Iowa	$ 219,800	--	--	--	219,800
Kansas	--	130,000	--	--	130,000
Minnesota 3/	--	--	--	--	--
Montana	746,410	473,712	440,000	--	1,660,122
Nebraska	--	684,275	630,000	--	1,314,275
Nevada	401,000	--	--	--	401,000
New Mexico	2,630,745	1,208,895	--	2,024,000	5,863,640
North Dakota	--	110,976	--	343,000	453,976
Oklahoma 3/	--	--	--	--	--
Oregon	--	--	385,000	--	385,000
South Dakota	--	--	2,155,000	--	2,155,000
Utah 3/	--	--	--	--	--
Washington	--	--	275,239	1,424,588	1,699,827
Wyoming	42,000	--	--	--	42,000
Total	$4,039,955	$11,462,782	$8,262,625	$11,090,575	$34,855,937 1/

1/ Assumes (1) if applicant is eligible under Section 5, that in most instances payment would be made under subsections 14(a) and (b), and (2) if applicant is potentially eligible under subsections (a) and (b), that applicant would request processing for the larger entitlement. Final selection of subsection of eligible applicant may significantly change the total figure.

2/ Estimated entitlement includes prior year applications from the same applicants which remain unfunded.

3/ Applications are on file, but tentative eligibility, if any, cannot be determine on basis of information contained in the application.

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APPENDIX C

Material submitted by Bureau of Indian Affairs

1. WHAT STEPS HAVE BEEN TAKEN TO IMPLEMENT THE RECOMMENDATIONS OF THE PRESIDENT'S MESSAGE?

The President's message of July 8, 1970, stressed:

1. a policy of non-termination,
2. Indian initiative and self determination in the management of Federally funded programs,
3. assumption of such programs when tribes wished,
4. directed the NCIO to establish an Indian subcommittee to help communities establish school boards and to do a nationwide review of education for Indians whereby they were attending school and,
5. amend the Johnson-O'Malley Act to authorize the payment of public school support funds directly to Indian tribes and communities.

Seven legislative proposals to completely implement the new policies and goals outlined by the President were sent to Congress before the end of July. Each proposal was introduced in the Senate and the House of Representatives.

The legislative proposals were:

1. "To amend certain laws relating to Indians." -- S. 4114, H. R. 18572, and H. R. 18828.

2. "To establish within the Department of the Interior the position of an additional Assistant Secretary of the Interior, and for other purposes." -- S. 4115, H. R. 18570, and H. R. 18827.

3. "To provide for financing and economic development of Indians and Indian organizations, and for other purposes." -- S. 4116, H. R. 18571, and 18790.

4. "To retain coverage under the laws providing employee benefits, such as compensation for injury, retirement, life insurance, and health benefits for employees of the Government of the United States who transfer to Indian tribal organizations to perform services in connection with governmental or other activities which are or have been performed by government employees in or for Indian communities, and for other purposes." -- S. 4163, and H. R. 18735.

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5. "To provide for the assumption of the control and operation by Indian tribes and communities of certain programs and services -- S. 4164 and H. R. 18728.

6. "To provide for the creation of the Indian Trust Counsel Authority, and for other purposes." -- S. 4165, and H. R. 18727.

7. "To amend Acts entitled 'An act authorizing the Secretary of the Interior to arrange with States or Territories for education, medical attention, relief of distress, and social welfare or Indians, and for other purposes', and 'To transfer the maintenance and operation of hospital and health facilities for Indians to the Public Health Service, and for other purposes." -- S. 4166 and H. R. 18729.

Copies of the bills, as introduced were sent to each agency with the request that they make copies available to the tribal officials.

Several of these bills have been reintroduced in this Congress. Meantime, plans to transfer authority to local agencies and tribes have been made by the BIA; model contracts for school operations have been developed and considerable effort to disseminate the information to local tribes continues.

The NCIO held regional hearings and this information was disseminated; the objective has been to stimulate, facilitate, and support the direct involvement and planning between Indian people and other agencies and departments.

In the Bureau, summer program activities, though curtailed last year, have this year shown remarkable progress. Not only were 18.5 thousand children served by these programs, but approximately 11.2 thousand jobs were generated, bringing an additional 6.6 million dollars income to Indian youth through the school year. (This large figure does include 1.1 million spent on 10,000 youth by the National Youth Corps.)

Early childhood education had 75 units with 1681 in enrollment in 1970. Today 123 units are in operation with over 2400 children in attendance.

Notable progress has been made in bilingual education with a quarterly newsletter being circulated nationwide and to many foreign countries. Currently, plans are being developed with the U.S.O.E. for the 1 million dollars which was "ear-marked" for bilingual programs in Indian schools by the last appropriations bill. Meantime, a number of pilot projects are underway.

The BIA is undertaking expanded bilingual programs of its own in a teacher training program to recruit, select and train Indians as bilingual teachers for both BIA and public schools. The first five years of this program will provide and employ 300 fully-certified bilingual Indian teachers.

As of March 1971 the BIA Education Office acts as a "State Department of Education" in identifying and advocating Title VII projects to be funded under ESEA for Bureau schools. This year (FY-72) BIA schools share a small portion (c. $300,000.00) of the one million dollars allocated for Indian bilingual education.

THE DEVELOPMENT OF CULTURALLY SENSITIVE CURRICULUM MATERIALS, (B) TRAIN NATIVE TEACHERS, AND (C) PROMOTE TEACHING AS A CAREER AMONG INDIAN YOUTH.

Major efforts are already being undertaken:

(a) to develop culturally-sensitive texts for classroom use. This is evidenced principally in five programs which are funded variously through the BIA, Title VII and private foundations. They are:

(1) The Creative Writing Project for 20 BIA schools through the University of California at Santa Cruz.

(2) The Navajo Reading Study through the University of New Mexico for the identification and production of texts in Navajo.

(3) Alaska Bilingual Program produces classroom texts in Yuk (Eskimo) to be expanded to other dialects.

(4) Doris Duke Oral History Project attempts to save Indian cultural commentary and make it available to text writers.

(5) BIA Teacher-Training Project will produce and adapt mother tongue materials for classroom use.

(b) to train native teachers. Apart from the widespread training and employment of Indian aides in BIA schools, the major thrust in the training of Indian teachers is in the BIA projects to train 300 certified bilingual teachers in the next five years.

(c) to promote teaching as a career among Indian youth.

(1) FY-72 projections for scholarships to Indian youth budget 15 million dollars for 8,000 students and in FY-73, 30 million dollars for 10,000 students. Nearly ½ will major in education.

(2) the BIA teacher training program for bilingual Indian teachers will certify 300 such specialists in five years.

All 200 BIA schools now report that they have school boards or education committees of various kinds. (This includes the one now being organized at the Institute of American Indian Arts, Santa Fe, New Mexico.) These boards and committees are becoming increasingly more active and are assuming greater management roles in regard to curricula, student personnel services, personnel, construction, and educational objectives.

Project TRIBE established the policy and the vehicle for the creation of local boards to assume policy and operational responsibility for schools which are currently federally operated. This can be done under contract with the Bureau providing funding at a level comparable to that maintained in federally operated schools.

Four local schools are now being operated by tribal groups: Stephan High School, Stephan, South Dakota; Blackwater Day School, Coolidge, Arizona; Rough Rock School, Chinle, Arizona; and Ramah School, Ramah, New Mexico. The Navajo Tribe also operates the Navajo Community College. Several other local school units are making plans to operate their own schools in the future.

The BIA is now using the charette concept in community school planning and expansion. All the local resources (parents, patrons, students, tribal officials, and school staff) as well as outside expertise are used in an effort to arrive at a consensus of opinion concerning various alternatives available to reach the community's educational objectives. The idea of involvement has been expanded to include actual control and operation of schools by contract at the local level. These boards are playing a constantly expanding role in the operation of the schools. Concurrently, at each boarding school on Navajo, attempts are being made to expand the day enrollment attending the school. This has met with notable success at locations such as Lukachukai Boarding School where the enrollment is now half day and half boarding with special provision made for breakfast and evening meals for day students.

Also on Navajo, there has been underway at eight locations a new direction for dormitory staffing which results in greater attention being given to providing a home-like atmosphere for the students and better utilization of professional personnel.

A "model dormitory program" has been developed with USPHS assistance and is underway at a Navajo reservation boarding school. Two colleges are now providing courses at Navajo reservation locations which provide non-degree employees with an opportunity to get college work. Finally, greater use is made of parents in the programs of the school. To illustrate, "Moms and Pops" programs funded under PL 89-10 are common in most Navajo reservation boarding schools.

The need for funds for an all-weather road system on Navajo remains urgent.

Fifteen innovative programs are currently funded under Title II and III of the Elementary and Secondary Education Act. Title II is demonstrating that one of the causative factors of Indian students' lack of progress according to current educational statistics is the lack of innovative instructional materials and supplies in the hands of students and teachers. The hypothesis will be tested against controlled student populations with the purpose of pointing out to the Bureau the significant academic gains that can be made when the budget for instructional materials and supplies is adequate and safeguarded.

The Bureau's Title III ESEA proposal for a Parent-Child Center in the Bethel District of Alaska was recognized by the Office of Education at the President's National Advisory Council meeting as the best submitted from a field of over 200 proposals from the Nation. The proposal is designed to eliminate nutritional, intellectual and language handicaps prior to a child's entering a formal education program. Title III is also funding developmental music programs at the primary and elementary level since there is a definite correlation between academic proficiency and music training. The vital assist to speech, social and academic development of students from music training should be augmented by the project's concentration on native music.

In a special reading project at Papago, during the first half of the present year, the Title I target group of children made a gain of six months as compared with a gain of three months in the control group. At the schools at Gila Crossing and Casa Blanca, the target children gained seven and five months, respectively, during the first three months of the project.

As new methods, techniques, and programs have established their worth in meeting Title I objectives, encouragement has been given to incorporate such practices into the regular program. Thus, ESL (English as a Second Language) programs developed under Title I are now becoming a regular part of school programs in the Navajo, Juneau, and other areas. The Reading Laboratory developed at the Chemawa Indian School has met with such success that all 9th grade students are now scheduled into a remedial-developmental reading program as a part of the regular program. The Tribal Education Coordinators have met with such success in developing community involvement that they will be funded in the regular budget during the coming year.

Within the last two years the total number of counselors in BIA schools has increased by over 15% (from 270 to 313), the percent of professionally trained and state certificated counselors has risen from about 27% to almost 50%. The counselor is now, in most instances, not a dormitory manager but a full time child contact professional.

In-service training for dormitory child contact people is carried on in almost every boarding school. Outside consultant staffs from colleges and universities, Public Health Service, mental health clinics, etc., as well as BIA professionals are used to aid dormitory personnel to become more competent in child contact procedures.

Schedules at boarding schools are staffed so that students have opportunity for counseling during school hours, afternoons, evenings, or weekends - at the time of their need. We have been able to reduce the overall ratio of children to adults in dormitory from 34 to 1 - to a new ratio of 19 to 1. This does not as yet meet the optimum which permits for rations of 15 children to 1 adult during the total number of hours children are not in classroom - but it is a substantial increase of effectiveness. We shall continue to develop this important aspect of our program as personnel ceiling and funding permit.

A post-high education consortium now exists to better meet the needs of American Indian youth in the areas of occupational training and comprehensive general programs. The schools forming the consortium, Haskell Indian Junior College, Southwestern Indian Polytechnic Institute, Institute of American Indian Arts, and Chilocco Indian School provide maximum options for Indian students in the following areas:

1. Instruction and training in arts related occupations.

2. Broad occupational preparation programs where a student may get off the educational ladder at any point he feels he has the skills necessary to obtain and hold a job.

3. Diploma and certificate junior college programs and college transfer programs.

Another option available to Indian students for vocational education is training under Public Law 959. This program, administered by the Bureau, permits Indian students to enroll at the consortium schools for specific courses approved by the Division of Employment Assistance.

Indian involvement in public school education is on the increase. For example, all but one of the 16 reservation-based districts in Arizona had school boards with Indian members. The Indian members were on these school boards. Data gathered last year by the Oklahoma State Department of Education revealed that 291 Oklahoma schools receiving Johnson-O'Malley funds had a total enrollment of 152,769 of whom 15,282 or 10 percent were Indian. In these same schools 20 percent of the school board members and 11 percent of the professional staff were Indians.

At least three of the six Johnson-O'Malley funded States have local Indian advisory committees that work with the local school administration in planning programs which meet the special needs of Indian children. In one additional state, included in the study, an Indian corporation administers the program for the entire State. For more than two years, training sponsored by the Bureau has been available to Indians in school affairs. This training has included two workshops on a national level and numerous sessions at the Area and State levels.

All JOM State contracts have new dimensions of involvement in them, with Indian people being heard. At the present time some choose to do it through local committees, others prefer to use Statewide committees as the coordinating bodies with input from local groups. The most effective way is through Indian representation on school boards. All Special Education projects funded by Johnson-O'Malley shall be developed with the participation and approval of a committee composed of the parents of the Indian children enrolled in the school. The committee shall be selected in a manner decided upon by the Indian parents who have children enrolled in the school. Disagreements regarding special education projects which cannot otherwise be resolved, shall be appealed to the Indian school board or, if such a school board does not exist, to the tribal education committee.

New application forms and guidelines for developing budget requests, operational budgets and reporting have been developed and are in use. Also an improved system of monitoring and auditing is being implemented which should result in greater State and Federal attention to these matters.

United States Department of the Interior

BUREAU OF INDIAN AFFAIRS
WASHINGTON, D.C. 20242

IN REPLY REFER TO:

PROPOSED CHANGES IN STRUCTURE AND
POLICY OF THE BUREAU OF INDIAN AFFAIRS

The documents that follow attempt to spell out, as clearly as possible, the changes that Commissioner Bruce announced on November 24, 1970. Since that announcement, there has been some confusion and misunderstanding about the details of these changes and what they will mean for individual Indians, Alaskan Natives and tribes. These documents attempt to fill this information gap.

In the pages that follow you will find accurate statements of each of the four main policy changes that were announced:

1. The policy on reassignment and selection of BIA employees.
2. The statement on inspection and evaluations.
3. The policy on redelegation of Area Office authorities to agencies.
4. The policy on contracting out BIA functions to Indian groups.

Also attached is a copy of Commissioner Bruce's December 13th letter to all tribes which answers some of the most frequently asked questions about these policy changes.

It is hoped that, at long last, the Bureau's new direction will guarantee Indians a more meaningful role in the many decisions that affect their lives. These new policies represent nothing more than the beginning of a system which provides for regular consultations with tribal groups. Though some have criticized the BIA for instituting policy changes without adequate consultation, these changes do little more than set up the necessary machinery for a permanent system of consultation with tribes. The process of consultation has now been formalized and these new policies have built-in flexibility at every step.

There remains one policy, however, that is not flexible: The Bureau will continue to hold firmly to its trust responsibility for Indian lands. To destroy this link with the Federal Government would be to negate all the promises and hope that our new direction seeks to offer the Indian people.

THE POLICY ON REASSIGNMENT AND SELECTION OF BIA EMPLOYEES

Introduction:

It has been the policy of this Bureau to select, provide development opportunities and assign employees so as to best serve Indian people. Programs such as the Merit Promotion Program, the Equal Employment Opportunity Program and the reassignment policy have been used to accomplish these general objectives. Our experience to date indicates that these objectiyes are not being met. Many employees remain in positions too long which has had an adverse effect on Bureau programs and careers of employees. In the absence of a firm policy, serious difficulties have been experienced in reassigning employees to other locations as well as between organizations and program activities. Tribal officials have expressed dissatisfaction with administrative practices of the Bureau, and it has been difficult to be responsive to tribal governing bodies.

In order to overcome these difficulties, a policy of planned reassignment and new personnel selection procedures has begun. These policies will apply to managers and administrators throughout the Bureau.

A. Reassignment of Employees.

1. Insofar as it is consistent with good management practices, managers and administrators will be eligible for reassignment every two to five years. These employees will usually not be subject to reassignment until after they have served for two years. The length of time, beyond two years, an employee remains in a position will be determined by the Bureau in consultation with the tribe or Alaskan Native group involved. In no case will the BIA reassign such an employee without first consulting with the tribe or Alaskan Native group.

2. At least once every six months after the initial 2 years, the Central Office, in direct consultation with the tribe or Alaskan Native group involved will review the performance of the field administrator (formerly superintendent). Should his performance indicate a need for reassignment, actions will be instituted.

B. Criteria for Selecting Field Administrators (formerly Superintendents).

1. Whenever a vacancy occurs, a designated member of the Commissioner's staff will meet with the tribal governing body to obtain the vital information needed to assist in selecting a new field administrator. This will include a profile of tribal needs, the Agency operations, and the special qualifications that the tribe or Alaskan Native group requires.

2. A list of candidates to fill the vacancy will be compiled from the potential Field Administrator Roster, nominations by the tribal or Alaskan Native governing body (either current federal employees or outside candidates) and field administrators scheduled for reassignment.

3. Selection to fill the position by promotion or reassignment will be made within ten work days of the vacancy if possible, only after consultation with the tribe or Alaskan Native group.

4. All Field Administrators, unlike present Superintendents, will be judged on the degree to which Indian tribes are meaningfully involved in the day-to-day operation of BIA-managed programs. This will include such areas as selection of personnel, encouraging the organization of school boards and other advisory groups, involvement in budget preparation, etc.

5. The success of a Field Administrators will not be measured by the extent to which tribes or Alaskan Native groups assume control over the functions he directs, since some tribes will not choose to exercise the option of actually taking over BIA programs under contract.

THE INSPECTION AND EVALUATION OF AGENCIES

Introduction:

Success in the BIA's efforts to increase Indian participation depends upon the responsiveness and initiative of the Field Administrator and his staff. They should become personally involved with Indian leaders in developing programs. In keeping with this policy directive to involve the Indians in program development, and in order to improve the management system, field operations and the use of resources, an evaluation unit has been established to measure the responsiveness of the field structure to the Commissioner's policies. Tribal and Alaskan Native participation is a crucial part of this evaluation effort.

With the help of tribal insight, these findings will assist in the further refinement of programs and policies in the days ahead.

1. Guidelines have been established for conducting on-site field evaluations of diversified agency operations within the Bureau of Indian Affairs.

2. We will begin by completing the evaluations of 12 agencies by the end of January, 1971:

1. Western Washington Agency, Washington
2. Crow Agency, Montana
3. Minnesota Agency, Minnesota
4. Seminole Agency, Florida
5. Palm Springs Agency, California
6. Osage Agency, Oklahoma
7. Eastern Navajo Agency, New Mexico
8. Northern Pueblo Agency, New Mexico
9. Nome Agency, Alaska
10. Pine Ridge Agency, South Dakota
11. Salt River Agency, Arizona
12. Concho Agency, Oklahoma

3. Four teams will be conducting these 12 Agency evaluations. Each team is composed of an Assistant to the Commissioner as Chairman, a BIA technical program specialist, a respresentative from NCIO, a representative from another agency within Interior and a member or members of the tribes served by the agency under evaluation.

REDELEGATION OF AREA AUTHORITY TO THE AGENCY

Introduction:

It is the policy of the Bureau of Indian Affairs to reduce and eventually eliminate all line authority of the Area Offices and to redelegate such authorities to the operating level closest to the Indian tribes served. Within this policy, a planned reorganization will be implemented to convert Area Offices into technical assistance units. More final decisions will be made on the spot at the Agency level where increased tribal participation will be encouraged.

1. Area Offices (which now have line authority over programs operated at the Agency level) will be converted

into Technical Service Centers. They will provide high quality advice and assistance to Field Administrators.

2. At the present time, no significant change in the number of employees at Area Offices is contemplated. Area Directors who have served two years or more are eligible for reassignment.

3. Nineteen off-reservation schools, four irrigation projects and sixty-six agencies or field offices which now report to Area Offices will report directly to the Central Office.

4. The new general operating procedures will be developed initially in the Central Office and then revised after tribal review. Operating plans will be developed by the Field Administrators and Technical Service Center Directors, under Central Office leadership and with full Tribal participation. The organization, redelegations, general procedures, and operating plans will be made effective by a notice of implementation. This notice will be published in the Federal Register and announced in correspondence and the public news media.

5. Regionalization is not part of this plan.

6. The following are examples of some of the currently proposed authorities that will be delegated directly to the Agency level:

-- In general, full authority to administer on-reservation BIA schools.

-- With some exceptions, authority to approve tribal ordinances relating to law and order adopted pursuant to 25 CFR 11.

-- Authority to approve tribal enactments relating to disenrollment of persons who do not meet enrollment criteria.

-- Authority to approve an increased number of leases.

1955

ASSUMPTION OF PROGRAM RESPONSIBILITY BY INDIANS

Introduction:

The policy of the Bureau of Indian Affairs is to make available to Indian people the option to take over the administration of any or all programs which the Bureau provides for them. Naturally, activities which clearly involve the Bureau's trust responsibility must be excluded from this list.

It is important to underscore that this matter of Indian "takeover" is not a program that the Bureau is pushing, but, rather, is only an option. Under no circumstances will tribes be pressured to "contract" to operate BIA programs. Nor will assuming contracts be allowed to prejudice the traditional Indian-Federal relationship in any way.

In order to assure that this indeed is the case, the Commissioner has undertaken the following actions:

1. All BIA employees are specifically forbidden from soliciting tribes to undertake contracts.

2. All tribes wishing to contract must have their actions cleared through a tribal programs contracting unit headed by an Assistant to the Commissioner.

3. No tribal service contract will be approved that does not contain provisions for retrocession at any time.

4. The National Congress of American Indians and the Indian Law Section of the American Bar Association are being invited by the Commissioner to establish a joint committee to recommend a contract format that will provide maximum safeguards against the loss of Federal funds or the termination of the Federal trust over Indian lands and resources.

5. In order to assure that this major BIA policy direction is available to those tribes which wish to take advantage of it, Indian leadership now is encouraged to deal directly with the Washington Office in negotiating contracts to take over BIA programs. A Washington unit headed by Assistant to the Commissioner Billy Mills, a member of the Oglala Sioux Tribe, has been established for this purpose.

6. Beginning immediately all vacancies at all levels of BIA operations will be held open and monitored by Mr. Mills and his staff so that tribes first are offered the fullest opportunity to assume these positions under contract.

Enclosure

December 18, 1970

1957

IN REPLY REFER TO:

United States Department of the Interior

BUREAU OF INDIAN AFFAIRS
WASHINGTON, D.C. 20242

25 November 1970

To : Central Office Division Chiefs
Area Office Directors
Agency Office Field Administrators
Field Employment Assistance Officers

From : Commissioner

Subject: New BIA Policy and Structure.

Attached for the information of all BIA employees under your jurisdiction is a copy of the new BIA policy regarding rotation of employees and a copy of my statement covering the following subjects:

1. Personnel Changes and Reassignments;

2. Delegation of Authority;

3. Buy Indian Contracting; and,

4. Evaluation and Inspection.

Please see that this information is reproduced and made available to your staff.

Commissioner

Attachment

1970

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1958

POLICY FOR ROTATION OF EMPLOYEES IN THE BUREAU OF INDIAN AFFAIRS

It has been the policy of this Bureau to select, provide development opportunities and assign employees so as to best serve Indian people. Programs such as the Merit Promotion Program, the Equal Employment Opportunity Program and the reasignment policy have been used to accomplish these general objectives. Our experience to date indicates that these objectives are not being met. Many employees remain in positions too long which has had an adverse effect on Bureau programs and careers of employees. In the absence of a firm policy, serious difficulties have been experienced in reassigning employees to other locations as well as between organizations and program activities. Tribal officials have expressed dissatisfaction with administrative practices of the Bureau and it has been difficult to be responsive to tribal governing bodies.

In order to overcome these difficulties, a policy of planned rotation of employees will be commenced immediately with the following objectives in mind.

1. To be more responsive to the needs of Indian people.

2. To more effectively carry out the policies and programs of the Bureau.

3. To maximize opportunities for employee development.

For the immediate future, this policy will apply principally to managers and administrators. The Bureau requires competent and well-trained managers and administrators to manage and direct its complex programs. The application of this policy to these positions is intended to assure maximum development of an overall management capability in the Bureau by broadening managerial perspective and developing managers to assume higher level executive positions.

The following general guidelines will be observed in implementing this policy:

1. Insofar as it is consistent with good management practices, managers and administrators will be reassigned every two to five years. The length of time an employee remains in a position or at a location will be determined administratively by taking into consideration the circumstances in each case and the objectives set forth above.

2. Committees will be established to recommend reassignment of employees. Committee deliberations will be preceded by in depth evaluations of the needs of Indian people, programs, and employees.

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In their dealings with tribal leadership, Field Administrators must never allow themselves to become authority symbols and must never compete with tribal leadership for the attention and loyalty of the reservation constituency. All ideal Field Administrator will function in a low-keyed manner assisting his Indian colleagues to sort out the range of practical approaches for meeting local needs. He must understand that it is the perogative of Indian leadership to make the final selection best suiting local needs. Field Administrators must be strong advocates for the Indian cause and must be devoted to the Bureau's principal legal responsibility, which is to protect Indian land and resources and assure that maximum economic benefits are derived from them.

Bureau Policy on Rotation of Employees - Briefly stated, this policy calls for the reassignment of managers and administrators every two to five years. The movements of these personnel will be guided by an executive committee in Washington which I have established for the purpose.

Changes and Procedures for Selecting Field Administrators - Coupled with the new Bureau rotation policy, new procedures have been established for selecting Field Administrators.

This procedure, inter alia, calls for the formation of an executive committee which meets every six months to review rotations and periodically fill vacancies as they occur. The committee is scheduled to discuss these rotational policies and individual moves with tribes in order to fulfill the Commissioner's and the Administration's commitments.

All Area Directors except one are scheduled to be rotated under this policy. Likewise, some 69 Agency Superintendents and Field Employment Assistance Directors also are scheduled for reassignment under the new plan within 90 days.

My new Executive Staff and I feel that these moves are key to implementing the basic thrust of the BIA's policy to make the Bureau more responsive to Indian needs, for placing control at the local level, and for transforming the BIA into a service organization.

Changes in Delegation of Authority - It is the present policy of the Bureau of Indian Affairs to reduce and eventually eliminate all line authorities from the Area Offices and to redelegate these to the operating level closest to the Indian tribes served. Within this policy, a planned reorganization will be implemented within the next 90 days to convert Area Offices into program service and technical assistance units.

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I made these comments in a statement before the Senate Committee on Insular Affairs, on August 11, 1969:

> "The main goal of the Bureau of Indian Affairs under my administration will be to actively encourage, allow, and train Indian people to manage their own affairs under the trust relationship and to make the Bureau more responsive to Indian needs. In order to do this, I intend to examine, redefine, and request from the Congress necessary authorities and clarification to make this possible."

I spelled out these intentions more clearly at a meeting of inter-tribal Indian leaders held in Denver, Colorado, on May 21, 1970, stating that:

> "BIA Area Offices will be made fully responsive to Indian needs and expressed desires. Flexibility will be the new order at the Area level. Development of Indian communities and tribal estates will be the objective--and the objective will be carried out along lines that the Indian tribes themselves feel to be appropriate and necessary."

I feel that Indian involvement as promulgated by the Administration in consultation with Indian leaders requires that American Indians and Alaskan Native people must be full partners in an Indian-Federal partnership. In order to effect such a relationship, the decision making processing must be initiated locally. Only by direct involvement at the reservation level can Indian citizens, through their elected tribal representatives, be afforded maximum opportunity to determine those programs, projects, and services most essential and beneficial to their social and economic progress.

Procedures for Buy Indian Contracting - One of the five principal thrusts of my annunciated policy has to do with contracting by tribes. This was clearly stated in my speech at a meeting of the inter-tribal Indian leaders held in Denver, Colorado, on May 21, 1970, on which occasion I stated:

> ". . . Tribes will have the option to take over any or all BIA programs and functions with the understanding that BIA will provide assistance, or reassume control, if any tribe so wishes."

This gives meat to the idea of BIA as a service rather than a management agency. The extent of local tribal takeover of BIA programs will be entirely a matter of decision by each tribe.

BIA's role as a service agency to tribes will apply to those seeking more autonomy as well as to those wishing to continue traditional BIA supervision. Under no circumstances, will program responsibilities be forced on unwilling or reluctant tribes.

This policy was given added strength in President Nixon's July 1970 message in which he clearly pronounced that Indian people must be allowed self-determination without the threat of termination and that Indian people must have the opportunity to manage, operate, and control their own programs. It is also my avowed policy that once BIA program activities are assumed, they may be retroceded at any time and that an adequate funding level will be maintained by the most aggressive action on the part of the Washington Office.

Although this policy has been in effect since April of this year, I am sorry to report that it has not been implemented significantly at the Area Office or the reservation levels. In order to assure that this major BIA policy direction is available to those tribes which wish to take advantage of it, Indian leadership now has the option of dealing directly with the Washington Office in negotiating contracts to take over BIA programs. A Washington unit headed by Mr. Billy Mills, a member of the Oglala Sioux Tribe and Olympic gold medal winner, has been established for this purpose.

Beginning immediately, most vacancies at all levels of BIA operations will be reviewed by Mr. Mills and his staff to assure that tribes first are offered the fullest opportunity to contract or to supervise these positions under the 1834 Act.

Mr. Mills' group also has reviewed the Bureau's policy regarding tribal contracting under the "Buy Indian" provisions of the Act of 1910 (24 Stat. 2946). Last reviewed in August of 1968, significant changes have been made and transmitted to the Solicitor's Office for review. These new provisions assure that a more flexible use of these authorities will be available to tribes wishing to undertake service contracts.

Establishment of evaluation and Inspection Teams - I have established an evaluation unit to make an in-depth evaluation of the responsiveness of the field structure to my policies. Guidelines have been established for conducting on-site field evaluations of diversified agency operations within the Bureau of Indian Affairs. A list of 12 selected superintendencies, representing a cross section of Bureau agency operations, will be evaluated. Teams include an Assistant to the Commissioner as chairman, a BIA technical program specialist, a representative from NCIO, a representative from another agency within Interior and a member, or members of the tribes served by the superintendency under evaluation.

These multi-agency and tribal evaluation teams will be assigned the highly critical responsibility of conducting thorough but expedient reviews of a diverse cross section of agency operations. Through professional capabilities and tribal insights, these findings and recommendations will assist me in further refinement of programs and policies in the months ahead.

Louis R. Bruce

Louis R. Bruce
Commissioner

1963

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<u>Recommendations by National Indian Education Advisory Committee</u>

Recommended that the Dept. of Agriculture assume financial responsibility for the hot lunch program for Indian students in Bureau and public schools. This has been accomplished.

Recommended that BIA and the Committee offer every support and encouragement to Advisory School Boards. This is being accomplished.

1964

Recommended that the BIA develop a meaningful career ladder and training program for instructional aides. This is being accomplished.

Recommended that $2.3 million be restored to the budget for JOM kindergartens in 1970. This was accomplished.

Recommended that administration at the National level consider all the needs that are not being met for the Alaskan student and that a reassessment of priorities be made. Recommendation under review.

Recommended that the Bureau present on an annual basis its proposed construction priorities to the National Indian Advisory Committee for final review before formal presentation to the BOB. This is being done this year.

Moved that a recommendation be presented to the Commissioner that a competent research and evaluation staff be employed immediately to insure that adequate statistical background information is available to substantuate budget requests. Will be implemented this year.

Recommends that higher education grants from BIA be considered supplementary to whatever other funding is available and not looked at as a base. Is accomplished.

Recommended use of Indian organizations by BIA when contracting for services. Is being accomplished.

National Indian Education Advisory Committee responsible for selection of all Indian personnel to provide kindergarten training, assistance and determination of the content and location of training program, and involvement of appropriate national groups. Accomplished.

1965

Recommended funding of a PhD Program. Have worked with OEO to accomplish.

Recommended BIA support of OEO sponsored MA program for Indian School Administrators. Is being accomplished.

Recommended BIA sponsor a conference on student relations. Not accomplished yet, but will be implemented this year.

Recommended strengthening the procedure for dismissing employees who are incompetent and unsuited for the job. Civil Service regulations prevent accomplishment.

Recommended 3rd Annual Workshop on School Affairs be financed by BIA and planned by the Committee based on interest from 2 previous training programs. Not accomplished due to lack of funds.

Recommended removal of Superintendent at Phoenix Indian School and support for Inter-tribal school boards. Done, 1970.

Many of the Committee's varied activities are not reflected in these recommendations which are merely highlights. The attached Annual Report supplies more specific information. The Committee has been instrumental in the establishment of Education Coordinator positions at the local level, school board training opportunities for local Indian people, the performance of program reviews at certain Bureau operated schools, kindergarten staff training, etc.

Curricular materials in native language.

Every BIA school which has a bilingual program approach to Education develops native language materials of necessity. Texts in Indian languages must continue to be produced at an uncommonly great pace due to the dirth of such materials. This is especially understandable when we face the fact that most Amerindian languages have yet to develop a system of writing and a standardized alphabet. In those languages which already have a developed and accepted orthography, progress is being made. Evidence of this is found in the accompanying bibliography from the Navajo Reading Study, a project supported by the Bureau of Indian Affairs. Books, tapes, language texts and dictionaries are of necessity produced in all the Title VII ESEA projects in Bilingual Education. At present there are projects in full operation in the following Indian and Eskimo languages: Yuk (Eskimo), c.f. samples enclosed; Navajo, samples accompanying; Ute, Crow, Cree, Cheyenne, Choctaw and Cherokee. Soon the work done in the Alaska BIA Bilingual program is to be duplicated in another Eskimo dialect, Inupiak.

As of November 30, 1970, the total number of Bureau of Indian Affairs' employees is 15,974. Of these 8,726 are Indian (about 54%).

Breakdown by grades:

Grade	Total	Indians
GS-1	10	6
GS-2	220	183
GS-3	1,564	1,360
GS-4	2,359	1,981
GS-5	1,510	975
GS-6	270	154
GS-7	922	376
GS-8	44	23
GS-9	2,813	535
GS-10	70	7
GS-11	1,250	290
GS-12	880	161
GS-13	409	79
GS-14	283	50
GS-15	70	20
GS-16	6	2

Addendum to Number 8.

The number of Indian applicants for teaching positions for next year as compared to other years.

In addition to the statistics cited by the BIA Office of Teacher Selection in the Albuquerque office of personnel, it is significant to bring to your attention a pilot project for the attraction of Indian youth to the teaching profession. The pilot project in teacher training being inaugurated this summer (1971) on the Navajo Reservation will soon spread to Alaska and other areas with a great concentration of Indians who are monolingual in a language other than English.

The projection at the time of this writing is to fully train, certify and accredit at least 300 Indians as bilingual teachers in a five-year program. This is an innovation in Indian education from which the BIA and state schools serving Indians will learn extensively about the proper preparation of bicultural, bilingual teachers.

RECRUITMENT YEAR 1970
(November 1969 through October 1970)

	Applications rated acceptable	Provided Cert. of Ind. Blood	Claimed Ind. Ancestry
Elementary	2,036	36	18
Guidance Counselors	948	30	12
Secondary	2,902	50	21
Total	5,886	116	51

RECRUITMENT YEAR 1971
(November 1970 through April 1971)*

	Applications rated acceptable	Provided Cert. of Ind. Blood	Claimed Ind. Ancestry
Elementary	3,520	98	46
Guidance Counselors	1,262	10	6
Secondary	4,796	48	24
Total	9,578	156	76

*The first 6 months of the recruitment year have just passed. Projection is for full year. Applications are being filed at the rate of approximately 60 per day. About 40% of all who claim Indian ancestry are able to establish proof that they are 1/4 or more degree Indian blood.

WHAT HAPPENED TO THE $1.6 MILLION IN EDUCATION FUNDS SUPPOSEDLY TURNED BACK? IF REPROGRAMMED, HOW?

There were no unused education funds. As of June 30, 1970, financial reports indicated that there was an unobligated balance of $1.7 million in education operating funds. However, all unobligated funds were used to cover pay increases authorized by Public Law 91-231, and the unobligated education funds were so applied. This was in accordance with the provisions of Public Law 91-231.

HOW WOULD BIA SPEND ADDITIONAL FUNDS SHOULD THEY BE AVAILABLE?

The Bureau has proposed an increase in funds for operations in fiscal year 1972 to cover: increased enrollments and operating funds in the Johnson-O'Malley program $3.0 million; additional scholarships for college students at a more adequate level of funding $9.0 million; increased enrollment and operating funds for Federal school operations $6.2 million. This increase would enable us to provide a more adequate program and to initiate a new phase effecting increased participation by the Indian people themselves.

WHAT ACTION IS BEING TAKEN TO ENCOURAGE INDIAN SCHOOL BOARDS TO TAKE OVER OPERATIONS?

Under the President's policy of Indian self-determination, the Bureau of Indian Affairs is moving from a management to a service-oriented agency to assist tribal groups in assuming control of all or part of local school operations. The Educations Programs Office has established a School Contract Coordinating Committee to assist tribal school boards in planning and developing program proposals subsequent to contractual negotiations under various types of statutory authorities, viz, the Johnson-O'Malley Act, Buy-Indian Act, and the 1834 Act. The Coordinating Committee, based in the Central Office, serves to bring together Federal, State, local, and private educational agencies who can provide technical, fiscal, and professional resources in assisting tribal groups. The major function of the School Contract Coordinating Committee is to serve as the focal resource in the Bureau of Indian Affairs advocacy system. Continuing and ongoing technical resources are available to tribal school boards, upon request, from the Bureau of Indian Affairs in all areas of school programming, including administration, curricula, pupil personnel services, plant management, food services, pupil transportation, and staff development.

The National Indian Education Advisary Committee has planned, conducted, and evaluated two nationwide workshops related to Indian School Boards. Over 400 Indian persons have participated at these Conferences.

WHY DON'T WE HAVE A MORE ACTIVE PROGRAM WITHIN BIA TO ENCOURAGE INDIAN SCHOOL OPERATIONS?

We have a very active program. However, limited staff at Central and Area Office levels skilled in the transactional processes of school board operations are a major deterrent. Statutory authority in the Federal government is oftentimes confusing and counter-productive to lay people serving on school boards. Greater technical involvement from BIA resources and private agencies is providing increased assistance to school boards, within the constraints of personnel and fiscal limitations. Much more can be done in involving higher education facilities and regional educational laboratories to assume cooperative liaisons with tribal communities in a support role.

Time and consistent professional efforts will be needed to draw-out the inherent potential of Indian communities as a positive force in overcoming the psychological barriers imposed by traditional paternalistic government policies toward Indian peoples. The National Indian Education Advisory Committee and the BIA Office of Education Programs have taken leadership roles in encouraging, assisting, and extending local Indian direction of their own schools whenever they wish to do so.

National Board of Indian Education

There should be enacted legislation authorizing a National Board of Indian Education. Its primary function would be to advise the Commissioner of Indian Affairs and the Commissioner of Education, through the Office of Education's Indian Education Office on:

- policy issues
- budgetary considerations
- major program priorities of Indian education
- the wishes of Indian people re education

The members should be appointed by the Secretary of the Interior in consultation with the Secretary of H.E.W.--one member to be chosen from each of the 12 BIA areas plus 3 at-large members. The National Board's Chairman would be designated by the Secretary from among the members. The terms of the membership should be 3 years, with the exception of the first 2 years when the terms would be staggered to provide continuity.

The Board should be authorized to make school program reviews with the concurrence of the Commissioner. It should also be authorized to hold hearings on particular educational issues.

Other responsibilities of the Board should include:

- Promoting the establishment of local school boards and furnishing technical assistance to them.
- Making recommendations on high level personnel appointments - (inconjunction with local boards for local appointments).
- Making recommendations on policy, program, etc. involving adult and vocational education.

The National Board would convene at the call of the Secretary or at least biannually.

THE REORGANIZATION OF THE BUREAU OF INDIAN AFFAIRS

Mr. Louis R. Bruce, Commissioner of Indian Affairs, after assuming office and as a result of many meetings with Indian people and tribes announced the following five point policy:

1. The BIA is being transformed from a management agency to a service organization.
2. BIA Area Offices will be made fully responsive to Indian needs and expressed desires.
3. The trust status of Indian lands is reaffirmed.
4. Tribes will have the option of taking over any or all BIA program functions, with the understanding that the BIA will provide assistance or reassume control if any tribe so wishes.
5. The new BIA reaffirms its priority responsibility for meeting the economic and social needs of Indians living on trust lands, and at the same time recognizes its obligation to be a strong advocate of urban Indian interests.

Commissioner Bruce announced his intention to make changes in the administrative structure of the Bureau of Indian Affairs and to bring Indians into top level positions of the BIA.

In November of 1970, Commissioner Bruce, utilizing his top Washington executive staff members, organized four task forces with directions to prepare policy and procedural statements relating to: (1) reassignment of personnel and rotation policies; (2) preparation of contracting procedures dealing with the "Buy Indian Act"; (3) redelegation of the BIA Area Directors Authority; and (4) an effective evaluation and inspection program.

Based upon the work of the staff, the Commissioner submitted for Secretarial approval a change that redelegates authority from the Washington level. The area offices would continue but will essentially provide technical services to the agencies. There would be greater delegation of authority to the agencies, the operation level closest to the Indian tribes being served.

The Commissioner also announced his intention to commence in 90 days to rotate all but one of the Area Directors and some 60 Superintendents. The two remaining committees on Contracting and Evaluation continued their efforts to improve the systems by which tribes could take over BIA programs and of evaluating the responsiveness of the field structures to BIA policies. The announcement of the redelegation and reassignment policies met very substantial opposition from tribal groups on two counts: (1) they were not actually consulted before the abrupt change was announced, and (2) they wanted to keep many of their present Superintendents and Area Directors, who they considered satisfactory.

Issuance of the policy of redelegation and reassignment resulted in considerable reaction from Indian tribes, BIA employees, and members of Congress. The Senate Interior Committee held a hearing on the policy and announced that another hearing early in the new Congress to hear the views of the tribal leaders.

The policy, although attempts were being made to meet the established timetable, was in various stages of implementation upon the announcement of a new Secretary of the Interior. The Commissioner was requested to halt the policy implementation until the incoming Secretary of the Interior could review the situation.

To obtain assurance that the new policy directions would achieve maximum program efficiency and effectiveness, the Commissioner of Indian Affairs in coordination with Secretary Morton established a high level Management Assistance Survey Team. This team was composed of experts specializing in the fields of management, personnel, organization, administration, and financial management and were drawn from the Internal Revenue Service, the Office of Management and Budget, the Department of Agriculture, the Civil Service Commission, and the Department of the Interior.

The findings and recommendations of this team were presented to a representative cross section of Bureau of Indian Affairs personnel at a meeting in Phoenix, Arizona, on April 15 and 16, 1971. The meeting provided an objective viewpoint of the BIA picture and resulted in the establsihment of a Planning Committee representing all three levels of BIA management. Using the findings of the Management Assistance Survey Team as a foundation it is the intention of the Planning Committee to develop means whereby an orderly implementation of the Commissioner's policy will result in improved services to Indians.

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DEPARTMENT OF THE INTERIOR
BUREAU OF INDIAN AFFAIRS

Education and Welfare Services

Appropriation, 1970	176,703,000	
Supplemental appropriation, 1970	6,000,000	
Second supplemental appropriation, 1970	9,799,000	
Transfered to other accounts	- 2,000,000	
Total appropriation, 1970		190,502,000
Appropriation, 1971	217,615,000	
Supplemental appropriation, 1971	16,925,000	
Pay Cost supplemental	7,115,000	241,655,000

Summary of Increases and Decreases, 1972

	Base for 1972	Increase 1972	
Educational assistance, facilities and services:			
Assistance to pupils in non-Federal schools	$25,750,000	12,000,000	
Operation of Federal school facilities	115,806,000	7,731,000	
Community Development and Adult Education	2,553,000	-	+19,731,000
Welfare and guidance services:			
Direct welfare assistance	39,525,000	3,605,000	
Social Services	6,333,000	221,000	
Welfare Housing	6,640,000	-	+ 3,826,000
Employment Assistance	39,208,000	-	-
Maintaining law and order:	5,840,000	1,275,000	+ 1,275,000
Increase, 1972			+24,832,000
Budget estimate, 1972			266,487,000

1980

1977

EDUCATION AND WELFARE SERVICES

Analysis by Activities

Activity	Fiscal Year 1970	Fiscal Year 1971 Total Appropriation	Fiscal Year 1971 Pay Cost Supplemental	Fiscal Year 1971 Amount Available
1. Educational assistance, facilities and services.....	$119,284,922	$138,022,000	$6,087,000	$144,109,000
2. Welfare and guidance services.....	30,497,235	52,142,000	356,000	52,498,000
3. Employment Assistance.....	35,042,724	38,717,000	491,000	39,208,000
4. Maintaining law and order.....	5,098,546	5,659,000	181,000	5,840,000
Contract authorization.....	-835,260	-	-	-
Applied to contract authorization.	1,056,699	-	-	-
Unobligated balance lapsing.....	357,134	-	-	-
Total.....	190,502,000	234,540,000	7,115,000	241,655,000

EDUCATION AND WELFARE SERVICES

Analysis by Activity

Activity	F. Y. 1970 Amount Available	F. Y. 1971 Amount Available	F. Y. 1972 Estimate	Increase (+) or Decrease (-) 1972 compared with 1971	Page Reference
1. Educational assistance, facilities and services.....	$119,284,922	$144,109,000	$163,840,000	+ $19,731,000	4
2. Welfare and guidance services..	30,497,235	52,498,000	56,324,000	+ 3,826,000	18
3. Employment assistance.....	35,042,724	39,208,000	39,208,000	-	22
4. Maintaining law and order.....	5,098,546	5,840,000	7,115,000	+ 1,275,000	24
Contract authorization.....	- 835,260	-	-	-	
Applied to contract authorization.....	1,056,699	-	-	-	
Unobligated balance lapsing....	357,134	-	-	-	
Total.....	190,502,000	241,655,000	266,487,000	+ 24,832,000	

1979

1992

1. Educational Assistance, Facilities and Services

Subactivity	F. Y. 1970 Amount Available	F. Y. 1971 Amount Available	F. Y. 1972 Estimate	Increase (+) or Decrease (-) 1972 compared with 1971
A. Assistance to pupils in non-Federal schools:.....	$20,098,169	$25,750,000	$37,750,000	$+12,000,000
Public schools:				
a. Navajo peripherial.....	1,620,445	1,750,000	1,925,000	+175,000
b. Other.....	14,710,306	17,902,000	20,727,000	+2,825,000
Higher education.....	3,767,418	6,098,000	15,098,000	+9,000,000
B. Federal facilities:...	97,506,940	115,806,000	123,537,000	+7,731,000
Boarding schools.....	69,702,664	82,675,000	87,559,000	+4,884,000
(No. of pupils - Boarding).....	(35,405)	(36,405)	(37,505)	(+1,100)
(No. of pupils - Dormitories for public school enrollment).....	(4,043)	(4,143)	(4,243)	(+100)
Day schools.....	21,695,665	26,108,000	27,321,000	+1,213,000
(No. of pupils).....	(16,790)	(18,180)	(18,645)	(+465)
(No. of units).....	(650)	(705)	(723)	(+18)
Indian School Boards..	859,250	1,034,000	1,096,000	+62,000
(No. of pupils).....	(389)	(721)	(721)	(-)
Special Services:				
a. Program Direction.	3,296,519	3,639,000	3,770,000	+131,000
b. Transportation of boarding school students..	747,897	900,000	954,000	+54,000
c. Indian education coordinators.....	-	-	1,300,000	+1,300,000
Summer Programs.....	1,204,945	1,450,000	1,537,000	+87,000
C. Adult Education and Community Development.....	1,679,813	2,553,000	2,553,000	-
Total.....	119,284,922	144,109,000	163,840,000	+19,731,000

A. Assistance to pupils in non-Federal schools: Fiscal year 1971, $25,750,000; fiscal year 1972, $37,750,000; increase, $12,000,000. The increase consists of:

	Increase (+) or Decrease (-) Amount	Positions	Total Program	Total Positions	Explanation
(1)	$175,000	-	$1,925,000	-	To meet increased costs of peripheral dormitory program.

	Increase (+) or Decrease (-) Amount	Positions	Total Program	Total Positions	Explanation
(2)	2,825,000	-	20,727,000	-	To meet normal program increases in public schools educating reservation children.
(3)	9,000,000	-	15,098,000	4	To meet increased need for college scholarship grants to Indian youth.
	12,000,000	-			

Cost Factors Involved in Increases

(1) Contracts with public school districts in eight locations covering increased costs of educating out-of-district Indian children, $175,000.

(2) Contracts with State Departments of Education, tribal corporations, and public school districts for partial costs of educating increased numbers of Indian students and to meet increased operational costs, $2,825,000.

(3) Grants to an additional 2,300 Indian college students, increased operational costs, improved funding base, and other related costs, $9,000,000.

Need for Increase:

Public Schools:

(1) The increase of $175,000 requested for the peripheral dormitory program is based upon the prior year's expenditures for educational services.

(2) The increase of $2,825,000 for State and tribal contracts is needed to meet additional costs due to increased enrollment and increased operating expenses.

Increased Enrollment - $1,800,000:

To provide for an increase in enrollment of 7,000 students. There will be an increase of 300 students in the Alaska Boarding Home Program which will cost $2,000 per student or a total of $600,000. The remaining $1,200,000 will be needed to meet the approximate $180 per capita supplemental cost for assisting the remaining 6,700 students. Such funds will be used to help support the basic education programs for Indian children in approximately 100 public schools where they constitute a large part of the total enrollment. This assistance will need to continue until Office of Education P.L. 874 funds and State aid can adequately meet basic education costs. These funds will also be used for supplementing or fully supporting special programs and parental costs in schools already providing these services.

Increased Operational Costs - $1,025,000:

As teacher salaries accelerate and other operational costs increase, additional funds are needed to assist the 79,760 students who will be served by the program. This is an approximate 5.5 percent increase in cost.

Basic program cost increases will be met in those schools requiring such funds. Special programs now in place will be continued.

Reading specialists and speech teachers have already demonstrated that by working with classroom teachers and directly with students, they can accelerate the learning process. So far, they are available in only a limited number of schools.

The same is true with teacher training programs, teacher aides, visiting coordinators and summer programs. States can only meet requests for a limited number of such programs.

Visiting coordinators are playing an important role in involving Indian parents in the education of their children. These coordinators are usually individuals of Indian descent who relate well to Indian people and school personnel. They work to bring about a closer relationship between the home, schools, and other agencies providing services to children. States and school districts having such services report improved attendance, reduced dropouts, increased number of graduates, and increased parental involvement in school affairs.

Teacher aides now employed not only free teachers for teaching responsibilities but they also provide a valuable link between the school and the community. Indian people in communities where their own people are employed as aides are becoming more interested in the education of their children and more involved in school affairs.

Summer programs not only provide recreational outlets for Indian children but they also offer educational opportunities where needed individual attention can be given to each student.

Increased costs for special transportation, tutoring and parental cost items (rental of band instruments, activity and related fees, material for industrial arts, home economics and crafts classes) must be provided if these important services to Indian children are to be continued.

The Boarding Home Program is supported with Johnson-O'Malley funds, with the State of Alaska providing tuition and foundation program support costs to the local districts enrolling these children.

The table on the following page shows the expected distribution of funds by States.

AREA / State	Amounts 1971	1972	Increase
ABERDEEN			
Nebraska	$ 400,000	$ 550,000	$ 150,000
North Dakota	450,000	590,000	140,000
South Dakota	1,335,000	1,530,000	195,000
ALBUQUERQUE			
Colorado	250,000	255,000	5,000
ANADARKO			
Kansas	50,000	55,000	5,000
BILLINGS			
Montana	710,000	875,000	165,000
Wyoming	100,000	110,000	10,000
JUNEAU			
Alaska	3,569,000	4,295,000	726,000
MINNEAPOLIS			
Minnesota	850,000	1,150,000	300,000
Wisconsin	425,000	540,000	115,000
Iowa	135,000	150,000	15,000
MUSKOGEE			
Oklahoma	1,550,000	1,905,000	355,000
Mississippi	10,000	10,000	-
NAVAJO			
New Mexico	2,553,000	2,953,000	400,000
Peripheral	1,750,000	1,925,000	175,000
PHOENIX			
Arizona	3,900,000	3,975,000	75,000
Nevada	190,000	205,000	15,000
Utah	10,000	5,000	-5,000
PORTLAND			
Idaho	450,000	475,000	25,000
Washington	790,000	900,000	110,000
SACRAMENTO			
California	150,000	189,000	39,000
SEMINOLE			
Florida	25,000	10,000	-15,000
TOTALS	19,652,000	22,652,000	3,000,000

(3) Higher Education. The increase of $9,000,000 is requested to provide viable alternatives and adequate financial aid for Indian students in junior, four-year or graduate colleges.

	F. Y. 1971	F. Y. 1972	Increase
Number of Students	6,100	8,400	2,300
Amount of Grant	$6,098,000	$15,098,000	$9,000,000

Grants are made to Indian students who want to attend college but lack the necessary resources to make attendance possible. There is an acute shortage of qualified Indian professional people. Even today only a limited number of teaching positions in Bureau and public schools are filled by Indian people. The need for these people in other professional fields is even more acute. To date, only a very small beginning ($15,000-FY 71) has been made in providing funds for training law students. There are many other fields where training programs are needed if Indian people are to assume their proper leadership role. The Bureau of Indian Affairs is the primary funding source for the Nation's Indian youth.

The increase of $9,000,000 is requested to provide basic financial aid to the rapidly increasing number of Indian college students.

The expected large increase in enrollment will result from:

1. A more adequate funding base.

2. The enrollment of larger numbers of married students who for the first time will be able to adequately feed and house their families under the grant program.

3. The increased number of students who would have chosen vocational training but now will enter college because of improved funding.

4. The normal enrollment increase pattern.

A study of Indian dropouts made by the Northwest and Southwest Laboratories indicated inadequate financing as a major reason for more students dropping out of college.

The majority of students receiving assistance from the Bureau's Higher Education Program come from homes with incomes below today's poverty level. The normal pattern for the Indian student is to look to the Bureau for service and support in his efforts to attend college. These needs can be expressed in the following manner:

1. A very minimal financial contribution from students and parents.

2. Lack of experience in the dominant society which calls for special counseling services.

3. A language handicap which requires tutoring classes and in the beginning a reduced academic load.

4. For many students, they are attending classes for the first time with non-Indian students. Even students who come from public schools have had very little experience in working with non-Indian students. This lack of experience can best be rectified by strengthening orientation programs, providing for special reduced size classes, tutoring and remedial services, and indepth counseling programs.

5. These students leave behind a rich Indian culture when they enroll in college. In order to maintain their identity and pride in their own culture and properly assist them in their new environment, colleges and

interested Indian groups are establishing on-campus Indian Studies Centers. These centers are designed to implement progress in many relevant curriculum areas. Colleges recognize the value derived from such programs, but faced with budgetary limitations, look to the Bureau for support.

The fiscal year 1972 budget will assist 8,400 students. The Bureau's share of this grant depends upon the amount of other resources that can be found. In most cases, the Bureau will continue to be the prime resource. The following tables will illustrate the costs of educating the estimated 8,400 students who will enroll in college in 1972 and the resources available:

ESTIMATED EXPENDITURE

	Fiscal Year 1971			Fiscal Year 1972		
	Students	Grant Per Student	Amount	Students	Grant Per Student	Amount
Single	(4,300)1/	$2,012	$12,274,000	6,400	$2,300	$14,720,000
Married	(1,800)1/			2,000	3,989	7,978,000
Total	6,100		$12,274,000	8,400		$22,698,000

1/ The 4,300 represents the estimated number of single students and 1,800 represents the number of married students who will receive assistance at the single applicant level.

RESOURCES

	F.Y. 1970	F.Y. 1971	F.Y. 1972
Bureau of Indian Affairs.....	$3,767,418	$6,098,000	$15,098,000
Other:	2,299,800	6,176,000	7,600,000
Other Federal Programs (Educational Opportunity Grants, Work-Study, loans, and other college-offered aid)....	207,500	3,500,000	4,500,000
Tribal scholarships.....	1,121,120	1,416,000	1,500,000
State scholarships.....	339,380	400,000	500,000
Student and family contributions..	427,800	610,000	800,000
Organizations, foundations, churches.....	204,000	250,000	300,000
Total.....	6,067,218	12,274,000	22,698,000

Program of Work

Public School Operations. Under the Act of April 16, 1934, as amended, commonly called the Johnson-O'Malley Act, the Bureau of Indian Affairs provides supplementary aid to public school districts which face financial problems due to the presence of tax-exempt, Indian-owned lands within the district boundaries and the enrollment of relatively large numbers of Indian children.

Many of the school districts on Indian reservations have insufficient funds to operate effective school programs even with State aids and general Federal aid to education programs. Such districts have little or no tax base. In these districts, Johnson-O'Malley aids are used to assure operation of a basic school program.

As States and local school districts assume increased responsibility for basic education programs, Johnson-O'Malley funds are made available for special education purposes that identify with Indian children. Such programs will have a positive effect in improving education achievement, reducing dropouts, and pave the way for entrance into improved employment opportunities or higher education programs.

The funds are made available through contracts with the State Departments of Education and tribal groups operating on the basis of plans developed cooperatively by the Bureau of Indian Affairs and the contracting agency. The plans take into consideration the ratio of Indian children involved, local tax efforts, all other sources of aid available, including other Federal programs of aid to education (Public Laws 81-815, 81-874, and 89-10), and any special situations or needs related solely to Indian children.

Aid is also provided to cover the full per pupil costs of education of Navajo children housed in Federal dormitories who attend out-of-district public schools peripheral to the Reservation. A contract is negotiated with each such district for a specified number of Indian students. In addition to the full cost of education, funds are provided for parental items such as lunches, school supplies, etc.

In the State of Alaska, Johnson-O'Malley funds are also used to provide subsistence for approximately 350 students housed in dormitories at Nome and Kodiak and for over 1,000 students placed in urban boarding homes where high schools are available.

Higher Education. Grants are made to Indian students who cannot qualify for other types of scholarship aid or who require additional funds that cannot be obtained from other sources, and who would otherwise be unable to attend college.

Financial need is determined through the financial aids office of the college the student plans to attend or is attending. Although the demand for financial assistance from needy students other than Indians often depletes college resources, Bureau scholarship representatives will continue to support, where feasible, the "package" plan utilizing other financial assistance programs combined with Bureau funds to adequately finance Indian college students.

The importance of adequate vocational counseling for post-secondary education is readily apparent. Contact with high schools enrolling Indians will continue to be an integral function of the Area Scholarship representatives as will expanded on-campus visitation. Indian input with the operation of the Higher Education Program includes contracts for scholarship services with recognized tribal organizations, contracts with on- and off-campus Indian organizations, and higher education field meetings.

Examples of Recent Accomplishments

Enrollment of Indian students in public schools receiving Johnson-O'Malley assistance reached 72,081 in fiscal year 1970, an increase of 8 percent over 1969. During the same period, the number completing elementary school increased 11 percent and the number completing high school increased 12 percent for a total of 3,238 high school graduates.

During fiscal year 1970, more than 1,200 professionals and paraprofessionals working with Indian children in public schools were provided in-service training and educational support through training programs and summer workshops.

Approximately 460 individuals from the local communities, most of whom were Indian, were working in public schools as teacher aides and home visitors. They are valuable as cross-cultural interpreters of behavior to teachers, children and parents; they represent a way of incorporating Indian adults directly into the educational enterprise; and they provide a means by which Indian adults can become better informed concerning the education of their children.

In addition to the approximately 500 Indians serving on local school boards, most all local communities with a significant number of Indian children enrolled have Indian committees that work with the local schools in planning and executing Johnson-O'Malley programs. Indian corporations in two States have now taken over the administration of the program from State Departments of Education. Three more are making plans to do so.

Over the past two years, Johnson-O'Malley funds have made it possible for public schools to provide kindergarten experience for 3,000 Indian children.

College Education. In fiscal year 1971, 6,100 Indian students are being assisted with their college education through scholarship grants, a 42 percent increase over 1970. For the first time, opportunity for grant assistance was provided to assist a limited number of married students, graduate students, and supplemental assistance to Indian veterans.

Recognized Indian tribal organizations have indicated an interest and desire to more actively participate in the higher education of Indian youth through contracting for Bureau Higher Education services. One tribal organization, the All-Indian Pueblo Council of the Albuquerque Area, consisting of a unified effort of 19 Indian Pueblos, has successfully undertaken 90 percent of the Albuquerque Area Higher Education Program.

Overall, an estimated 350 Indian students will be awarded college degrees in fiscal year 1971, enabling the recipients to enter the labor force at a professional salary and standard of living.

B. Federal Facilities: Fiscal year 1971, $115,806,000; fiscal year 1972, $123,537,000; increase, $7,731,000. The increase consists of:

	Increase (+) or Decrease (-) Amount	Positions	Total Program	Total Positions	Explanation
(1)	+3,300,000	+143	121,141,000	8,667	To provide for increased enrollments in Indian schools.
(2)	+2,931,000	-	-	-	To provide adequate operating funds for the Indian education program
		-	-	-	Item reduced $369,000 due to program savings in paper work management.
(3)	+1,500,000	-	2,396,000	-	To raise the level of Indian participation and self-determination in the education program.
	+7,731,000	+143			

Cost Factors Involved in Increases

(1) One hundred forty-three (143) permanent positions at an average annual salary rate of $6,800, $970,000; supplies, materials, and equipment for classrooms and dormitories $1,200,000; travel and transportation of things $120,000; rents, communications and utilities $100,000; other services necessary in the education and care of children $910,000.

(2) Equipment, supplies, and materials for classrooms and dormitories $1,720,000; travel and transportation of things $315,000; rents, communications, and utilities $780,000; other services $485,000.

(3) Contracts with tribal groups to provide education coordinator services in Indian communities, $1,300,000; training for sub-professional Indian employees in dormitory positions $200,000.

Need for Increase:

(1) Increased Enrollment. An increase of $3,300,000 is requested for 1,665 additional pupils. Enrollment in Indian schools is expected to increase by an estimated 2,450 pupils in 1972. Some of this increase will be dispersed over a wide range of schools and in such numbers that it is anticipated the schools can absorb them without additional funding. The estimate of 1,665 additional pupils for which this increase is requested would be distributed by areas approximately as follows:

Area	Number of Pupils		Day Schools	
	Boarding	Dormitory	Pupils	Units
Aberdeen	60	-	100	4
Albuquerque	500	-	60	2
Anadarko	100	-	-	-
Juneau	-	-	225	9
Muskogee	-	100	-	-
Navajo	300	-	-	-
Phoenix	140	-	80	3
Total	1,100	100	465	18

In those locations where an Indian group is prepared to assume responsibility for the operation of a Federal school, the Bureau will enter into contracts with the Indian school boards. When this is done, the funds included here for Federal schools will be transferred to the Indian school board subactivity. Estimates are that such transfers will be made at nine locations in 1972.

(2) Cost of Living Advances. A net increase of $2,931,000, ($3,300,000 less $369,000 savings in paper work management) is requested to offset cost of living advances to date in the Indian school program.

Without increases to offset rising costs, Indian schools will be faced with curtailment of items directly affecting the well being of children. They will be forced to reduce the level of textbooks and other instructional materials, dormitory supplies and materials, and food, since these are items in which there is some flexibility. The Indian children who will be affected are for the most part those who live in remote areas which are not served by the public school system. Their communities lack the public utility and recreational facilities that exist in most American communities. The conditions of isolation and poverty found in these areas place the children at a distinct disadvantage in school achievement. To help overcome these disadvantages there is need for

higher levels of teaching materials and equipment and for more supplementary dormitory reading materials, recreation supplies, etc. The additional amount requested is needed to avoid curtailment in such program offerings.

Distribution of these increases by purpose would be approximately as follows:

Cost of Living Advances

Item	Fiscal Year 1972 Increase Requested	Total Available	Average Per Pupil
Instruction..... (Personnel, travel, textbooks, supplies and materials, equipment, furnishings and other items related to instruction.)	$850,000	$39,313,000	$700
Library and Pupil Personnel Services..... (Personnel, supplies, materials, textbooks, equipment, etc., related to library services, guidance, counseling, recreation, psychological services, school social work, and special education.)	247,800	7,512,800	124
Food Services..... (Food, personnel, supplies, utensils, etc., related to dining operations.)	440,000	17,299,000	374 Bkfst. 90 Lch
Dormitory Operations..... (Personnel, travel, furnishings, books, linens and bedding, laundry supplies and services, equipment, etc., related to domiciling of children.)	470,000	21,001,000	503
Local School Administration..... (Salaries and expenses of school superintendents, principals, registrars administrative and clerical-stenographic employees, and related expenses necessary to management and control of schools.)	176,000	7,074,000	117
Plant Operations..... (Costs of heating and utilities for school plants, including janitor services, garbage collection, fire and protective services.)	322,200	13,276,200	220
Pupil Transportation..... (Fares, bus operations including contract services, and personnel.)	88,000	3,295,200	59
Summer Programs..... (Supplies, materials, minor equipment, transportation, feeding, and related services for remedial and recreational summer activities.)	14,500	1,464,500	38
Program Direction..... (Personnel rendering supervisory services, supplies, materials, and related expenses.)	131,000	3,770,000	62

Item	Fiscal Year 1972 Increase Requested	Total Available	Average Per Pupil
(continued)			
Other..... (Transportation of things, motor vehicle operations, and other administrative services not otherwise identified.)	191,500	7,135,300	118

(3) Increased Indian participation. The increase of $1,500,000 is requested to provide for the employment of tribal education coordinators, $1,300,000; and for training of Indians occupying paraprofessional positions in Federal schools, $200,000.

The increase of $1,300,000 is needed for the employment of personnel by tribes to provide support to the education program. They will serve as the link between children at the school and their parents. Tribes or other local Indian organizations will select and place these education coordinators as aides to professional school staff. Representative activities that these individuals will perform include assisting the teacher in developing, administering and scoring examinations, tutoring individual students, visiting students' home to confer with parents about student problems and school attendance; participating in community meetings designed to increase parental support for school programs; and providing individual and group guidance and counseling for students. The amount requested will provide for the employment and orientation of 100 education coordinators.

The increase of $200,000 is requested to finance training for Indian employees in paraprofessional positions in Bureau schools. These employees are by reason of their education and limited experience in the lower grade levels, yet by reason of their duties they spend more time with the children in these schools than any other group of employees. Upgrading their skills will enhance their abilities to assist students in their personal adjustment problems, matters of personal hygiene, etc., as well as contribute to increased Indian input in the education program.

The funds will be used for expenses of local and regional inservice training, Bureau conducted orientation and training workshops, and for contracts with universities and colleges of education covering training needs.

Program of Work

1. Boarding schools (including dormitories)

	F.Y. 1971	F.Y. 1972	Increase
Amount	$82,675,000	$87,559,000	$4,884,000
Number of pupils	40,548	41,748	1,200

Boarding schools provide instruction at the elementary, high school and post high school levels. Enrollment is made up of those Indian children who do not have suitable education opportunities in their home communities, who are orphans or who, for social reasons, must be educated away from their homes. These schools must also provide a home living program to assist students in making social and cultural changes necessary for successful school adjustment.

Dormitories house children who attend local public schools. These are children who do not have public schools available in their home communities. They are enrolled at both the elementary and secondary levels. The dormitories provide housing, feeding, and out-of-school recreation and tutoring activities.

2. Day Schools

	F.Y. 1971	F.Y. 1972	Increase
Amounts	$26,108,000	$27,321,000	$1,213,000
Number of units	705	723	18
Number of pupils	18,180	18,645	465

The majority of those enrolled in Bureau day schools are in the elementary grades with only around five percent in high school. Most of these schools are small schools in isolated locations. Programs are designed to compensate for the effects of isolation and economic and social deprivation experienced in such locations. Kindergarten classes are provided for five-year-old children.

3. Indian School Boards

F.Y. 1971	F.Y. 1972	Increase
$1,034,000	$1,096,000	$ 62,000

This activity provides for the development, training, and related expenses of Indian school boards and for the operation of schools under contract to Indian school boards.

4. Special Services

	F.Y. 1971	F.Y. 1972	Increase
(a) Program Direction	$3,639,000	$ 3,770,000	$131,000
(b) Transportation of boarding school students	900,000	954,000	54,000
(c) Education coordinators	-	1,300,000	1,300,000

(a) Program Direction covers the salaries and expenses of education employees rendering field supervisory services, as well as the education staff in the Central Office. Responsibilities of these employees include planning the overall academic and vocational program for Federal schools in cooperation with Indian tribes and with State and local officials; the development of increased Indian enrollment in public schools; teacher recruitment and inservice training for Bureau education employees.

(b) This provides for plane, bus, and rail fares, and incidental expenses of transporting pupils from their homes to and from boarding schools.

(c) This subactivity provides for the salaries and expenses of local Indian education coordinators employed by tribes under contracts.

5. Summer Programs

F.Y. 1971	F.Y. 1972	Increase
$1,450,000	$1,537,000	$87,000

Summer programs provide remedial instruction to help Indian youth overcome academic deficiencies; and provide field trips, recreational and camping experiences to broaden the background of the children.

Examples of recent accomplishments

During school year 1969-1970, 52,195 Indian children were enrolled in 215 Bureau schools. In addition, domiciliary care was provided in 19 Bureau operated dormitories for 4,043 children who attend public schools. Of the Federal school enrollment, 74 percent of the students were in the elementary grades (kindergarten through eighth), 23 percent in high school grades, and 2 percent in postgraduate courses. Over 79 percent of the students were fullblood Indians. The record of completions was as follows: 1,939 high school graduates; 2,667 eighth grade graduates; and 318 students awarded postgraduate certificates of completion.

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With special funding provided in 1971, upgrading of the program toward accreditation is under way at Haskell Indian Junior College, Lawrence, Kansas. A consortium consisting of Haskell; the Institute of American Indian Arts, Santa Fe; the Southwestern Indian Polytechnic Institute, Albuquerque; and Chilocco Indian School, Oklahoma, has been organized. This is viewed as a system which will provide maximum options, a stronger presentation of post-secondary programs to Indian students, more effective student referrals and better communication. The plan also provides a flexible and diverse program to meet the cultural needs and skills development for American Indian students in earning a livelihood through cultural arts, and specialized technical and vocational as well as general education programs.

Bilingual bicultural educational programs have been introduced in Alaska and on the Hopi Reservation in Arizona. Also a bilingual bicultural program for the first grade has been added on the Navajo Reservation.

Two curriculum bulletins on Environmental Education for American Indians have been developed and introduced as teachers' guides for the 1970-1971 school year.

An Administrator Exchange Program was conducted under an arrangement between the Bureau and the National Association of Secondary School Principals. This has involved administrative staff and students of Choctaw Central High School in Mississippi, the Turtle Mountain Community School in North Dakota, and Phoenix Indian School in Arizona.

Summer program opportunities were provided for Indian children and 18,540 students participated. Emphasis was placed on academic programs to supplement regular school courses at all levels, including precollege, and on student employment opportunities and local recreation activities.

A second National Indian Workshop on School Affairs was conducted in February 1970 under the sponsorship of the National Indian Education Advisory Committee. There were 200 Indian participants, and all instructors (13) were Indian.

C. Adult Education and Community Development: Fiscal year 1971, $2,553,000; fiscal year 1972, $2,553,000. "No change."

Program of Work

The Adult Education program will continue to stress basic literacy education, the development of high school equivalency programs, as well as to undertake a number of non-classroom oriented activities directed to the development of social skills, citizenship and economic self-sufficiency. In an effort to expand the number of persons served, a program initiated on the Navajo reservation, which hires Federal and public school teachers to work part time in developing Adult Education classes, will be expanded nationally. As vacancies occur in existing Bureau of Indian Affairs Adult Education positions, tribes served will be encouraged to contract with the Bureau of Indian Affairs to hire their own Adult Education staff.

Community Development - This activity will continue to stress staff training, particularly that of superintendents and officers in charge, in becoming more responsive to Indian needs and to encourage Indian tribes to take over and themselves operate programs and other activities which have traditionally been administered for them by the BIA. Funds are granted to Indian tribes to help them gain the training and expertise to take over traditional BIA programs by contract or by other means. Special emphasis is being placed in developing contracts with universities, with Indian interest groups and with other appropriate organizations to provide tribes and local

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Indian communities with technical assistance and to develop pilot projects which will assist them to negotiate with the Bureau of Indian Affairs to take over Bureau programs and activities.

Recognizing that Adult Education and Community Development often engage in a number of like activities and seek similar end results, every effort will be made to coordinate these programs for maximum mutual benefits.

Examples of Recent Accomplishments

Last year, as in the previous year, the increasing awareness of the Indian in bettering himself was manifested by an enrollment of over 5,000 individuals in basic education courses in the Adult Education program. High school equivalency certificates were awarded to 736 people.

Community Development contracts with tribal groups resulted in the tribal take-over of the Road Maintenance program of the Flathead Agency through the Elmo Dayton Community Development Project. The roads are now better maintained than before and the organization is actively seeking funding to extend its road system to further economic development of the area.

A contract with the Rosebud Sioux Educational Board resulted in a proposal that will take over all of the existing educational functions of the Rosebud Agency. This would place all of the diverse programs of the Bureau, Office of Economic Opportunity and the tribe under one organization. The tribal council has given its preliminary consent to this plan.

Community Development/Adult Education funds are being used in a joint venture with the Office of Economic Opportunity in establishing an educational radio network on the Ramah reservation. This network will enable all families at Ramah and the Indian operated high school to receive broadcasts originated and transmitted on the reservation.

A contract with the Miccosukee Tribe of Florida for a vacant Adult Education position and some additional Adult Education funds enabled the tribe to hire an Adult Educator who, in addition to holding classes, developed a proposal for the tribe to take over all of the Bureau activities within that agency. This contract proposal is in the final stages of negotiation and should be final early this year. Similar contractual arrangements are being explored with the Seminole Tribe of Florida that may lead to tribal take-over of the Adult Education and the education program at that Agency.

This year, $40,000 of the Community Development/Adult Education budget was made available to pay tribal leaders for travel and other expenses in order that they might participate in the planning for the fiscal year 1973 budget.

A contract was let with the National Indian Training and Research Center (NITRC) at Arizona State University to develop a program designed to provide orientation and the necessary training for community development workers who will assist organized tribes, school boards and other recognized Indian interest organizations in negotiating tribal service contracts with the Bureau and other government agencies.

APPENDIX D

Communications to Hon. Walter F. Mondale, a U.S. Senator from the State of Minnesota

To: Senator Mondale.
From: The Citizens of Westwood, Lassen County, Calif.

We the following citizens of Westwood, Lassen County, California, would like for you to know that we are all in favor of the Senate Bill S. 659.

We would all like to endorse this bill and hope and pray for its passage.

We remain respectfully yours,

ROBERTA SHRIVER
(And 19 others).

WESTWOOD, CALIF., *May 14, 1971.*

Re Senate Bill S. 659.
To: Senator Mondale.
From: Alice L. Caldwell, Chairman—Lassen County Council.

DEAR SENATOR MONDALE: Very recently the Senate Bill S. 659 was brought to my attention. I have read a copy of this bill and I want you to know I am very much in favor of it.

Please accept my small token of appreciation for the efforts and work you are putting forth for the passage of this bill.

Very truly yours,

ALICE L. CALDWELL,
Chairman, Lassen County Council, Lassen County, Calif.

WESTWOOD, CALIF.

DEAR SENATOR MONDALE: Please accept this letter as complete support of the Senate Bill S. 659.

I agree with everything stated in the bill and I wish for you to know that I and my family appreciate all of your efforts concerning Senate Bill S. 659.

We hope it passes. Good luck.

Truly yours,

MRS. FLORENCE HIRTZ.

WESTWOOD, CALIF.

DEAR SENATOR MONDALE: I have been made acquainted with Senate Bill 659 and would like to say I am in complete agreement with this bill.

In view of its importance I wish to encourage your efforts and express my endorsement and hope for its passage.

Respectfully,

MRS. NETTIE TYLER,
Representative, Senior Citizens.

WESTWOOD, CALIF.

SENATOR MONDALE: I have just gone over the Senate Bill S. 659 for the third time. I have given much thought to the contents of this bill and have decided I would like very much to see this bill passed.

Please accept my encouragement for your efforts in trying to enforce the passage of this bill.

Sincerely,

ROBERT W. BINGHAM.

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WESTWOOD, CALIF.

RESPECTFUL SENATOR MONDALE: Who needs help more than the unfortunate American Indians?

Let me add my words of encouragement to your most honored efforts for the passage of Senate Bill S659.

I am sincerely hoping for the passing of this bill.

Sincerely yours,

JESSIE CARDIN.

WESTWOOD, CALIF.

DEAR SENATOR MONDALE: I am writing to you in reference to the Senate Bill S-659. I am very much in favor of the passage of this bill.

There are several Indian families that I know in this area and they are fine people and I would like to see them helped in any way possible.

I know that this is a very important bill and would like to encourage your efforts to get it passed.

Sincerely yours,

THIDO F. FINLAY.

WESTWOOD, CALIF.

DEAR SENATOR MONDALE: During the past several days, we have been reading and rereading a copy of Senate Bill S 659.

May we say that we admire your patience and efforts in working for the passing of this bill. Keep up the good work.

We are very much in favor of helping the Native Americans in every way that we can.

Respectfully yours,

LORRAINE AND RICHARD FRENCH.

WESTWOOD, CALIF.

SENATOR MONDALE: There is an important bill concerning the American Indian that I would like for you to know that I am in favor of.

The bill in question is S–659.

Please try your best to get this bill passed. The American Indians need all the help they can get.

Yours truly,

CONNIE J. BARTON.

WESTWOOD, CALIF.

DEAR SENATOR MONDALE: My husband and I want to add our words of encouragement to all of our Friends and Neighbors.

We are in favor of the Senate Bill S659 to help our native Americans. We certainly hope and pray that this bill becomes a reality.

Thank you.

We remain,

Mr. and Mrs. BYRON W. CALDWELL.

WESTWOOD, CALIF.

DEAR SENATOR MONDALE: I am a resident of a county which has several American Indian families residing therein. I feel it is time we give every support to our Native Americans.

I hereby declare my personal support of Senate Bill S. 659.

Respectfully,

PATRICIA AND RALPH THOMAS.

SUSANVILLE, CALIF., *May 27, 1971.*

Hon. WALTER F. MONDALE,
U.S. Senator,
Committee on Labor and Public Welfare, Washington, D.C.

DEAR SENATOR MONDALE: I would like to register my approval and support of Senate Bill 659, Indian Education Act—Amendment.

I am an American Indian of the Maidu Tribe in Northern California and I thank you for your concern of the education of the American Indian Children.

As a parent I firmly believe that the future of the American Indians lie in

our children. The better education a Indian child can receive the better equipped he or she will be able to compete in the so called "whiteman's society", and to be proud of their heritage.

Sincerely,

YVONNE MORALES.

SUSANVILLE, CALIF., *May 26, 1971.*

DEAR SENATOR MONDALE: I support the Indian Education Amendment to Senate Bill 659. The Indian children that I have met have had a great affect on me. They are so kind and wonderful and I want to make sure that they get a good education. Please do not be swayed from our moral duty by those B.I.A. bureaucrats and other people of that ilk. Please continue the fight for excellence in Indian education.

Thank you.

CAROLYN HAWLEY.

Letter of support to Senate Bill 659.

DEAR SENATOR MONDALE: I am in full support of this bill, because I live and work with Indian children and in many cases they are being slighted in education. I believe as headstart teacher that parents (Indians too) are interested too in their children's education. As an Indian I think we have been on the bottom long enough.

Sincerely,

CINDY MUNIZ.

SUSANVILLE, CALIF., *May 27, 1971.*

Senator WALTER MONDALE,
U.S. Senate,
Senate Office Building, Washington, D.C.

DEAR SENATOR: My husband is a school teacher in Lassen County and many of the students are Indian. We can daily see the need for Indian parents to control the education of their children. Far too long now, self-appointed experts on Indian Education, such as BIA Bureaucrats, have consistently disregarded hopes and aspirations of Indian parents and children. Now is the time for this to stop.

Those people who have a self-interest in keeping Indian people down will of course fight this measure. I can only say resist their efforts with all your energies.

You have my whole-hearted support for the Indian Education Amendment, Senate Bill 659.

Respectfully yours,

CAROL SILVERNAGEL.

SUSANVILLE, CALIF., *May 15, 1971.*

DEAR SENATOR MONDALE: I am writing you in support of the Indian Education Amendment to Senate Bill 659. Although I am not an Indian I live in an area where there is a large segment of the population is Indian. I have many friends who are Indian. I am a witness to the many problems that were talked about in the speech you made in preparation of Bill 659. I am sick of talking to intelligent Indians who can not get a better job than fighting fires. I am tired of seeing alcoholic Indians because of the psychological problems attain from living in a "sick" white society. Please do your best in passing this bill and giving the Indians of this country a better change to live a good life.

Respectfully yours,

GREG MALBY.

SUSANVILLE, CALIF., *May 14, 1971.*

DEAR SENATOR MONDALE: Being a college student in a small community I have been associated with Indians in my area, especially children. And I have noticed the needs of these children in respect to adjusting to the educational system. There is a strong need for education in respect to their own heritage; as a people.

The Indian Education Act would allow for the necessary knowledge about their own culture which would help assure them a respectful identity and adjust to their environment.

Respectfully yours,

MIKE E. BARBIER.

CORNING, CALIF., *May 13, 1971.*

DEAR SENATOR MONDALE: I am in favor of Senate Bill No. 659 in support of Indian Education. I feel we need it and it is long overdue.

Sincerely,

MRS. DELMA DARLING.

WESTWOOD, CALIF., *May 13, 1971.*

DEAR SENATOR MONDALE: Please be assured of my whole hearted support for Senate Bill 659.

Sincerely,

MARY E. PACATTE, (M.V.S.)

SUSANVILLE, CALIF., *May 13, 1971.*

DEAR SENATOR MONDALE: I am sending you my support for Senate Bill 659, of the Indian Education amendment.

Sincerely,

MARY E. MULVIHILL.

CHESTER, CALIF., *May 13, 1971.*

DEAR SENATOR MONDALE: I am writing to encourage your support of Senate Bill 659. As a California State Preschool (1331) teacher, I am aware of the tremendous need for funding of Indian education programs. What is particularly appealing to me about bill 659 is its provision for parental control over the use of the money.

You are supported by our entire preschool staff.

Sincerely,

JANE LITTLE.

RED BLUFF, CALIF., *May 13.*

DEAR SENATOR MONDALE: I am in favor of educating the Indian children and I am therefor in favor of bill number 659.

Respectfully yours,

MARGARETA BROWN.

SUSANVILLE, CALIF., *May 13, 1971.*

DEAR SENATOR MONDALE: I am writing to express my support of the passing of the Bill 695. I am aware of the tremendous educational needs of the American Indian. As a teacher assistant for the Head Start Program, I have had some contact with these disadvantaged people and have strong feelings as to providing them with the means of securing a good education.

Sincerely,

ANNA BURCH.

SUSANVILLE, CALIF., *May 13, 1971.*

DEAR SENATOR MONDALE: Regarding Bill 695, I want to assure you that I am in full support of your efforts in this measure. As a Head Start pre-school Teacher Director, I am interested in the educational needs of children. I am aware of the plight of the disadvantaged Indian child and have hopes that this kind of legislation will alleviate their many educational problems.

CATHIE MENDONSA.

QUINCY, CALIF.

DEAR SENATOR MONDALE: I wish to support Senate Bill 659, Indian Education Amendment.

Yours truly,

MRS. MILDRED ELLIS.

RED BLUFF.

I am writing in support of Senate Bill S. 659.
I believe it is a good bill for the Indian.

ELLN VONSIKLE.

APRIL 18, 1971.

DEAR SIRS: As a concerned citizen I would like to offer my support of bill S. 659.

Sincerely,

CLARICE MEYERS.

QUINCY, CALIF., *May 13, 1971.*

DEAR SENATOR MONDALE: I wish to support Senate Bill 659, Indian Education Amendment.

Yours truly,

EVELYN COMPTON.

GREENVILLE, CALIF., *May 13, 1971.*

DEAR SENATOR MONDALE: I wish to register my support for the Indian Education Act, Amendment to Senate bill 659.

I feel the Federal Gov't money for local school children should be distributed to the parents of the Indian children.

I am Assistant teacher for a Pre School 1331 program, in which we have 11 Indian Children attending.

I feel the success or failure of our programs depend on Parent Involvement in our schools.

MRS. LUCILE HOULAND.

GREENVILLE, CALIF., *May 12, 1971.*

DEAR SENATOR MONDALE: I wish to register my support for the Indian Education Act, amendment to Senate bill 659.

I feel the federal government monies for local school children should be in the hands of the Indian parents to distribute to their children as they see fit.

I have been teaching in the Indian Valley 1331 program this past year as well as other Head Start programs and at present we have eleven Indian children in our program.

I feel the success or failure of our program depends on total parent involvement.

Sincerely,

MRS. ROY OLDING.

WESTWOOD, CALIF.

DEAR SENATOR MONDALE: As a resident of Westwood, Calif., I support the Amendment of the Indian Education Act. I believe it would be a great benefit for the Indian children in Lassen County.

Sincerely yours,

RAMONA TALLMAN.

COMMUNITY ACTION AGENCY, INC.,
Quincy, Calif., May 11, 1971.

Hon. WALTER F. MONDALE,
U.S. Senate, Washington, D.C.

DEAR SENATOR MONDALE: Amendment to bill 659, I support the bill 659, Indian Education Act.

I believe in the bill for better education for all Indian children to up-grade themselves in the society in which they live in. I truly believe with passing this bill it will help save the Indian children, so I support this bill whole heartedly.

Sincerely,

PEARLY ARNOLD,
Community Aid.

QUINCY, CALIF.

Amendment to bill 659, I support the bill 659, Indian Education Act.

I believe in the bill for better education for all Indian children to upgrade themselves in the security in which they live in. I truly believe with passing this bill it will help save the Indian children, so I support this bill wholeheartedly.

PEARLY ARNOLD,
Community Aid.

ALTURAS, CALIF., *May 1, 1971.*

DEAR SENATOR: I support Senate Bill 659.

Because we Indians need education which goes along with our everyday lives and gives the truth about Indians.

The history books should be written to tell the truth about the great Indian leaders, and not just down grade Indians with lies.

The Commissioner and the National Governing Board for Indians Education should be all Indian and represent various parts of the conutry and tribes.

They also should be Civil Service so when they retire they will have something.

"Priority should be given to schools run by Indians."

There should be an Indian Parent's Advisory Committee on each local level.

I don't believe that the Secretary of the Interior should decide who is an Indian. That part of the definition of an Indian on page 11, should be done away with.

There should be travel money provided, so that people in widely scattered and thinly populated areas can attend Indian Parents Advisory Committee meetings.

Sincerely,

MARY PRESTON.

ALTURAS, CALIF., *April 30, 1971.*

HONORED SENATOR: I'm in favor of Senate Bill No. S. 659 for Financial Assistance for Indian Education of the children & Adults.

Indian run schools should get the money first—as it's time the Indian children have Indian heroes & wise ones to look up to instead of making all Indians, savages & bad guys!

The members of the National Indian Education Governing Board & The Commission of Education should all be Indian & they should have to take Civil Service Exams. They are just as smart as anyone else.

It is a good idea to have Local Parents Advisory Committees as children learn better when education is respected in the home. But where the distances are so great, like in our isolated county, there should be travel money provided so they can attend these meetings.

Sincerely,

CECILE A. DENNIS.

ALTURAS, CALIF., *May 1, 1971.*

DEAR SENATOR: I am writing to you in support of the bill S-659 for Indian education. I am a Indian mother with five children, all of them being all school ages. I would like very much to pass the bill as soon as possible.

I would like for the money to go first to school run by Indians, for Indians, adult as well as children. It should be clearer that National Board should be made up of all Indians, No non-Indians what-so-ever.

I feel that the commissioner should also be an Indian. It is good to have local Indian parents advisory committees for all schools which have this program.

Your projected program for the improvement of the educational opportunities for adult Indians seems very good. I also think there should be mostly Indian teachers.

Your, sincerely,

BARBARA THOMPSON.

CANBY, CALIF., *April 22, 1971.*

GENTLEMEN: I give my support to bill S–659 for Indian Education for both young and old Indians.

I like it that you have given priority to the All Indian run schools.

I believe that the Commissioner of Education should also be Indian.

The Commissioner and the members of the National Board should come under Civil Service, as there are many intelligent Indians who could pass them.

The National Board should have Indians from different tribes.

How can any white person decide who is Indian or not? This should be left to the tribal councils or checking with the rolls of the enrolled Indians or their decendants.

I like the idea of local Indian Advisory Committees, like Headstart, but enough money for travel expenses should be provided that people in far corners of the area can be enabled to attend.

Travel money should also be provided for the National Board if it is to function actually and not be just a paper Board.

Sincerely,

(MRS.) LEELA C. SMITH.

CANBY, CALIF., *April 22, 1971.*

Hon. WALTER F. MONDALE,
U.S. Senate,
Washington, D.C.

DEAR SENATOR MONDALE: I give my support to bill S–659 for Indian Education for both young and old Indians.

I like it that you have given priority to the All Indian run schools.

I believe that the Commissioner of Education should also be Indian.

The Commissioner and the members of the National Board should come under Civil Service, as there are many intelligent Indians who could pass them.

The National Board should have Indians from different tribes.

How can any white person decide who is Indian or not? This should be left to the tribal councils or checking with the rolls of the enrolled Indians or their decendants.

I like the idea of local Indian Advisory Committees, like Headstart, but enough money for travel expenses should be provided that people in far corners of the area can be enabled to attend.

Travel money should also be provided for the National Board if it is to function actually and not be just a paper Board.

Sincerely,

(MRS.) LEELA C. SMITH.

ALTURAS, CALIF.

I support Senate Bill S. 659.

There should be priorities established for Indian run schools. The National Board of Indian Education and the Commissioner should be all Indians of various tribes from different parts of country. Both the Commissioner and members of the National Board should be under Civil Service.

So when they retire they will have something.

There should be local Indian parents advisory committees set-up.

Sincerely,

NORMA GARCIA.

SUSANVILLE, CALIF., *May 3, 1971.*

Hon. WALTER F. MONDALE,
U.S. Senate, Washington, D.C.

DEAR SENATOR MONDALE: I support Bill 659, which gives the Indian control over their own educational destiny.

I would be interested in how you plan to vote and why.

Sincerely yours,

(MRS.) CAROL MCCREERY.

ALTURAS, CALIF., *May 3, 1971.*

Hon. WALTER F. MONDALE,
U.S. Senate, Washington, D.C.

DEAR SENATOR MONDALE: I would like to support the bill S. 659 for Indian education.

I would like the money to go to the Indians run by the Indians. Schools should be for Indians, adults as well as the children.

"I am a young Indian girl and I would like to know more about the Indian education."

Sincerely yours,

GOLEEN GARCIA.

RED BLUFF, CALIF., *April 27, 1971.*

Hon. WALTER F. MONDALE,
U.S. Senate, Washington, D.C.

DEAR SENATOR MONDALE: I would like to be counted among those who are in favor of Senate Bill No. 659.

I feel that Indians should be able to manage their own moneys as far as education is concerned.

Sincerely,

VIVIAN K. WING.

SUSANVILLE, CALIF., *April 27, 1971.*

Hon. WALTER F. MONDALE,
U.S. Senate, Washington, D.C.

DEAR SENATOR MONDALE: Many of us here in Susanville know many Indians and know the conditions in the schools and their living conditions.

Senate Bill No. 659 has my complete support because the people who know what the Indians need, the Indians themselves would be able to handle their own funds.

Sincerely,

CAROL DIGGS.

RED BLUFF, CALIF. *April 27, 1971.*

Hon. WALTER F. MONDALE,
U.S. Senate, Washington, D.C.

DEAR SENATOR MONDALE: I am a Wintun Indian and I am very much for Senate Bill 659. I hope it will be passed very soon.

Sincerely,

ROBERTA L. KELUCHE.

ALTURAS, CALIF., *April 22, 1970.*

GENTLEMEN: My daughter & I would like to give our support to Senate Bill S-659 for special education opportunities for Indian children and adults.

You should give first consideration to schools run by Indians to educate the Indians.

The National Governing Board & the Commissioner should be all Indian & come from many tribes.

We think the Indians could pass the civil service exams & have some permanent work.

Indian parents should say what their children are going to be taught, & should be in every local town & city.

There should be money provided for Indians in isolated places to get to their meetings in a central location, both for the local Parents' Advisory & the National Board, too.

Yours truly.

VIRGINIA STUMBAUGH.
LAURA STUMBAUGH

SUSANVILLE, CALIF., *May 15, 1971.*

DEAR SENATOR MONDALE: I am writing you in support of the Indian Education Amendment to Senate Bill 659. Although I am not an Indian I live in an area where there is a large segment of the population is Indian. I have many friends who are Indian. I am a witness to the many problems that were talked about in the speech you made in preparation of Bill 659. I am sick of talking to intelligent Indians who cannot get a better job than fighting fires. I am tired of seeing alcoholic Indians because of the psychological problems attain from living in a "sick" white society. Please do your best in passing this bill and giving the Indians of this country a better chance to live a good life.

Respectfully yours,

GREG MALBY.

SUSANVILLE, CALIF., *April 19, 1971.*

Hon. WALTER F. MONDALE,
U.S. Senate,
Washington, D.C.

DEAR SENATOR MONDALE: I emphatically support the Senate Bill 659 and urge its passage immediately.

Sincerely,

PAULA CHOO.

SUSANVILLE, CALIF., *April 19, 1971.*

Hon. WALTER F. MONDALE,
U.S. Senate,
Committee on Labor and Public Welfare,
Washington, D.C.

DEAR SENATOR MONDALE: I wish to give my support to the Senate Bill No. 659.

Sincerely,

Miss LUPE GRANADOS.

ALTURAS, CALIF., *April 11, 1971*

HONORED SIRS: The Alturas Teen Group wishes to support the amendment to bill S. 659. We think it is unfair to Indians not to have sympathetic studies made about their own history and culture, and make them available to people. There are studies of Blacks and Mexican-American, there should be some made for Indans, too.

The history books at school don't say anything about great Indian heros such as Deganawidah who united the Indian tribes into the Six Nations who cooperated peacefully with each other, instead of being divided among themselves and fighting.

It's not too clear about the National Board of Indian Education. If it will be composed 100% of Indians of various tribes which represent different parts of the country. We feel that this is the way this should be.

We think that the Commissioner should also be Indian as Indans will be more apt to accept help from other Indians.

The Commissioner and members of the National Board should be civil service because this will give them more standing.

We have heard that if a person claims his rights as an Indian he gives up his rights as a citizen. If this is true it should be changed. It isn't fair.

In each of the towns and cities under the Local Education Agency for the Education of Indian Children, it should be required to have an all Indian Local Parents Advisory Committee, because it has more meaning for the Indian children if their parents are involved.

Yours respectfully,

BETH WYNNE,
Secretary Pro-tem.

GREENVILLE, CALIF.

DEAR SENATOR MONDALE: This letter is being sent with regard to Senate Bill 659 known as the Indian Elementary and Secondary School Assistance Act. I am writing to voice my support of your bill and to urge you to emphasize the Indian Community involvement in that program. The only way I can see that such a

program could insure itself success would be to encourage parent involvement in the program with some kind of invested power that they could exercise to insure responsive implimentation of the program through the public schools. Here in Plumas County there is a drastic need for a program directly responsible to the Indian community as the present programs are not directed towards their unique educational needs. I hope that this letter will be of some help to you in persuading others to support your bill. This letter reflects the sentiments of many citizens in this area for responsible legislation for the grass-roots needs of the Indian population.

Sincerely,

RALPH M. PALMER.

PLUMAS COUNTY, CALIF.

DEAR SENATOR MONDALE: I am writing this to give my *support* to Senate Bill 659, the Indian Elementary and Secondary School Assistance Act. Too many times Indians have been sold down the river, maybe once Congress can do something that really meets the needs of poor Indians and not just a bunch of crappy words.

I'm writing this letter in hopes that it will help my children (12).

Sincerely,

JOE HILL.

SUSANVILLE, CALIF., *April 7, 1971.*

Hon WALTER F. MONDALE,
U.S. Sneate,
Washington D.C.

DEAR SENATOR MONDALE: As a registered voter in Lassen County, California, I would like to indicate my support for Senate Bill 659.

I think more control over American Indian education by American Indians is a very worthy objective.

Yours truly,

GUY R. MCNETT.

SUSANVILLE, CALIF.

Hon. WALTER F. MONDALE,
U.S. Senate,
Washington, D.C.

DEAR SENATOR MONDALE: I support Senate Bill 659. In my opinion it will be a great benefit for Indian Children in this county. Our schools must be made responsive to the special needs of Indian children.

Respectfully,

JIM MULVHILL.

SUSANVILLE, CALIF., *March 30, 1971.*

Hon. WALTER F. MONDALE,
U.S. Senate,
Washington, D.C.

DEAR SENATOR MONDALE: I am asking that your immediate attention and support in the Senate be given to Bill 659, regarding education for the Indian people.

My support is given on this program and I ask that your deepest consideration be given this bill.

Respectfully,

LEONA MELTON.

SUSANVILLE, CALIF., *March 30, 1971.*

Hon. WALTER F. MONDALE,
U.S. Senate,
Washington, D.C.

DEAR SENATOR MONDALE: I have read the Senate Bill 659 of the 92d Congress, 1st session. You have created a piece of legislation that will do much to right the historic wrong done to the First Americans.

Indian people have rights under the law to good education. However, as a report on Federal funds for Indian children in public school districts, compiled by the NAACP Legal Defense and Educational Fund, Inc. with the cooperation

of the Center for Law and Education, Harvard University points out: "By every standard, Indians receive the worst education of any children in the country."

Your legislation will hopefully rush forward the day when a report on Indian education will say, "Indians receive the best education available in the United States and are as successful in school as their fellow Americans."

You have my whole hearted support in this landmark piece of legislation.

Sincerely yours,

STEPHEN J. LA ROCQUE.

SUSANVILLE, CALIF., *March 30, 1971.*

Hon. WALTER F. MONDALE,
U.S. Senate,
Washington, D.C.

DEAR SENATOR MONDALE: As a concerned American, I wish to state my all-out support for Senate Bill 659 and urge its immediate passage.

Respectfully,

LARRY THOMPSON.

SUSANVILLE, CALIF., *March 30, 1971.*

Hon. WALTER F. MONDALE,
U.S. Senate,
Washington, D.C.

DEAR SENATOR MONDALE: As an older American who has seen much in this country, good and bad, let me state my strong approval of Senate Bill 659. I believe it will be a good thing for Indian people.

Sincerely yours,

JOHN DE PALMA.

SUSANVILLE, CALIF., *March 30, 1971*

Hon. WALTER F. MONDALE,
U.S. Senate,
Washington, D.C.

DEAR SENATOR MONDALE: I am a young Mexican-American girl who has lived among Indian people all my life.

I have seen the educational system fail my Indian friends sometimes.

I hope that Senate Bill 659 will be a way of helping Indian children in school.

I give this Bill my deepest, sincerest support.

Yours truly,

AZALIA NINO.

WESTWOOD, CALIF., *April 5, 1971.*

Hon. WALTER F. MONDALE,
U.S. Senate,
Washington, D.C.

DEAR SENATOR MONDALE: I wish to convey to you my support of Senate Bill 659.

I believe it will be of great benefit to Indian children.

Respectfully,

LOETIA D. DONOHOO.

SUSANVILLE, CALIF., *April 5, 1971.*

Hon. WALTER F. MONDALE,
U.S. Senate,
Washington, D.C.

DEAR SENATOR MONDALE: I believe Senate Bill 659 will greatly enhance the Indian children's chances in Lassen Counties Educational System.

Please make the education departments accountable for monies spent.

Peace,

KEN MCCREERY.

SUSANVILLE, CALIF., *April 5, 1971.*

Hon. WALTER F. MONDALE,
U.S. Senate,
Washington, D.C.

DEAR SENATOR MONDALE: I would like to express my support of the Indian Elementary and Secondary Educational Act. This will give a greater amount of Indian children the education they may not, otherwise receive.

Respectfully,

ROBERT MARKHAM.

SUSANVILLE, CALIF.

Hon. WALTER F. MONDALE,
U.S. Senate,
Washington, D.C.

DEAR SENATOR MONDALE: I am writing in support of Senate Bill 659. You have my thanks for proposing a bill of this caliber to go before the Senate.

There is such a great need for Indian children to receive a better education. We who live out here in the West, especially Northern California, can really see the need for better education for the Indian. The pitiful living conditions that he is forced to live in come from a poor education. Jobs that most men can fill, the Indian is not able to fill because of lack of education. Mothers could help their families, but they lack the formal education that could help them get work.

Again, I would like to thank you for this bill and you have the full support of my family and myself.

Sincerely,

MRS. JEANNE HENLEY.

ALTURAS, CALIF., *April 16, 1971.*

GENTLEMEN: The Modoc County Council is supporting Senate Bill S-659 for Financial Assistance for Special Educational Opportunities for Indian Children.

This bill has good potential but needs to spell out a few things very plainly.

1. Priority should be given to all Indian-run Schools.
2. It should be made very clear that the National Board of Indian Education will be composed of all Indians, of various tribes and different parts of the country.
3. The Commissioner shall be an Indian.
4. In the *definition of Indian* on page 11, lines 17 and 18, there should be a period after member (or who is considered by the Secretary of the Interior to be an Indian.) should be deleted. We do not believe a non-Indian should decide this matter.
5. The Commissioner and the members of the National Board should be Civil Service. There are many smart Indians who are quite capable of passing these exams. These people should have the standing this would give them; and too, when they retire they should have pensions to look forward to.
6. It should be clearly understood that there will be local Indian Parents Advisory Committees set-up in all the cities and towns under this Act. There should be adequate provision for travel expenses for people in the remote and isolated parts of the country to attend these committee meetings.
7. We approve the program for Improvement of Educational Opportunities for Adult American Indians. Adequate provision should be made to have Indian Teachers also in this program.

Sincerely yours,

MODOC COUNTY COMMUNITY ACTION COUNCIL,
DOROTHY MADDOCK, *Chairman.*

DEAR SIR: I'm writing in regard to the bill 659. I give full support to this bill because our country is in desperate need to improve the educational opportunities for Indian children.

Yours Truly,

JAMES WELCH.

SUSANVILLE, CALIF., *March 31, 1971.*

Hon. WALTER F. MONDALE,
U.S. Senate,
Washington, D.C.

DEAR SIR: I would like to take this opportunity to express my support for Senate Bill S. 659.

It is my feeling that this proposed measure will make available money more relevant to the expressed need of the Indian children in our country.

Sincerely,

JERRY BUBERL.

REDDING, CALIF., *April 19, 1971.*

Re Senate Bill 659.

Hon. WALTER F. MONDALE,
U.S. Senate, Committee on Labor and Public Welfare,
Washington, D.C.

DEAR SENATOR MONDALE: I strongly urge the passage of Senate Bill 659 as an effective and equitable means of insuring quality education for Indian children.

Sincerely,

MRS. MARGARET D. EWANOSKI.

MARCH 30, 1971.

DEAR MR. MONDALE: I wish to give you my support on the passing of Senate bill 695. I believe that if passed this bill will give the support to those who need it the most. Good luck on it having a speedy passage through Congress.

Sincerely,

ROBERT B. SMITH.

SUSANVILLE, CALIF., *March 30, 1971.*

HON. WALTER F. MONDALE,
U.S. Senate,
Washington, D.C.

DEAR SENATOR MONDALE: As a concerned Senior Citizen, I wish to state my wholehearted support of Senate Bill 659.

Sincerely yours,

MRS. LENORA DOLLARHIDE.

GENTLEMEN: I support the Bill S. 659 for better educational opportunities for the Indian children. They should have the right to live and work where they want. They should be able to handle some of their own affairs. They should staff the National Board of Indian Education. Books should be published for all American children in school to read and more special educational programs for adult Indians, more Indian cultural programs. The Indian people should have a freer way of life in the United States, and not just its ward.

LILY C. JOHNSON.

ALTURAS, CALIF., *April 16, 1971.*

GENTLEMEN: I wish to go on record as supporting Senate Bill S. 659 on Financial Assistance for the Education of Indan Children as Title III of the Elementary and Secondary Education Act of 1965 as amended.

Priority should be given to Indian Run Schools.

It will be good to have the history books show the correct history of this country and how much the white man owes to the Indians; since first landing in 1620. The Indian Leaders and Prophets should be given as people the Indian Children can look up to. Not just a few warriors & chiefs.

The wording about the National Governing Board should be made clearer. It should be an All Indian Board from various tribes and geographic areas of the country.

The Commissioner should also be an Indian. And both Commissioner and National Board Members should be Civil Service. There should be retirement pensions for those serving. There are lots of smart Indians and they would have no trouble passing the Civil Service Exams.

Each town and city should have Local Indian Parents Advisory Committees. The program will go better if the whole family are involved.

Sincerely,

DOROTHY MADDOCK.

APPENDIX E

Miscellaneous Articles, Communications, and Statements

STATEMENT OF DONALD R. WRIGHT

PRESIDENT, ALASKA FEDERATION OF NATIVES

to the

SENATE EDUCATION SUBCOMMITTEE

on Amendment 6 to S.659

Mr. Chairman and Members of the Committee.

My name is Donald R. Wright and I am President of the Alaska Federation of Natives which represents all of the 53,000 Eskimo's, Indians, and Aleuts in the State of Alaska. In the spring of 1968, the Senate Subcommittee on Indian Education under the Chairmanship of Senator Ted Kennedy carried out what was the most comprehensive field investigation of the educational and related problems of Native Villages in the history of Alaska. Never has a Congressional investigating committee spent more time, visited more villages across the State, talked with more Natives in their homes and community centers, and in general exercised their Congressional responsibility with greater interest, sensitivity and concern.

My people deeply appreciated that extensive field trip and fully expected that it would result in important

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changes and improvements. Perhaps the most important evidence of the good faith and conscience of that Subcommittee investigation lies in the Indian Education Act which has been introduced by Senator Kennedy and is presently under consideration in these hearings. I am delighted to note that this legislation is unanimously supported by the Alaska Congressional Delegation and that both Senator Stevens and Senator Gravel are co-sponsors.

I see no need to elaborate on the immense deficiences of educational programs for native Alaskans. These deficiences are thoroughly documented in the hearings, Committee Prints and Final Report of the Indian Education Subcommittee. In summary, it might be said that the worst educational failure in the United States can be found in the programs presently available to Native Alaskans. It is almost beyond belief that in 1971, well over a thousand native students must not only leave their villages, but must leave the State of Alaska to receive a high school education.

I also, do not feel that it is necessary to elaborate on the various provisions of the Indian Education Act - Amendment 6 to S.659. It is an excellent piece of legislation, which I whole-heartedly endorse. It contains

many provisions which will be of great benefit to Native Alaskans.

I have only two recommendations that I would put forward as to how the legislation might be improved. First, I believe that the National Indian School Board should be a part of the Executive Office of the President. It is clear that the intention of that provision in the bill is to bring about Indian control and educational excellance at all levels of the Federal Indian School system. For this to be accomplished requires the highest attention, and most forceful mandate that the Federal Government can bring to bear on this transformation. The Executive Office of the President provides the best vehicle for seeing that these goals are actually accomplished as quickly as possible and with the necessary substantial increases in funding.

Secondly, I would recommend that a new title be added to the bill which would address itself to the tremendous outstanding needs for adequate educational facilities for Indian children and adults. As this Subcommittee is well aware their are huge backlogs of current construction needs both in the Federal Indian School System and in public school districts serving

Indian children. This is a particularly severe problem in Alaska where thousands of native students are without high school facilities. The result has been and continues to be that many native students do not receive a high school education at all, or are forced to leave the State of Alaska and travel as far as Oklahoma to participate in what could at best be described as a very mediocre high school program. This can no longer be permitted to continue. It will require substantial monies to meet these construction needs in rural Alaska, and I would strongly recommend that provisions be added to this bill which would help us resolve the problem.

I would like to urge that this Subcommittee act as expeditiously as possible in reporting out this legislation. The need for a total reform of the BIA education program is urgent. The need for a substantially expanded and high priority Indian education program in the U. S. Office of Education is urgent. The need for real Indian control of all educational programs serving their children is urgent. The time for delay, consultation and equivocation is long past - now is the time for action.

No Subcommittee in the history of Congress, has listened to a greater number of Indian witnesses, held hearings in more parts of the U.S., and listened with greater sensitivity and respect to Indian voices than the Indian Education Subcommittee. No Subcommittee has compiled a more substantial and exhaustive record before preparing new Indian legislation. It is a remarkable and unique record.

This respect for Indian advice and consultation has continued in handling the legislation presently before this Subcommittee. Their was extensive Indian consultation prior to the final drafting and introduction of the bill last fall. Copies of the bill were widely distributed and discussed at the NCAI convention in Anchorage, Alaska last fall. The bill with substantial revisions were re-introduced this Spring, and copies of the bill were sent to Indian organizations and communities across the country.

In preparation for public hearings, two Indian consultants were hired by the Subcommittee and they in turn prepared a comprehensive analysis of the bill which was mailed to Indian tribes across the country and followed-up by extensive conversations with Indian leaders and groups. This is a remarkable record of Indian participation and consultation and one from which all other Congressional

Committees concerned with Indian matters could learn a vital lesson.

I am particularly pleased that an Alaskan Indian Mr. William Demmert has been employed as a full-time consultant for this Subcommittee. I understand that he was responsible for the comprehensive analysis of Amendment 6 to S.659. It is an excellent piece of work and with the Chairman's permission I would like to have it placed in the record following my testimony.

In conclusion, I would like to point out that the results of the Special Subcommittee on Indian Education are not restricted to this legislation or the tremendous impact it has had in mobilizing reform activities in the field of Indian education.

In my opinion, the Special Subcommittee did more to reshape Indian policy and programs; to focus national attention on Indian problems and unmet needs; to gain respect for cultural differences in our pluralistic society; to revitalize the interest and constructive activity of other Committees in this Congress concerned with Indian Affairs, than any other investigation or report since the Miriam Report of 1928 which laid the base for the sweeping reforms of the 1930's.

I seriously doubt, that the Alaska Federation of Natives could be successful in obtaining a just and fair land claims settlement without the national impact of the Special Subcommittee. That impact is still reverberating in the halls of Congress and the Executive Branch of government and has led to President Nixon's remarkable special message to Congress on Indian Affairs last July. Without that special message the Alaska Federation of Natives would never have succeeded in shaping and obtaining an outstanding land claims bill from the Administration. Nor, would I have had the opportunity to speak personally with the President and conduct a White House Press Conference about this issue of vital importance to all Alaskan Natives.

For all of this; including the Indian Education Bill presently before this Subcommittee, I, all Alaskan Natives, and all American Indians are deeply grateful.

Owens Valley Paiute-Shoshone Band

Board of Trustees

POST OFFICE BOX 791
BISHOP, CALIFORNIA 93514

April 27, 1971

STATEMENT BY:

My name is MICHAEL R. ROGERS, Chairman of the Owens Valley Paiute-Shoshone Board of Trustees

ON:

Amendment 6 of the Education Act

MR. CHAIRMAN:

Honorable Senators of the Committee of Education:

We, are emphatically in favor of amendment number six to the Higher Education Act which could provide the needed opportunity for your fellow Americans.

Having experienced a federally funded educational project for our Paiute-Shoshone Indian people which turned their attitude from negative to positive in regards to education, because of their participation in the administration of this study center project through our own Indian education committee.

Therefore, we firmly believe that with the American people's vast technical scientific and intellectual abilities, there are no problems we cannot solve through reasoning and understanding if we care to do so.

America has been built upon the cultures, the contributions and the sacrifices of all people,of all colors, represented by the red, white and blue.

Your fellow Americans need educational opportunities as greatly as they need housing.

2015

April 29 , 1971

INDIAN EDUCATION ACT COULD MEAN TERMINATION FOR RESERVATION INDIANS ATTENDING PUBLIC SCHOOLS

The Indian Education Act, as presently worded, will eliminate PL 874 (Impact Area Funds). There is no assurance in the Act that these funds will be replaced for reservation Indians attending public schools. California reservations and rancherias will be threatened by the elimination of PL 874. Public Schools, many with reservation Indian students from 5% to 5o%, will not tolerate the loss of $300 per Indian student without compensating taxation. Some schools may be forced to close. The communities served by these public schools will scream for termination of the federal status of Indian reservations and rancherias, thus making the lands taxable.

This otherwise worthy Indian Education Act must be changed to protect the funds provided by PL 874 or to guarantee financial support for reservation Indians attending public schools. Otherwise, I say NO !

Mr. Michael Rogers
Chairman, Board of Trustees
Owens Valley Paiute/Shoshone Band
Bishop, California 93514

2028

western union **Telegram**

MB040 SSC045
M LLJ062 NT NL PDB MINNEAPOLIS MINN 27
HON SEN CLAIBORNE PELL
WASHDC

APR 28 AM 3 29
APR 28 1971

DEAR SENATOR PELL PLEASE CONSIDER OUR SUPPORT FOR THE INDIAN EDUCATION ACT, AMENDMENT 6 TO SENATE BILL 659 AS OFFERED BY THE HONORABLE SENATORS MONDALE AND KENNEDY THIS LEGISLATION IS A MILESTONE OF COGNIZANCE TO THE DEPLORABLE CONDITIONS IN INDIAN EDUCATION. IT IS ALSO A TREMENDOUS STEP TOWARD INDIAN SELF DETERMINATION SO ESSENTIAL IN PROVIDING INNOVATIVE AND COMMUNITY BASED EFFORTS IN CULTURALLY ORIENTED PROGRAMS. THE CONSIDERATIONS OF ALL MEMBERS OF CONGRESS IS APPEALED TO FOR THE PASSAGE OF THIS LEGISLATION

SENATOR GEORGE R CONZEMIUS MINNESOTA STATE LEGISLATURE AND SECRETARY MINNESOTA INDIAN AFFAIRS COMMISSION.

SF-1201 (R5-69)

western union **Telegram**

NA186 (56)CTA113 MD008
M LLB069 KJ NL PD PIERRE SDAK 4
SENATOR EDWARD KENNEDY
SENATE OFFICE BLDG WASHDC

MAY 5 AM 9 30

THE UNITED SIOUX TRIBES OF SOUTH DAKOTA OPPOSE THE PRESENT SENATE BILL 659 IN ITS PRESENT FORM. BECAUSE IT DOES NOT INCLUDE RIBES OR COOPORATIONS DEALING WITH RESERVATION PEOPLE THE RESERVATION INDIANS DO NOT NEED TO BE IDENTIFIED AGAIN IN THIS BILL. WE THE UNITED SIOUX TRIBES STAND TO OPPOSE THE BILL BECAUSE CONSULATION WITH THE TRIBES IN THE AREAS HAS NOT TAKEN PLACE

WEBSTER TWO HAWKS UNITED SIOUX TRIBES OF SOUTH DAKOTA PIERRE SOUTH DAKOTA.

SF-1201 (R5-69)

2017

INSTITUTE OF SOCIAL, ECONOMIC AND GOVERNMENT RESEARCH

OFFICE OF
SENATOR
EDWARD M. KENNEDY
WASHINGTON, D.C.

MAY 13 1 33 PM '71

UNIVERSITY OF ALASKA
COLLEGE, ALASKA 99701

April 29, 1971

Education Subcommittee
United States Senate
Washington, D.C. 20510

Dear Sirs:

I have read with great care draft Amendment 6 to S. 659, the Indian Education Act introduced by Senator Kennedy. I find it a fine bill with one ~~important~~ exception. The language of the bill does not specifically include funding for research in Indian education except for the adult education section. The programs authorized by the bill such as inservice training or bicultural education cannot be optimally effective without the type of information that research can provide.

My own work in secondary education for Alaskan Indian and Eskimo students may illustrate the need for this type of research. At the beginning of the year, I was asked to provide inservice training for urban public school teachers who have Native students in their classrooms. While I could give these teachers general background information on Indian and Eskimo students, I could not help them to deal with their specific classroom problems because little research was available on effective instructional methods or on such integrated classroom situations. It was this type of information that the teachers actually needed. After a year spent on research in the area of effective instructional methods in an integrated classroom, I can now provide the type of inservice training that will hopefully be of some direct use to teachers and of some direct benefit to the Indian and Eskimo students in their classrooms.

Educational research is often irrelevant to central educational issues and there have been legitimate objections on the part of Indian and Eskimo leaders to research with little if any pay-off for them. However, research directed toward important educational questions can be of great value. Without it, the type of programs proposed in the Indian Education Act cannot achieve their potential.

I would like to suggest that the language of the Indian Education Act be altered to include support for research directed toward developing education procedures that would increase the effectiveness of the programs authorized by the bill.

PLEASE REPLY BY AIRMAIL

UNIVERSITY OF ALASKA

If you will send me additional copies of the bill, I would be glad to distribute them to members of Alaska Native organizations who are interested in educational matters.

Sincerely,

J.S. Kleinfeld

J.S. Kleinfeld (Ed.D)
Assistant Professor of
Educational Psychology

JK:j

2019

DEVILS LAKE SIOUX TRIBE
FORT TOTTEN, NORTH DAKOTA
58335

MAY 4 1971

United States Senate
Senate Committee on Labor
and Public Affairs
Special Education Sub-Committee
Washington, D.C. 20201

Dear Committee Members:

This is in regard to the proposed Bill S.659 which pertains to American Indian Education.

The Devils Lake Sioux Tribal Council has passed the attached Resolution No. A05-71-71 opposing this bill. The Devils Lake Sioux Tribe is in the opinion that this bill is detrimental to the education of the Indian people as a whole.

Some of the items the Devils Lake Sioux Tribe takes exception to are:

1. Transferring the education function to the Department of Health, Education and Welfare. The Devils Lake Sioux Tribe prefers having this function funded through the Bureau of Indian Affairs as it is at the present.

2. Establishing state administration for the educational program. The Devils Lake Sioux Tribe is opposed to any program administered by the state due to poor experience in the past and making it more difficult or complex to operate a program.

3. That any school district will be reimbursed for the cost of educating any Indian student enrolled in their school. The Devils Lake Sioux Tribe is opposed to this "open funding" of Indian education as in many cases the Indian parents are operators subject to the same taxes as non-Indian operators and therefore should be eligible for the same education as non-Indian children without federal reimbursements.

The factors enumerated are primarily the reasons why the Devils Lake Sioux Tribe is opposed to this bill. Therefore, the Devils Lake Sioux Tribe is hopeful that this bill will not be passed.

Sincerely yours,

Lewis Hoothouse
Tribal Chairman

Noted:

Phillip G. Longie
Tribal Secretary

2032

DEVILS LAKE SIOUX TRIBE
Resolution No. A05-71-71

WHEREAS, the Devils Lake Sioux Tribe of Indians acting under a revised Constitution dated May 5, 1961, approved by the acting Commissioner, Bureau of Indian Affairs, July 14, 1961, and as subsequently amended June 17, 1969, and

WHEREAS, the Devils Lake Sioux Tribal Council after complete review and consideration of proposed bill S.659 relating to the Education of American Indians, and

WHEREAS, this bill provides that American Indian Education be transferred to the Department of Health, Education and Welfare and administered through a state agency,

NOW THEREFORE BE IT RESOLVED, that the Devils Lake Sioux Tribal Council acting in behalf of the Devils Lake Sioux Tribe oppose the proposed Bill S.659,

BE IT FURTHER RESOLVED, that the Devils Lake Sioux Tribal Council is in favor that the Education of the American Indian continue to be funded by the Bureau of Indian Affairs and not administered through a state agency

BE IT FURTHER RESOLVED, that the Chairman or Vice-Chairman of the Tribal Council is hereby authorized to sign any and all documents necessary to carry out this resolution.

C E R T I F I C A T I O N

I, the undersigned as Secretary of the Devils Lake Sioux Tribal Council hereby certify that the Tribal Council is composed of six (6) members, and of whom four (4) were present, constituting a quorum for a meeting which was duly called, noticed and convened this 3rd day of May 1971, and adopted this resolution by an affirmative vote of three (3) members, None (0) opposing, two (2) absent. (Secretary-Treasurer no voting privilege by custom, Chairman votes in case of ties.)

Phillip G. Longie
Tribal Secretary Acting

Lewis Hoothouse
Tribal Chairman

Devils Lake Sioux Tribe
Special Meeting Kenndy Hall
May 3, 1971

Council Members Present: Gertrude Cavanaugh, Julius Rainbow, Mike Thompson, Sr. Phillip Longie (Acting Secretary) 2 absent

Purpose: Education Bill S-659 Time: 2:30

Motion by Gertrude Cavanaugh Seconded by Julius Rainbow to approve Resolution A05-71-70- rescinding # A05-71-57 All in Favor None Opposed

To approve Resolution # A05-71-71 Pertaining to the opposition of Bill S-659 Motion-Julius Rainbow Seconded-Mike Thompson All in Favor None Opposed.

Meeting Adjorned

CERTIFICATION

I, the undersigned as Acting Secretary of the Devils Lake Sioux Tribe, hereby certify that the Tribal Council is composed of six (6) members and of whom four (4) were present, constitution a quorum, which was duly and regularly called, noticed and convened this 3rd day of May 1971. (Secretary-Treasurer no voting privilege by custom, Chairman votes in case of ties).

Phillip G. Longie
Acting Tribal Secretary

Lewis Goodhouse
Chairman

NAVAJO COMMUNITY COLLEGE
MANY FARMS RURAL POST OFFICE • CHINLE, ARIZONA • 86503 (602) 781-6302

BOARD OF REGENTS

YAZZIE BEGAY, JOHN C. MARTIN, GUY GORMAN, SR., HOWARD W. GORMAN, PETER MACDONALD, DILLON PLATERO, WILSON C. SKEET, STUDENT BODY PRESIDENT, CARL TODACHEENE, CHESTER YELLOWHAIR

April 14, 1971

Hon. Edward M. Kennedy,
Senator, State of Massachusetts
New Senate Office Building
Washington, D.C. 20150

Dear Senator Kennedy:

Some of the off-the-cuff concerns and questions regarding the Kennedy Bill are as follows:

a. The big question is why? What is to be accomplished and is this the best way to accomplish it?

b. I am not sure a national board is the answer. What if it gets too political?

c. If not a board, would Indian education be better off in OE? What happens to B.I.A.? What do the Indians think of the B.I.A. placement? If the Indian wants it to remain in the Interior then this bill is going to add to organizational and competitive problems.

We need a bill to bring together all facets of Indian education and give to the Indian tribes authority and money to operate and control their own educational systems.

Sincerely,

Ned A. Hatathli

Dr. Ned A. Hatathli
President

cc: Will Antell
Commissioner Louis Bruce

APRIL 29. 1971.

Senator WALTER MONDALE,
Washington, D.C.

DEAR SENATOR MONDALE: I have studied the material you sent me concerning the education of Indian children. I have also spoken with several people about the Proposed Bill Amendment to S. 659 and "the present situation in Tama County". The two are interrelated in that the basic problems outlined in the bill are still prevalent in the school system which educates Indian children. I am offering my assessment in the light of the Mesquakie or Sac&Fox Indian education problems as found in the public schools today. A deep dissatisfaction exists among the Mesquakie and are especially disappointed with the results of their law-suit against the BIA. What the law-suit was intended to prevent and forestall—the complete transferral of control and responsibility of "educating" Mesquakie Indian children, and the termination of the Sac&Fox Indian Day School, to the South Tama Public School District—has come about anyway. Our suit against the Federal Government would not have materialized if such a bill being introduced by the Senator from Massachusetts had been in effect prior to the 1960's. The BIA's action in turning the school as an "attendance center only" over to the State School System was, however, but the last in a series of moves in which the Mesquakies have successfully opposed with the help of Senator's Senate Subcommittee on Indian Education. This will allow us to prepare for the reestablishment of a community-type school on the Mesquakie Settlement. In this regard, one may say that the Sac&Fox Indian Day School, Bureau of Indian Affairs, has already been terminated, albeit so far as the role in the field of Indian Education is concerned with the BIA. Although, when I have mentioned in the past to the Sac&Fox Tribal Council, the BIA has wanted out of the education on the Settlement and "We" need to control and operate our own educational responsibilities to our children. (What better time to revamp the education of our children than right now!) As you know the "now" Tribal Council dismissed the case for various sundry reasons. Out of these ashes will rise the Mesquakie community-school with the advent of the New Education Act of 1971.

What troubles the people most about the present school situation is the absence in the schools in which the Mesquakie children attend of any programs or concessions to the native culture and heritage. The South Tama School system has made concessions for teacher's aides (all Indians) to help in the class-room condition, i.e., discipline, truants, etc. However, most of these aides have been selected by the "Now" Tribal Council and the choices they have made have been less than exemplary to the Mesquakie life. One aide is a Winnebago Indian who cannot speak "Mesquakie", and is married to the "chief's son"; four of the remaining aides have families which are under the school-age and they remain ineffective in arranging a more viable education even under the present re-orientation methods used by South Tama. The Tribal Council still does not have effective control on the policies affecting the Mesquakie children as they have not taken steps to alleviate some of the minor problems which tend to expand into major proportions with inactivity. The Tribal Council still maintains the BIA should have the ultimate "say-so" in the determination of education policies; the "father-knows-best" syndrome. Inasmuch as I am in support of good government and proper representation, being a student of Political Science, I find the TC behaving and reacting to suggestions and "recommendations" to the contrary. The selection of the aides to the School System is but one of the facets of the mismanagement of Indian education in the present context. In retrospect, this approach made by the TC is producing discontentment among the people concerned about their children. I would like to see a citizen's committee established to help the TC in the policy-making decisions which affect the Indian children. In addition, complaints made by parents to the administrators are often referred to the BIA/MAO Officer-in-Charge who determines what action to follow up with. I have heard that the complaint is often settled without the benefit of the Tribal Council's action towards the disposition of the complaint. The Sac&Fox Tribal Council have cursory powers only as their past inability to act on prior complaints indicate the trend it supports. I hope that the Council exercises the option of taking control of their own programs as the Navajoes have done in Ramah, N. Mex. The Council could conceivably establish their own school district, but, the chances of accomplishing this without opposition from all agencies would snuff out the desire to attempt such a move without adequate support.

60-433 O—71—pt. 4——23

The present system is based on a transfer of JOM monies from the BIA to the South Tama Schools, but, the JOM permits the BIA to transfer the money to other entities besides state operated schools. The money could go to the Mesquakie Settlement directly, either to the Tribal Council or to an organization composed of the people whose children are in school. Given the political climate within the structure of the Sac&Fox Tribal Council, and the availability of the new bill in Washington which so strongly favors Indian control of Indian programs, the chances are excellent that the Mesquakies could gain full control of their educational system in that fashion. The basic concept advanced by the BIA and the South Tama School System is that of competency on the part of the people to be able to administer their own school. The Tribal Council has in the past fulfilled this image and graciously bowed-out to both agencies. I am sure that with proper perspective and knowledge of the new bill, the Mesquakie can function with both agencies for the benefit of all concerned.

I am sorry for writing so much as it must seem irrelevant to the purpose of this letter. I will begin to make my concluding remarks at this time. In 1968, the Tribal Council opposed the closing of the Indian School by going to court only to drop the suit by mutually consenting to the BIA and South Tama. More money has been poured into the school district without regard to where it is being funneled. The Council does not have the adequate power or influence to affect any changes upon the existing program. There is no grass-roots organization as the council makes assumption that all is well-handled at the MAO level, and at the Washington level, the Commissioner was willing to contract directly with the Mesquakies and, in 1969, that would have been a distinct possibility if the communication had not died in the Minneapolis level. Also, I had indicated an investigation by the GAO would be beneficial to the cause of better handling of the JOM funds, but, I was reminded that the MAO would have to decide since they authorize the budget expenditures. The Commissioner expressed concern in the way the budgets were presented and indicated a more detailed description which he probably never received before he was out of office. It is understandable that this could have happened given the convictions of some of the personnel in the Minneapolis level. The man in charge then seemed to be o.k. in his other transactions but he either had not been given accurate information about this particular situation either by design or belief. Whatever happened in that level of communications, it was never transferred to the local OIC/Fld. Office or the tribal council. The MAO Director indicated some surprise that the Mesquakies or Sac&Fox Tribal Council asked the BIA to maintain the status quo in July of 1969. He stated that he even had a difficult time convincing the Central Office that was what the Sac&Fox Tribal Council wanted. The director knew nothing of the compromise that the Mesquakie had bought and it is a mystery that no communication existed with the Mesquakie when the MAO knew that the Central Office had authorized the contract for operating the school. While the BIA finally destroyed the plans for a Mesquakie operated school, the problems of the Indian child have not been eliminated. Offering two examples to support this assumption, I stand ready to be corrected on those basis. The JOM Funds are being used for other purposes than what they were intended for as the monies are set into the 'general operating' expenditures. The curriculum has not been adapted to the cultural-heritage of the Indian children except through the 'cultural enrichment programs'. The School is making a half— attempt to show the BIA it is trying to adhere to the contract and the purpose of the expenditures. The second evidence of corrections needed, in my estimation, is the proper counseling of Indian students as to their educational programs. There will be seven Indian High School students graduating this spring and only *four* of those students are adequately prepared to enter a higher level of learning according to admissions requirements needed at Iowa State University. The entering Freshman in high-school level are often ill-advised as to the curriculum needed for 'adequate' education benefits. The counselors have either been remiss in their duties to the system or they regard the Indian students with less aplomb than that of a common duck.

I especially like the explanation about the bill on page (12); ie., "this Indian Education Act amends Senate bill 659. . . ."; Parts A and B. The other parts, except for 'D', are not applicable to the present Mesquakie situation, however, the over-all amendment will have the desired results for Indian Education in general. The elements which deals with the programs and projects being analyzed by the community and parents whose children will be affected is of great significance as the success of any program designed for Indians is commensurate to

the approach chosen. I feel that with the passage of the Bill, the improvement of Indian education will be inclusive in making substantial improvement in the education level of the American Indian.

I hope these views are helpful to you in your evaluation of the bill. I have many more questions and comments about the Mesquakie situation, however, with your involvement in the introduction of the comprehensive-amendment to S. 659, I have faith that you will give wise and fitting response to the sentiment of youth and change in the field of Indian Education. Closing with the best of regards, I remain,

Sincerely yours,

DONALD W. WANATEE.

CHEYENNE
CROW CREEK
FLANDREAU
LOWER BRULE
PINE RIDGE
ROSEBUD
SISSETON
STANDING ROCK
YANKTON

United Sioux Tribes of South Dakota Development Corporation

Ray
605 - 224-8862
or
605 - 224-8863
P.O. Box 1192
Pierre, S. D. 57501

SENATOR
WALTER F.

May 11, 1971

Senate Comittee on Indian Education
Washington, D. C.

Dear Sirs:

This is the United Sioux Tribes of South Dakota Development Corporation in response to Senate bill 659 pertaining to the National Indian Educational Bill. These recommendations and criticisms are to go in the Senate hearing reports.

Sincerely yours,

Clarence W. Skye
Executive Director

CWS:gb

JO WADE REPORT

Criticisms

1. Criticisms

   If, under the new Bill, these Funds (P.L. 874) can continue to be used for basic education, as well as special education, I doubt that full per pupil two years go would be sufficient now to provide for both basic and special needs of Indian Children. In addition, the Grants to local Educational Agencies under this Bill are made on the basis of a state average expenditure.

2. Does this Senate Bill 659 really turn control of Indian Education over to Indians?

3. Does the objectives in Senate Bill 659 solve any of the Indian School Problems at the end of this period?

4. Does this Senate Bill 659 provide provisions for direct funding to Tribal Organizations?

5. In Senate Bill 659, there are no definite stipulations that the National of Indian Education be made up of Indian.

6. Senate Bill 659 - Reference to Part D.

   We oppose this portion of (Senate Bill 659 - Part D) that is creating another Bureaucracy with the National Board of Indian Education.

7. We oppose the portion of the Bill in reference to the Miscellaneous Part-E.

8. States: Many States with Indian Tribes contained in their Boundaries often do not administer the designated funds to the Tribes or Tribal Organizations because of poor relationships.

9. Definition of an Indian - This identification of an Indian under the present form of Senate Bill 659 is re-identifying again a new type of Indian.

SENATE BILL - 659

Recommendations

1. Commissionership: Should be established with a three-member Commissioners, selected from Geographical Areas is the United States, and mostly Indians, that will serve in equal power to make decisions and be established under the Direct Order of the Commissioner of Indian Affairs in the Department of Interior.

2. Under Senate Bill 659, parts A,B&C, should state that funds will be directly administered to the Tribes or Tribal Organizations (non-profit) that are participating in Educational Services.

3. States: In Senate Bill 659, our recommendation to the Senate Sub-Committee on Indian Education shall be that no States shall be recipents of any portion of the funds designated for Indian Education.

4. JOM: In Senate Bill 659, the funds in this Bill should revert into the Johnson "O" Malley Program for an expanded Program for the welfare of Indian People.

5. Payments: Under Part A in Senate Bill 659, it should state that Local Agencies or Tribes and Tribal Organizations (non-profit) after expending their amount appropriated, should be able to expand their Budget for the next appropriation allocated by the Commissioner.

6. Indian Identification: We would recommend that this Bill recognize all Indians enrolled under recognized Tribes and Federally recognized Tribes.

7. Self-Determination: Under the present Form of Senate Bill 659, there should be a part described to provide for Indians for self-determination.

8. Off-Reservation Indians: Off-Reservation Indians who establish Organizations must get the concurrance of the Tribal Chairmen or Tribal Organizations before applying for Grants under this Program.

CONFEDERATED TRIBES

Colville Reservation

Nespelem, Washington 99155

COLVILLE INDIAN AGENCY
NESPELEM, WASHINGTON 99155

AIRMAIL

May 12, 1971

Honorable Edward M. Kennedy
Chairman, Special Indian
Education Subcommittee
New Senate Office Building
Washington, D. C. 20510

Dear Senator Kennedy:

We have examined the proposed Amendment 6 (Senate Bill 659) and have great concern as to the meaning of several of the provisions.

We urge that there be additional hearings and hopefully, hearings in the field so that we and other tribes will have an adequate opportunity to be heard after we have had time to study the implications of this bill. We do not think a mere study as to what is wrong with Indian Education automatically qualifies your committee to make such far reaching changes without in-depth discussion with Indian people.

We welcome increased financial obligations on the part of the Federal Government toward Indian Education, however, we are concerned with the increased role given to the Commissioner of Education within the Department of Health, Education and Welfare. We would like to have clarified, if these funds are to replace existing Johnson O'Malley funds and Public Law 874 funds, exactly how Indian involvement will be implemented. In an agency as large as the Department of Health, Education and Welfare, we must be assured that Indian programs will not be lost in a Bureaucratic maze.

We endorse in concept the creation of the National Indian School Board, however, we feel that in section 564 of Part D more problems are created than solved. We do not understand how a school board created by this act could assume immediate responsibility upon passage of this act. Senator Jackson's Bill S-1401 is certainly a more logical approach to making the Indian School Board operative in such a manner as to secure continued success.

We conclude that although there are benefits to Indian education to be secured from Amendment 6 to S-659 we would oppose passage unless and until field hearings were held where provisions could be clarified and the committee could have the advantage of studied Indian input.

Health, Education and Welfare Committee
Colville Confederated Tribes

Melford C. Tonasket

Melford C. Tonasket
Acting Chairman

The INTER-TRIBAL COUNCIL
of the FIVE CIVILIZED TRIBES

ORGANIZED FEBRUARY 3RD, 1950

May 4, 1971

Honorable Edward M. Kennedy, Chairman
Senate Subcommittee on Indian Education
United States Senate
Washington, D. C. 20510

Dear Chairman Kennedy:

In a special called session of the Inter-Tribal Council of the Five Civilized Tribes held in Durant, Oklahoma, on April 30, 1971, this official body went on record unanimously opposing Amendment No. 6 to Senate Bill 659.

It is the feeling of this official body that this bill, as amended, is not in the best interest of the Indian people of Oklahoma, and they strongly recommend that the education program in Oklahoma should remain as is--under the Bureau of Indian Affairs.

This action of this Council is respectfully submitted to you for your sincere consideration.

Sincerely,

Overton James

Overton James
President

OFFICERS

President
Overton James
6033 Glencove Place
Oklahoma City, Oklahoma 73132

Vice-President
Terry Walker
113 W. College
Seminole, Oklahoma 74868

Executive Secretary
Mrs. Elizabeth Smith
P.O. Box 1199
Muskogee, Oklahoma 74401

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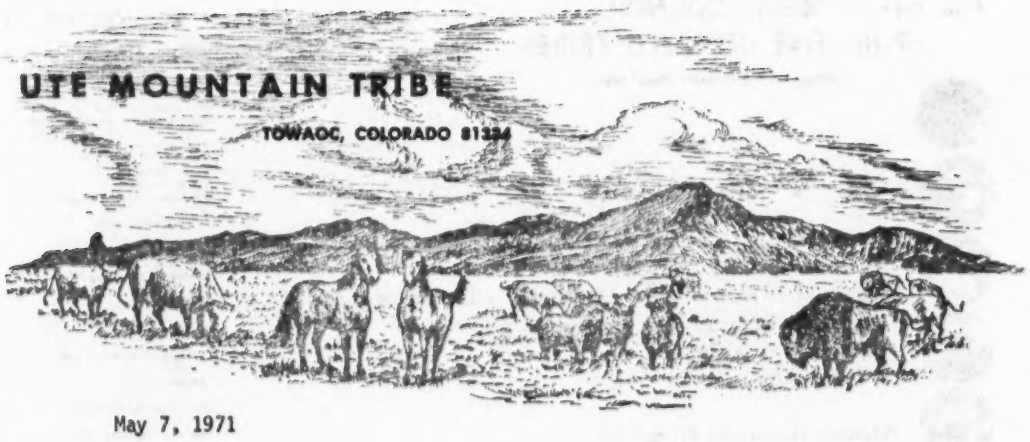
Tahlequah, Oklahoma 74464

Chaplain
Rev. Jonas L. Partridge
1216 E. Bryan
Sapulpa, Oklahoma 74066

Sergeant-At-Arms
Alfred Deere
Route 2, Box 110
Wewoka, Oklahoma 74884



May 7, 1971

Administrative Practice and Procedures
Room 3214
New Senate Office Building
Washington, D.C. 20510

Re: Senate Bill S-659 Indian Education
Amendment to Act

Dear Sir:

The subject amendment as interpreted by the Ute Mountain Ute Tribe would transfer control of educational programs now under the Bureau of Indian Affairs to a new National Board of Indian Education.

The Ute Mountain Ute Tribal Council wishes to take this opportunity to express their opposition to this amendment. At this time we do not feel that the Indian people themselves are in a position to assume complete local control of funds being spent on schools.

For your information, the Ute Mountain Tribal Council, the Ute Mountain Educational Committee, and the Ute Mountain people have a voice in how money is being spent for our children as explained by the Johnson O'Malley Act. We would hate to see the control as exercised by our people in the Johnson O'Malley Act changed in any manner.

Therefore, the Senate Bill S-659 amendment does not, at this time appear to fill the long range goals of the Ute Mountain Ute people.

Sincerely yours,

Albert Wing
Tribal Chairman

cc: Tribal Chairman
Tribal Treasurer
Tribal Administrator
Tribal Education Committee
Tribal File

cc: Ute Mountain Ute Agency Supt.
BIA Community Development Specialist
BIA Area Director

cc 2 1 BD

KINNEY ELEMENTARY SCHOOL
WILLIAM S. WALTERS, Principal
MT. PLEASANT, MICHIGAN 48858

Phone: 772-1154

May 18, 1971

Senate Subcommittee on Indian Education
2430 New Senate Office
Washington, D. C.

Gentlemen:

I am writing in reference to Amendment 6 in regard to Indian Education. As principal of an elementary school which serves Chippewa Indian children, I simply indicate my support for this amendment. It seems to me that the Indian community must be vitally involved in any program of this type. I can say that the Indian people in the Mt. Pleasant are becoming more acutely aware of and interested in the educational problems of their children.

Please keep me informed as to the progress of this amendment.

Sincerely,

W. S. Walters

W. S. Walters
Principal

WSW:ow

Mrs. John. Weinberg
600 River Street
Hastings, Minnesota 55033

May 10, 1971

Senator Walter Mondale
United States Senate
Washington, D.C. 20510

Dear Mr. Mondale:

I'm writing this letter to express my support for the Indian Education bill sponsered by Sen. Edward Kennedy.

After 100 years it's about time the American Indian be given the right to control his own educational programs.

Thank you for the work you are doing on behalf of the freedom of the American Indian citizens of this country. Much more needs to be done.

Sincerely,

Mrs. John H. Weinberg

Mrs. John H. Weinberg

cc Sen. Edw. Kennedy

From what I have read in the newspapers this seems to be a good bill. Also, the Indian educators of Minnesota are top people in their field.

LAW OFFICES OF
DINEBEIINA NAHIILNA BE AGADITAHE
DNA - A LEGAL SERVICES PROGRAM
POST OFFICE BOX THREE HUNDRED SIX
WINDOW ROCK, ARIZONA 86515
TELEPHONE [602] 871-4151

LEO HAVEN
DIRECTOR
PETERSON ZAH
DEPUTY DIRECTOR
THEODORE R. MITCHELL
ATTORNEY

GLENN C. GEORGE
DIRECTOR, EDUCATION
& COMMUNITY RELATIONS
CHARLEY JOHN
DIRECTOR, NAVAJO LAW
DEVELOPMENT UNIT

April 30, 1971

Senator Edward M. Kennedy
United States Senate
Washington, D. C. 20510

Dear Senator Kennedy:

I am sorry that it took me this long to respond to your proposed Indian Education Act, however, if it is not too late, I would like to make the following comments:

Generally speaking, I believe this bill is a very good one. Particularly good is the removal of educational responsibility from the Bureau of Indian Affairs, although this might have some adverse effect. At this time, anything is better than BIA.

I am somewhat worried that the Bureau of Indian Education could possibly become a centralized bureaucracy, even though run by Indians and even though it has a mandate to further the local control of Indian schools. Navajo schools should be run by Navajos in Chinle, Tuba City, Fort Defiance, etc., not by Navajos, Apaches, Kiowas, Sioux, etc., in Washington. I think the provisions mandating local control should be made even stronger, so that a tribe, such as the Navajo, could successfully insist on running its own schools if it so desired, and not be blocked by the Bureau of Indian Education. It might even be desirable to provide that any local Indian community could in this way insist on running its own school without interference from the Bureau. If a tribe or community decides to run its own schools, it should be guaranteed funding and supportive services from the Bureau at a level proportional (by number of students) to the funding and services received by schools administered directly by the Bureau of Indian Education.

LAW OFFICES OF
DINEBEIINA NAHIILNA BE AGADITAHE

Senator Edward M. Kennedy
April 30, 1971
Page Two

The bill makes numerous provisions for the supply of funds to state schools having a large proportion of Indian students. These provisions should be retained since they can help the many Indian students who attend schools in non-reservation and/or urban settings. However, where a state school is located on a reservation and/or has a majority of Indian pupils - Window Rock High School is the perfect example - I think the Bureau of Indian Education should be directed to take over the school. (Appropriate compensation would, of course, have to be made to the State.) The Bureau then would operate it in the same manner as its other schools and would have the same mandate to hand it over to the local community if and when the local community wanted local control.

I think the higher education proposals are good. What about the idea of using the present boarding school facilities as community colleges and using the money for community colleges to construct decentralized community grade schools and high schools. The boarding school complexes could probably be converted to community colleges quite economically.

Sincerely yours,

Leo Haven,
Director

Enclosure
LH/lb

RESOLUTION OF THE INCORPORATED
February 25, 1971

A group of Navajos representing various organizations incorporated to render services on the Navajo Reservation (see List attached) met on February 25, 1971, to discuss the education of children, including their own children, on the Navajo Reservation and passed the following Resolution:

WHEREAS: President Richard M. Nixon by his message on Indian Affairs of July 8, 1970 and Commissioner of Indian Affairs, Louis Bruce, by his memorandum of August 14, 1970, have supported the principle of local Indian control of schools attended primarily by Indian children and have also supported the principle that the various Indian Tribes should, by contract with the Bureau of Indian Affairs, assume the functions now performed by that Bureau;

WHEREAS: There is at present very little control by Navajo parents over the education of their children and, further, little progress has been made toward this end; and

WHEREAS: Schools now existing on the Navajo Reservation, whether they are controlled by the Bureau of Indian Affairs, private religious groups, or the state public school systems, are not controlled by Navajos and do not respond to the desires of Navajo parents concerning the education of their children,

NOW THEREFORE BE IT RESOLVED:

1. That this group supports and demands the immediate creation of the proposed Navajo Tribal Department of Education, within the Tribal government and with the responsibility for policy making, administration and supervision of all education on the Navajo Reservation in the best interests of Navajo children; and

2. That this group urges and demands that the Bureau of Indian Affairs turn over its school facilities on or near the Navajo Reservation and its educational responsibilities to the Navajo Tribal Department of Education, with that Department taking full responsibility for administration of the schools, including the disbursement of all federal monies and the hiring, firing, and supervision of personnel; and

3. That this group urges the immediate termination of all state public school activity on the Navajo Indian Reservation, with all state facilities on the Reservation to be turned over to the Navajo Tribal Department of Education and with all federal monies paid to the states for the education of Navajo Indian children to be paid directly to the Department of Navajo Education; and

4. That all private schools on the Reservation, whether sectarian or non-sectarian, shall be required to meet the educational standards established by the Navajo Tribal Department of Education for all schools operating under its supervision; and

5. That the members of this group offer their full cooperation and support to the Chairman of the Navajo Tribe and to the Navajo Tribal Council in order to achieve the goals set forth in this resolution.

CERTIFICATION

We hereby certify that the foregoing resolution was deliberated and considered by the "Incorporated" on February 25, 1971, at Window Rock, Arizona on Navajo Indian Reservation, and that the same was passed by a vote of 27 in favor and 0 opposed, this 25th day of February, 1971.

DILLON PLATERO, President
Dine Bi Olta Association
Chinle, Arizona 86503

HARVEY BEGAY, Executive Director
Southwestern Indian Development
Window Rock, Arizona 86515

Community Action Program

Sponsors: Tribal Business Council of the Three Affiliated Tribes
P. O. Box 605 New Town, North Dakota 58763 Phone 701-627-4704

May 11, 1971

Honorable Edward M. Kennedy, Senator
Senate Office Building
Washington, D. C. 20510

Dear Sir:

This letter is to express my appreciation for your concern, thoughtfulness and time taken to introduce an Indian Education amendment. If at all possible, I would like to express my views regarding education for Indians.

We have more "educated" Indians today, than at anytime in the history of Indians, yet we have more problems today than at anytime in our history. Looking at the outside, it is unsettling to discover that, nationally, we have more scientists and scholars than at anytime in the history of man, yet, nationally, there are more problems today than at anytime in the history. Clearly, something is lacking in the system labelled education.

Our university and college programs need to be expanded. In other words, not all students are cut out for university, college or vocational schools. The propaganda is: "If you don't go on to school, you will be good for nothing." This message affects the attitude of the young people. Many students, either can't make the grade or are not interested in technical training in some profession and at the same time, are not interested in vocational training either. Consequently, these people are convinced they are now good for nothing. After all, university or college is nothing more than training grounds for vocational competence-one is at a more technical level.

I cannot help but think of Thomas A. Edison who dropped out at Third Grade; Henry Ford quit at Eighth Grade; Albert Einstein flunked and Benjamin Franklin is a drop out. Yet these men have been instrumental in bringing about profound changes. Certainly, the pioneers, who helped build our greatness, were not educated. Yet, it seems everyone is looking to the academic institutions for some answers to the social ills. The officials in them are either oblivious to the demands or are shirking their responsiblities toward their fellowman or are ignoring the demands because they don't know what to do. They were blissfully unaware of the turmoil until the riots hit the universities.

New thrusts in education geared to address the social problems are resisted, anyway, by the populace. Perhaps this means new ideas will be similarly blocked in the future. However, the Indian reservations are fertile fields to try new approaches in education, as they (Indians) are accustomed to seeing new programs frequently and changing programs on

the reservations are not uncommon.

I am disturbed about this because, in the first place, we have entirely too many Indians dropping out of universities and colleges. This brings out another factor that is pertinent. It is the preparation before higher education. The problems of the reservation continues because of the kind of education the Indian has received. Schools they have attended were not designed for the Indian. Traditionally, an educational institution is viewed as a media for inducting an on-coming generation into its culture. In order to do this, the system must transmit to this emerging generation the acceptable values and what has happened in the past so that the product of the school will know how he happened to be here-the present. This, theoretically, will allow the product to intelligently make decisions as to what aspects of his culture he must abandon, what to maintain and what to innovate in order to be in tune with the changing times. This premise, if it is correct, is not being implemented in Indian education. The Indian students are treated as if they came from a vacuum, a void and attend schools with a curriculum designed to meet the needs of middle-class urban children. The drop out, in this case, is really the school.

The concepts and precepts in education are the product of urban minds. For this reason, the institution has tended to ignore the values of the rural and regard these values are not worth considering. "Hayseeds" and "Hicks" as derogatory terms coined by city people are significant in connection herewith.

In the past, too frequently, emphases have been placed on facilities and salaries without considering the program or content of education. There is a fallacious assumption that shiny ultra modern facilities and higher salaries will, somehow, enhance learning. In the mean-time, our drop out rate continues.

Higher salaries paid to teachers and instructors in higher grades represent our topsy-turvy world. Actually, higher salaries should be paid to teachers in the bottom grades. After all, whether a child stays in school or not is dependent on the kind of teaching in the first year of school. This will require a highly skilled teacher in the first years of the school program and this will mean a higher salary in order to attract the good teachers.

At one time, the teachers and the parents were very close, often living together, shopping together and worshipping together. A gulf has developed between education and the community now. The communication line has been broken. It is no longer strange to see or read about a bond drive, to bring about improvement, being defeated by the citizens due to lack of factual information. New education ideas with "new" responsibilities for teachers are needed today.

The administrations of the schools are worth mentioning at this point. The administrative sections are becoming an overwhelming bureaucracy, and, often, there is a continuing war between administration and teachers. This, in turn, affects the teacher-pupil relationship. Very likely, the increase in drug use in the schools throughout the country could be the consequences of this conflict between administration and instructors. Incipient, maladjusted students are not always the direct

result of the students' homes and environment. This conflict has also driven many good teachers out of classrooms.

I endorse your education amendment (No. 6 to Senate bill 659). As you know, recently, I hand-carried a proposal to Washington for funding and I was given a merry run-around. No one said, "Yes, we will provide the funds." nor a definite, "No! We will not approve your proposal." I had contacted all Departments that had anything to do with education. This kind of limbo is maddening. When your amendment is enacted, I will know, definitely, one way or another, whether my proposal for Community Colleges will be approved or not. In the event my proposal is not approved, I may as well forget about it, because, now I know other departments will not approve it. In other words, your bill is our one hope.

I am sending along couple of editorials on the subject of education as supporting statements for the amendment. Please, include them as my statements. If at all possible, include the two education proposals as well.

I also endorse Senator Jackson's S. 1401. I believe your amendment and S 1401 go together or, at least, they reinforce each other.

Sincerely,

Carl

Carl Whitman, Jr.
Director of CCCD&P

2118

Charles G. Shunatona, Chairman
Governor's Advisory Committee
on Indian Affairs of Kansas
2920 Stafford
Wichita, Kansas 67211

May 4, 1971

Senator Edward M. Kennedy
United States Senate
Committee On The Judiciary
Washington D.C. 20510

Honorable Edward M. Kennedy

In compliance with the request from your office in regards to an evaluation of your proposed amendment 6 - S. 659, I am sending you a copy of the minutes of our last meeting.

Charles G. Shunatona

Charles G. Shunatona, Chairman
Governor's Advisory Committee
on Indian Affairs of Kansas

cs:jp

GOVERNOR'S COMMITTEE ADVISORY ON INDIAN AFFAIRS (GACIA) - STATE OF KANSAS

Minutes

Saturday, May 1, 1971 - 9:00 a.m.
at Community room of St. Margaret Mary Church in Wichita, Kansas

The meeting was called to order by Charles G. Shunatona, chairman.

The invocation was given by Mr. James Andrews, member of GACIA and representative from Arkansas City, Kansas.

Members of GACIA present were: Chief Shunatona, representative of Wichita, Kansas; James Andrews, representative from Arkansas City, Kansas; and Karl Talawyma, representative from Lawrence, Kansas.

Seated at the speakers' table were: James Andrews, Mr. Billy McCray, state representative; Chief Shunatona, Mario Two Hatchet, acting secretary; Tommy Tommaney, retired deputy assistant Area Director of Education, Tahlaquah, Oklahoma; and Dr. Leon Wall, deputy assistant Area Director of Education, Anadarko, Oklahoma.

Tribes represented from the Indian population of the metropolitan area of Wichita, Kansas, were as follows: Seminole, Pawnee, Otoe, Kiowa, Papago, Creek, Omaha, Potawatomi, Winnebego, Osage, Cherokee, Chippewa, Sac-fox, Delaware, Arickara, Euchee, Shawnee, and Wichita.

Chairman Shunatona gave a summerized report on the American Indian Diagnostic Council, a three day seminar, which was held in the Raddison Hotel, Wichita, Kansas, Friday, Saturday, and Sunday, November 20, 21, 22, 1970. He emphasized the importance of Indians attending business meetings, workshops, etc., related to the American Indian. Their two directional channels of operation are to inform the Indian and to give the American Indian a voice.

Chairman Shunatona introduced Mr. Billy McCray, the state representative from Wichita, Kansas who in turn read and explained the House Bill No. 1386 which was signed by Governor Robert Docking. The act of legislature gave American Indians who are enrolled on their tribal membership roll and who reside in the state of Kansas the right to hunt and fish without license in the state of Kansas. The bill stated that upon request of any game warden or other law enforcement officer, an Indian must exhibit a certificate issued by the Bureau of Indian Affairs. This certificate must state this person's degree of Indian blood. This state law becomes effective July 1, 1971. The bill did not state to what degree the Indian blood must be.

After much discussion and deliberation on the contents of this State Hunting and Fishing Indian Rights Bill there was a complete understanding by all present. It was decided that the normal certificate issued to tribal enrollees by the various Indian Agencies would suffice as proper identification in compliance with this law.

Chairman Shunatona had invited Mr. Tommany and Dr. Leon Wall to this meeting to serve as consultants because of their Indian education administrative background.

Mr. Tommany, upon the request of Chairman Shunatona, read Amendment 6 to S. 659. These findings from the two year investigation of Senator Edward Kennedy's subcommittee on Indian Education. The amendment was read in its entirety and then

was re-read in part and was discussed. After lengthy discussion by the participants attending this meeting the concensus of opinion was:

1. That appreciation of the Indian people be expressed to Senator Edward Kennedy and his committee for their great concern of the Indian Education problems and for their sincere and thorough investigation of said problems.

2. That the Bureau of Indian Affairs be kept in effect with certain structural and implemental changes being made for improvement of BIA.

3. That the recently adopted policy of local advisory boards and school boards to various Indian schools be extended to the inclusion of a National School Board composed of American Indians with said board sitting in advisory capacity to the Commissioner of Indian Affairs, his staff, and the BIA programs.

4. That greater consideration be given to urban Indians for participation in Indian educational programs.

5. That greater funding be allocated for better implementation of Indian Educational Programs.

6. That the Federal Government be made aware that the National census figures do not give the true Indian population.

Announcements were made.

There being no further business the meeting was adjourned by Chairman Shunatona at 12:30 p.m.

Copies: Senator Edward M. Kennedy, Washington D.C.
Governor Robert Docking, Topeka, Kansas
Louis Bruce, Commissioner Indian Affairs, Washington D.C.
Virgil Harrington, Area Director BIA, Muskogee, Okla.
Sidney Carney, Area Director BIA, Anadarko, Okla.
Vernon Ashley, Chairman Governors' Inter-state Indian Council, Capitol Bldg., Pierre, So. Dakota
Executive Director, National Congress of American Indians, Washington D.C.

Box 3/26

western union **Telegram**

HB013
M PIA019 AA PD PIERRE SDAK 26 1100A CST MAR 26 PM 12 47
SENATOR JAVITZ
US SENATE OFC BLDG WASHDC
VTHE UNITED SIOUX TRIBES OF SOUTH DAKOTA CANNOT SUPPORT THE
BILL S.659 WHICH IS THE AMENDMENT OF THE HIGHER EDUCATION ACT.
EACH RESERVATION CHAIRMAN SHOULD BE CONSULTED BECAUSE IT AFFECTS
HIS PEOPLE
UNITED SIOUX TRIBES PIERRE SDAK.

western union **Telegram**

PRA121
PR GFA084 GB NL PDB HAVRE MONT 30
TOM SUSSMAN, CHAIRMAN THE SENATE COMMITTEE ON LABOR AND PUBLIC
WELFARE
NEW SENATE OFFICE BLDG ROOM 3214 WASHDC 20510
THE CHIPPEWA CREE TRIBE HAS ENDORSED UNANIMOUSLY SB659 TODAY
AT COUNCIL MEETING BUT THEY ASK THE TUNNEY AMENDMENT ON PUBLIC
LAW 874 TO BE INCLUDED RESOLUTION TO FOLLOW
JOHN WINDY BOY TRIBAL CHAIRMAN.

SB659 874.

Honorable Edward M. Kennedy
United States Senate
Washington, D.C.

Dear Senator Kennedy:

This letter is in support of Amendment 6 to S. 659, the Indian Education Act which you introduced in response to recommendations of the Special Subcommittee on Indian Education.

We will also support those recommendations of the National Indian Education Association and of recognized Tribes and Indian organizations on this Amendment. Our concern is that Indians wherever they reside, reservations, townships and cities, be served by this Amendment.

Identical letters were received from:

Darien G. Bietz
1611 31st Street
Washington, D. C.

Pauline Gerson
1914 Conn. Ave. N.W.
Washington 20009

Linda Whitehead
406 Hermleigh Road
Silver Spring, Md. 20902

T. W. McKinley
1430 R. I. Ave. N.W., 203
Washington 20005

R. C. O'Neill
658 E Street S.E.
Washington 20003

Robert L. McIntyre
15715 Presswich Lane
Bowie, Md. 20715

Joy D. Wiggins
3209-28th St. #4, SE
Washington, D.C. 20020

Marilyn Stephenson
4009 Nort Stafford St.
Arlington, Va. 22207

Joanne Keller
2500 Q Street N.W.
Washington

Judith M. Schoffer
2001 N. Adams St., 728
Arlington, Va. 22201

Mrs. Theodore R. Young, Jr.
4903 Zircon Drive, Apt. 103
Alexandria, Va. 22312

Frank Hinton
612 Keefer Place N.W.
Washington

Honorable Edward M. Kennedy
United States Senate
Washington, D.C.

Dear Senator Kennedy:

This letter is in support of Amendment 6 to S. 659, the Indian Education Act which you introduced in response to recommendations of the Special Subcommittee on Indian Education.

We will also support those recommendations of the National Indian Education Association and of recognized Tribes and Indian organizations on this Amendment. Our concern is that Indians wherever they reside, reservations, townships and cities, be served by this Amendment.

Identical letters were also received from:

Wilbur E. Sinis
201 E St. S.W., Apt 111
Washington

Robert C. Miller
2523 Menokin Drive
Alexandria, Va. 22302

Patrick L. Burke
472 College Parkway
Rockville, Md. 20850

Marlene J. Chretien (Ovetrien)??
2001 N. Adams Street
Arlington, Va. 22201

Carmen D. Tharp
13145 Melville Lane
Fairfax, Va. 22030

Margaret Noll
1730 Arlington Blvd.
Arlington, Va. 22009

Nancy Pohl
2411 Huidekopea Pl. N.W.
Washington 20007

2651 Woodley Rd.
Washington, DC

Honorable Edward M. Kennedy
United States Senate
Washington, D.C.

Dear Senator Kennedy:

This letter is in support of Amendment 6 to S. 659, the Indian Education Act which you introduced in response to recommendations of the Special Subcommittee on Indian Education.

We will also support those recommendations of the National Indian Education Association and of recognized Tribes and Indian organizations on this Amendment. Our concern is that Indians wherever they reside, reservations, townships and cities, be served by this Amendment.

[illegible]
1230 Bel Air Dr.
#115
[illegible] 76205

Flandreau Santee Sioux Tribe
Flandreau, South Dakota 57028

OFFICE
SENA
EDWARD M.
WASHINGT
APR 6 5 26 PM '71

March 31, 1971

Honorable Edward M. Kennedy
United States Senator
431 Senate Office Building
Washington, D.C.

Honorable Edward M. Kennedy,

This is in response to a bill S.659 introduced by yourself which calls for a comprehensive Education Act to meet the special educational needs of Indians in both federal and public schools. I, having had twenty (20) years in the federal government, part of this time in the educational area, now presently serving as Chairman of the Flandreau Santee Sioux Tribe and Chairman of the Flandreau School Board, recently established for the involvement of the Flandreau Indian School, a federally operated school, have the following questions concerning this bill.

1. Will it adequately meet the educational needs of Indian people?
2. Does it really turn control of Indian education over to Indians?
3. What kind of Indian involvement or what organization was contacted in implementing this bill?
4. What assurance do we have the programs will continue for Indians after five (5) years?
5. What are your objectives in solving Indian School problems at the end of this period?
6. Does the bill provide provisions for direct funding to tribal organizations?
7. Are there definite stipulations that the National Board of Indian Education be made up of Indians?
8. How will this bill or policy affect federally operated boarding schools?
9. Is this new bill or structure really going to meet the needs of our Indian children?

In my present positions, it appears school structures are going to have to come from the youth or students and also that many little needs must be met so that our Indian Youth will gain status in attitude, character and feel like a true human being instead of a statistic or number.

I have two (2) delegates from this reservation that would be very interested to testify as a witness regarding Indian education problems.

Sincerely yours,

Gordon J. Jones, Chairman
Flandreau Santee Sioux Tribe

cc United Sioux Tribes

COMMISSIONERS
FRANK DURHAM
BE DAVISON HERRERA
OSCAR JOHNNY
ARTHUR T. MANNING
LEROY RUPERT
PHYLLIS WALSH
STEVE WALTHER

NEVADA INDIAN AFFAIRS COMMISSION
CAPITOL COMPLEX
CARSON CITY, NEVADA 89701
(702) 882-7700

OFFICE OF
EDWARD M. KENNEDY
WASHINGTON, D.C.
MAR 25 4 41 PM '71

ROSS MORRES
EXECUTIVE DIRECTOR

NIKE O'CALLAGHAN
GOVERNOR

Honorable Edward Kennedy
U. S. Senate
Senate Office Building
Washington, D. C. 20510

Dear Senator Kennedy:

We have read with jubilation your news release wherein you have co-sponsored an Indian Education Act with Senator Howard Cannon.

The Nevada Indian Affairs Commission is real receptive to this type of legislation to assist the educational opportunities for the Indians in Nevada and in the nation. We support this legislation and wish to convey to you our heart-felt thanks for introducing this vitally needed revision to the education in the public schools.

If we could request a copy of the proposed Bill and the time of the Hearing, we would like to have the information available to disseminate to the various Nevada Indian Tribes to have them assert an expression of support to you and Senator Cannon.

With best wishes.

Sincerely yours,

Ross Morres

Ross Morres
Executive Director

March 17, 1971

LAW OFFICES
DELLWO, RUDOLF & GRANT

ROBERT D. DELLWO
KERMIT M. RUDOLF
WILLIAM J. GRANT
RICHARD J. SCHROEDER
JOSEPH A. ESPOSITO

1018 OLD NATIONAL BANK BUILDING
SPOKANE, WASHINGTON 99201
MADISON 4-4291

May 11, 1971

Special Indian Education Sub-Committee
Room 3214
New Senate Office Building
Washington, D. C. 20510

Gentlemen: re: Senate Bill 659
Indian Education

I am attorney for the Coeur d'Alene, Spokane and Kalispel Tribes of Indians in this area. I also represent the Affiliated Tribes of Northwest Indians. The purpose of this memorandum is to express the attitude of these tribes and of the Affiliated Tribes regarding Senate Bill No. 659. We are advised that the report of the hearings are being held open for written testimonies until May 13 for those tribes who did not appear on May 6.

The Coeur d'Alene and Kalispel Tribes, as is the case of the other tribes of the Northwest, do not have BIA Indian schools on their reservations. Most of the children go to public school. The only non-public school is the Mission School run by the Sisters at DeSmet, Idaho, on the Coeur d'Alene reservation. Each of the tribes has a better than average relationship with the local public schools and school boards. Working as a team with the BIA educational specialists, tribal officers, tribal attorney and local school officials, real progress has occurred in the direction of better educational programs for the Indian students, use of Johnson-O'Malley funds for Indians and a general recognition that the public schools should not simply absorb Indian funds into their general budgets. An example of progress has been the employment by the Cusick, Washington, School District of Henry SiJohn, a member of the Kalispel Tribe, as a School District employed counselor to work with the Indian students. Mr. SiJohn is a professional educator. Similar programs are in effect on the Coeur d'Alene and Spokane Reservations. We believe that other Northwestern Tribes are making like progress.

The tribes of the Northwest, and particularly those the writer represents, consider Indian education to be an integral part of the overall governmental and tribal relationship with the Indian people. Through the years, and particularly within the last ten years, they have worked increasingly well with BIA people in all the aspects of this relationship. The Indian Bureau has become a

resource, a valuable member of the team to work closely with the tribe in all fields, land and resource development, industrial development, housing, employment opportunities, community development, range management, administration of leases, and in the fields of education.

The tribes vigorously oppose any plan, such as expressed in S. B. 659, which would fragment and separate away portions of the overall programs from each other. Very often the position of community development and educational specialist is combined in one person or office along with social services. The same BIA personnel work with the total picture, the total family and community. The tribes want it left that way. They would rather develop and improve the present situation than have education pulled away from this coordinated approach.

As a tribal attorney for the last twenty years, I have personally observed and participated in the great strides that have been made in Indian involvement, particularly in Indian education. All over the country I find many Indian school boards in BIA schools. The concept of Indian involvement, however, implies total involvement in integrated programs. Nothing is more disastrous to Indian involvement than the sudden fragmentation of programs into different bureaus. This involvement presupposes a certain coordination and unity, not only of the Indians, but of the government functions in which they are involved. Fragmentation at the Federal level destroys this coordination and impairs the involvement.

Every time the Congress becomes aware of an Indian problem, invariably a problem that has existed for generations, it looks in the direction of reorganization. It blames the Indian Bureau. It loses sight of the fact that, with all of its weaknesses and strengths, the Indian Bureau is the one bureau that the Indians understand and are accustomed to. They have been working with it for more than a century. Any Congressman or Senator could visit the Indian Bureau on any forenoon and find several Indian delegations from various tribes passing from one office to the other taking care of their business. I have been there with the tribes I represent innumerable times.

The Indians know this "trail". They know the people. They are effective in working within the BIA.

On the other hand, the Indian people find it most difficult to cope with the prospect or reality of having an existing program suddenly shifted to another bureau. The continuity, the familiarity, the Indian confidence is broken. The Indians know that just shifting

an Indian program to another bureau, or, as in the case of SB 659, to a newly formed agency, requires years of adjustments, new people, new approaches, another bureau or agency to contend with. For the most part, they want their regular Indian business consolidated and kept in one spot, within the BIA where they are used to going.

The writer, as a tribal attorney, has, for many years, attended Indian conferences and conventions all over the United States where proposals for removing the educational functions from the BIA have been repetitiously discussed. As he wrote to Senator Kennedy on one occasion, the writer is at a loss to explain the contention of supporters of these bills that they have consulted with the Indians and find them in agreement with the change. This is just not true. The writer has sat as attorney for innumerable resolutions committees of the Indian organizations, NCAI, Affiliated Tribes and many others, and has drawn and redrawn over and over again resolutions that the Indians have adopted opposing any transfer of BIA functions, especially those dealing with eudcation .

The Affiliated Tribes of Northwest Indians will hold its convention within the next three weeks. As it has in the past, it will speak out against the transfer of educational functions from the BIA and will oppose S. B. 659. When that record is made the writer will see to it that your committee received copies of the resolutions.

As explained above, the tribes the writer represents, the Spokane, Coeur d'Alene and Kalispel Indians, strongly oppose SB 659 and any other bill which would transfer the responsibilities for Indian education from the BIA to any other department or agency.

Respectfully submitted,

Robert D. Dellwo

Robert D. Dellwo
Attorney for the Coeur d'Alene,
Spokane and Kalispel Tribes
of Indians.

St. Labre Indian School

ASHLAND, MONTANA 59003

May 1, 1971

Senator Edward M. Kennedy
United States Senate
Committee on The Judiciary
Washington, D.C. 20510

Dear Senator Kennedy,

Thank you for your letter of April 21, 1971, regarding Amendment 6 to S. 659, the Indian Education Act, which you introduced in response to recommendations of the Special Subcommitte on Indian Education. I regret that your letter had to be forwarded to me in Missoula, Montana, where I am temporarily occupied in taking courses at the Univeristy of Montana. For this reason I received it too late to reply in time for the scheduled hearings on April 28 and 29, 1971.

Nevertheless, I wanted to write and assure you of my own and our staff at St. Labre's full support of the bill and the suggestions already made in reference to to the Amendment #6-S.659.

One of my concerns is that members listed as candidates for appointment to the National Board, be listed and appointed regardless of political affiliation (i.e., Democrat, Republican, etc.). I don't feel that partisan politics should enter in as a consideration for appointment as it has for the appointment of Commissioner of Indian Affairs; rather appointments should be made on the basis leadership potential and ability.

Otherwise, I find this a thoroughly fine bill and wish to express my own appreciation and that of the Indian people with whom I am associated to you and your associates for the time you have put into creating it. I wish you much success in its final refinement and approval.

Sincerely,

Fr. Michel Antoine

Fr. Michel Antoine

Fr. Michel Antoine
ST. PATRICK HOSPITAL
500 West Broadway
Missoula, Montana 59801

State of Wisconsin \ OFFICE OF THE GOVERNOR

Patrick J. Lucey
Governor

April 28, 1971

Senator Edward M. Kennedy
Senate Office Building
Washington, D.C. 20510

Dear Senator Kennedy:

Thank you for your communication pertaining to the proposed Indian Education Act and related changes in other legislation affecting Indian education.

A major change is the establishment of a National Board of Indian Education having complete jurisdiction over Indian education programs, and functioning apart from the Bureau of Indian Affairs.

It may be appropriate for the National Board of Indian Education to operate within the organizational structure of the Bureau of Indian Affairs. The Bureau of Indian Affairs should be restructured; however, with the area offices being directly responsible to the National Indian Education Board, which would determine policy and provide for direction and accountability in the administration of the programs, many questions remain unanswered. I would concur, however, with the need for reorganization of existing methods and the encouragement of Indian participation and self-determination at local, state, and federal levels.

Sincerely,

Patrick J. Lucey

Patrick J. Lucey
Governor

60-433 O - 71 - pt. 4 ---25

OFFICE OF
SENATOR
EDWARD M. KENNEDY
WASHINGTON, D.C.
MAY 9 4 03 PM '71

708 Mills ave.
Modesto, Ca. 95350
May 3, 1971

Senator Edward M. Kennedy,
Senate Office Building,
Washington, D.C. 20510

RE: S. 4388--Indian Education

My dear Senator,

On Saturday I attended a board meeting of California Indian Education, Assn., at which your proposed legislation was discussed in some detail (as to several provisions.)

The board did not take an official action on the bill, but the discussion brought out a number of points which clarified my own thinking.

Our board is representative of California Indian opinion--from San Diego to Hoopa, and I feel that objections and suggestions were presented from many perspectives including urban and rural.

Personal suggestions I would make after listening to these representative ideas:

1) Education should be removed from the B.I.A.'s control.

   Whether a separate bureau, under Interior, should be created, or whether it should be moved into HEW as an autonomous agency, probably needs additional discussion.

2) The National Board of Indian Education is an excellent provision. However, presidential appointment is highly controversial, as it would be subject to possible political strategy. A better solution would be to make the first board an interim one, to serve for one year and at the end of that time to present a plan for board members to be elected. Thus, grass-roots would be able to feel involved in choice of its representatives.

3) Some of the provisions in the Act should be left to the Indian board to determine. For instance, whether or not the Institute of American Indian Arts should become a four year institution. Also, what would qualify an off-reservation higher education school to receive federal aid for Indian students, etc.

4) Definitely, the Act should provide full tuition and fees for an Indian student attending a college anywhere in the U.S.--either by reimbursing the college (I am speaking of state institutions supported by public funds) or by giving him an allowance to cover. No student should be limited, by lack of funds, to a college solely in his state of residence.

Senator Kennedy, from Black Re S4388 May 3, 71

2-2-2-

5) A not directly concerned but related problem is that of nationwide use of textbooks in the public schools which denigrate or ignore Indian cultures and the whole history of Indian-white relations in this country. This is a very sore point with Indian people because they feel the books often imply a subtle defamation or disparagement which contributes to an attitude of superiority on the part of fellow students.

Would it not be possible through special O.E. grants to "reward" states or districts which make an honest effort to choose better books or introduce approved-by-Indians supplementary materials? And, also, could not special funding be provided for teacher workshops to broaden the background of instructors--even to encourage teacher training institutions to introduce courses as part of undergraduate instruction?

Now that I have written all this, I am quite positive on Point 1: I believe an Indian Education Bureau belongs under HEW, and despite controversy, which you can suspect may be instigated by BIA employees, I am sure that most Indian people will approve--especially if the bill includes provision for adequate funding. This was one item which worried some members at our meeting last week.

I surely hope you can be successful in obtaining, at least some measure of forward movement in this field. Heaven knows, the present condition of Indian education is a national disgrace.

most sincerely,

Kay Black

Kay Black
(editor of Early American
(CIRA newsletter.)

cc:
Senator Cranston
Senator Tunney

OFFICE OF
SENATOR
EDWARD M. KENNEDY
WASHINGTON, D.C.
MAY 5 5 57 PM '71

STATE OF MAINE
Department of Education
AUGUSTA, MAINE 04330

Indian Education
Box 291
Calais, Maine
April 27, 1971

Senator Edward M. Kennedy
United States Senate
Committee on the Judiciary
Washington, D.C. 20510

Dear Senator Kennedy:

Amendment 6 to S. 659 , the Indian Education Act, would greatly benefit Indian Education in Maine. This bill would break the Barriers to federal funds currently maintained by BIA administration. It is the vie. of Maine Indian Education funds should be made available to all Indians on the basis of need not residency (off or on reservation) or historical accident ("State" or "federal").

Please add Maine Indian Education to the list of supporters for Amendment 6 to S. 659 the Indian Education Act.

Sincerely,

Meredith A. Ring

(Miss) Meredith A. Ring
Supervisor of Indian Education

MAR/lr

P. O. BOX 123

ORAIBI, ARIZONA 86039

May 10, 1971

Special Subcommittee on Indian Education

New Senate Office Building

Washington, D.C. 20510

Members of the Sub Committee on the Indian Education Act:

It is a privilege to be able to have the opportunity to respond to the Indian Education Act that is being introduced to you and to the Senate by Senator Edward Kennedy. The Hopi Education Committee feels that it is the right path that you are taking in asking the Indian people what they want and feel about their own educational systems. It is also a way of bringing up our upright to know that we are capable of doing these things and to think about the education that concerns our children and young people. In the past it has always been that anything that was brought before the Congress or before Committees was brought to you by people who felt that we need certain things because they know us. But now, as Indian people, we can express our own feelings of how we see things and how we read them and how we can implement them into our own educational system.

This Bill that is being brought before you has been discussed by the Education Committee of the Hopi Tribe and we have talked at great length about many of the ideas that you have expressed and there is much agreement on the things that you have written down.

It is true that the Bureau of Indian Affairs have not functioned fully to the needs of the Indian people as had been intended. And it is also true that not only the BIA, but Public School Systems have fallen into this area, losing the ideas and interest of the Indian people. We, as the Hopi Tribe, are aware that we do have problems in our BIA systems such as teachers, curriculum, help of our children and we feel that now with this Bill that has been introduced it brings to light many a things that we do need to look into. But to many, of course, is that this Bill is not just a page of written words but that it does mean something to improve the things that we have.

The Hopi Tribe is located in the State of Arizona and within our Tribe we are directly involved with the Bureau of Indian Affairs. Our children, from the time they start school do go to BIA schools, day schools, and on up through high school, from the 9th to the 12th grade, are sent to off-reservation boarding schools. And in this way we are well aware that the problems do exist as has been brought out in your Bill and feel that the step is right in setting up a Board of Education at the national level because it is at this level that many times rules are made by people not of Indian descent that have other nationalities that feel that there are certain things that the Indian needs. Further, the education program administered by the BIA is for reservation Indian children and, therefore, Indians recommended by Indian Tribes should make up and control the National Board of Indian Education, preference shall be given to enrolled Indians on the Board.

We agree that when the Board of Education is set up that it should be made above Indian educators who know who have lived on the reservation and know of our problems. But we feel also that this Board of Education should not be separate organization from BIA but instead of having a set up so that eventually the Bureau will be done away with, we feel that this Board of Education can be controlled of the BIA system. As you know there has not been a Director of Education in the Bureau and if this is the case this Board could be the ones who would hire these people and who would take care of moving the BIA along so that they will continue to operate.

We know that the Bureau does run into problems of red tape of waiting until rules are followed before they can act. As Indian people, we cannot see why decisions can't be made, why we have to wait until someone else gives an okay, or we have to wait until so & so says something to so & so before this takes place. We feel that the Board of Education can make many of these decisions and get them to us who are on this educational system on our schools. The reason we state this as saying that the Bureau of Indian Affairs should have a

Board of Education above them is that with the President's message there was stated that Indian people would become more involved in what they are doing now. And in order to find out if this will really happen we will have to work on it now and start to do the things that has been promised. And in order to find out that if the Bureau would be willing to operate in this way we would have to test it and find out if this would take place. If this doesn't take place then we can think about setting up a separate system. The schools as we do now have them on the Hopi Reservation are beginning to go into this direction.

We have one school that is operated under a community type run school again with a Hopi person as a Principal. Another school in Polacca is now being turned into a school run by a Hopi man who has had a chance to work on his Masters, and now our Reservation Principal is a Hopi person who is well qualified for this position. We are now moving in a direction that we hope will eventually bring our system up to the level that we feel is right. So we also feel then that the Board of Education that you are suggesting should be made to have direct control over the BIA and not be made up into another area which would again run into a bureaucracy type control. We feel that with the present system it can be improved and it can be made so that rules that are made up by them we would be able to follow them but still work directly with BIA.

Another area that we feel is a very important area that you have covered in your Bill is that of controlling Johnson-O'Malley funds, Title I funds and Public Law that has to do with impact funds. We feel that the State is now misusing these funds as far as working for the betterment of the Indian child. In the State of Arizona once the Johnson-O'Malley funds and the Public School funds are brought in the identity of these funds are lost and we have asked why they are not given directly to the Indian child. There has been no answer given to us by the present Public School Administration. If this is the case that they can't tell us why the money is not getting to the Indian child then we know that the Indian children are not getting this money that is supposedly earmarked for them. We want this Board of Education to control this so that we know that the Indian children are getting this money. We also feel that when this is done that a system for improving the Indian education will be greatly helped and will be able to uplight those of our kids who are away to school.

Another suggestion that we feel that could help in the Board of Education is that each time that a new Board member is appointed to the Board that the Indian people be consulted and again make recommen-

dations of who they would like in their Board. This would be fair to all tribes and not only that it would control it so that these politics that are so evident in Washington would not be part of choosing these people. We feel that one of the problems that happens is that each time the administration changes there is a tendency to fill it with an appointee made by the President. This we feel is not right. We feel that we have many people of Indian descent who are very very capable and that we, as Indian people, know who these people are so that we can be the ones to make recommendations whenever they are terminated from their positions.

Another area within this too is that in your recommendation you said that the President should be the one to appoint the Chairman and Vice Chairman of this Board. Again we feel that the members of the Board should be the ones to choose or appoint their own Chairman and Vice Chairman. This way again if the Indian person who is doing it and if anything goes wrong, the Indian people can be the ones to say, "We are the ones that were wrong." We feel that we are capable enough to do what we are to do and we do not ask others to do it for us as in the past. We want to be the ones to do our own thinking in alot of ways but also to be able to communicate with those of you who are in Washington working with us in this area of education.

Again we would like to re-emphasis that the Hopi Tribe do believe in education for their people because we feel that they are the ones that will take control of our tribe and lead us in the direction we are aiming for and that is to help others of the tribe to become more and more educated. And we feel also that the Bureau of Indian Affairs can improve if those in Washington and on the Board of Education be the ones to relay back to these people that they have a job to do because we want people who are interested in helping to educate the people, not people who are here for a job and for their pay check.

We again would like to thank you for letting us be a part in the decision on whether or not this Indian Act should be made a part of the law for this country. And we feel that the Indian person has been neglected for a long time but that now if we will only not just have this written up and put away in your records but there will be something done about it and that it will be worked on and that all Indian people who do express themselves might be satisfied with the way it is set up. But again we emphasize that we would like to see this Board of Education be the head over the Bureau of Indian Affairs and not have to do away with the Bureau of Indian Affairs as a total. We feel that we can function better and work better and leave the system as stands and improve upon it. This way we will know if it is true that the Bureau of

Indian Affairs is willing to change.

One thing that we are afraid of that would happen if that we set up a new system is that again we will run into the problem of red tape, setting up rules and trying to follow them. But with the present system we can build upon the Bureau of Indian Affairs school system and make it better than what it is now. And that way we will still work to improve what we have now.

We would like to thank you for this opportunity but would recommend that the next time you would like an oral report given before your Sub Committee that we be notified further in advance. We were notified two days before the report was to be given and, therefore, were not able to appear before you. It is easier to speak how we feel than to put it in written words.

Thank you.

Sincerely yours,

LeRoy Shing

LeRoy Shing, Chairman
Hopi Education Committee

Clarence Hamilton

Clarence Hamilton, Chairman
Hopi Tribal Council

GRAND CAMP
ALASKA NATIVE BROTHERHOOD

ANB EDUCATIONAL TALENT SEARCH
P.O.BOX 449
JUNEAU, ALASKA 99801

OFFICE OF
SENATOR
EDWARD M. KENNEDY
WASHINGTON, D.C.
MAY 13 11 31 AM '71

May 7,1971

The Honorable Edward Kennedy
United States Senate
Washington,D.C. 20510

Sir,

Recently I received a note from Bill Demmert,Jr.inviting me to comment on the amendment 6 to S.659.

As you are probably aware, Talent Search is a federally funded program under the Department of Health,Education and Welfare, Office of Education. The Alaska Native Brotherhood administers the Talent Search Program in Southeast Alaska. The education of the Native people is of utmost importance, especially with the pending land claims settlement. Self-determination is what we all are after, but without the proper education, we cannot hope to rid ourselves of the poverty and despair we now exist under.

It is my firm belief that we must have a voice in our destiny. To be able to change the educational system that we have been subjected to is our only hope for survival. To do this, we must have some form of control over the distribution and administration of funds which relate to Indian students. I feel that your amendment will finally give the Indian people the power they need to bring about educational change. I am especiall impressed with the second suggestion that Indian tribes qualify for funds to develop their own schools. I'm hoping that this will include supplemental educational programs not given in public schools how, such as the teaching of one's own culture,history and language, using the elderly members of the Indian Community as the instructors.

I fully support this amendment and hope that it will be adopted.

If it is at all possible, I would like a few copies of the summary of the subcommittee's investigation on Indian education entitled"Indian Education-A National Tragedy,A National Challenge".

If there is anything more that I can do to support the amendment, please let me know.

Cordially,

Edna Belarde

ELB:pf

(Miss)Edna Belarde,Director

MID-AMERICA ALL-INDIAN CENTER, INC.,
Wichita, Kans., May 8, 1971.

Senator EDWARD M. KENNEDY,
Old Senate Office Bldg., Room 431,
Washington, D.C.

DEAR SENATOR KENNEDY: Please read the article on the proposed amendment. This article expresses the feelings and opinions of our group unanimously.

We do hope that the voice of the *Indian* People in this instance will be listened to and heeded.

Respectfully,

MRS. PAULINE BLUM,
Secretary.

GEÉSQUA

[From the Indian-American Student Association]

KENNEDY-MONDALE AMENDMENT

At present the BIA has jurisdiction over Indian Education. The Kennedy-Mondale Amendment divests the BIA of that authority and transfers it to a proposed National Board of Indian Education. NBIE will consist of fifteen Indian members, appointed by the President, and would be under the Commissioner of Education in Health, Education, and Welfare, who would handle the administration of any program in which Indians participate.

It is our opinion that the NBIE would be so far removed from implementation of programs, and with such little real authority, that it would function less than adequately. This would place Indians in competition with other larger minorities. If you think you have a lot of trouble getting money from the BIA for education now, then try this proposal!

We as Indians remain unique today in that we have a Bureau of Indian Affairs with the responsibility of "helping" us with our so-called "socialization". By removing the backbone of the BIA in education we will be witnessing the beginning of the end of our protection, especially when termination legislation passed in the fifties is still on record and has not yet been repealed.

We know that the BIA needs tremendous improvement and especially in education. If it is going to cost 25 million to implement this proposal, why not give that 25 million to Indian schools and to help finance scholarships for urban Indians rather than spending it to implement a program which we do not want.

In a letter to Senator Kennedy, Charles G. Shunatona, Chairman of the committee, expressed the consensus of the committee's disapproval of the bill and recommended the NBIE to be an advisory board to the BIA while at the same time implementing structural changes in the BIA's educational programs. They also requested greater support for Indians attending public schools.

It seems apparent that the white people still have this so-called "melting pot" theory. This proposal is part of the integration of Indians into this "melting pot", thereby relieving the United States government of its responsibility (they took this responsibility, we did not give it to them) to the Indian. We are Indians and unique, let us remain Indian and preserve the promise of our heritage.

Glen Leet, *Executive Director* | Timothy Beckett, *Comptroller* | M. Millard Miller, *Program Director* | *Board of Directors* | Hon. E. C. Kip Finch, Chairman · Dana C. Ackerly, Secretary · Gardiner S. Robinson, Treasurer · Mamie E. Davis, Howard A. Dickson, Dan W. Dodson, Benjamin E. Freedman, Howard V. Funk · Mrs. Alfred E. Grann, Fred H. Hansen, H. Fred Heisner, Howard E. Kershner, Paul Saintonge · Charles I. Schottland, Gaither P. Warfield, Hon. Herbert Zelenko

United States Committee | Arthur Dunham, Fred K. Hoehler, Katharine F. Lenroot · Mrs. Saville Millis Simons, Richard S. Winslow

CDF COMMUNITY DEVELOPMENT FOUNDATION

International Office: *Oregon 4-2690, Oxford 7-0264*
UNITED NATIONS PLAZA at 46 STREET, NEW YORK 17

May 7, 1971

The Honorable Edward M. Kennedy
United States Senate
Washington, D. C.

Dear Senator Kennedy:

This is in response to your request for comments on the Indian Education Act which you have introduced. We appreciate this opportunity.

In an effort to secure reactions from grass roots areas, our Albuquerque Field Office that administers the American Indian Program, was requested to secure comments from a cross section of Indian tribal officials and leaders.

We have made no attempt to analyze every section but rather report general feelings of the Indian people consulted on major provisions.

It appears to be the consensus that they do not favor transferring the administration of the Federal Indian Education Program from the Bureau of Indian Affairs, Interior Department, to the Department of Health, Education and Welfare. They feel any such move would merely result in the fragmentation or termination of services as there are too many interrelationships between Indian education and other Bureau of Indian Affairs programs.

Most of the adult Indians favor the proposed National Board but think the provision should be amended to limit membership of Indians of at least one-fourth degree Indian blood, and that appointments should be made by the President from nominations submitted by Indian tribes only, instead of tribes and organizations, and that the Board should select Board Officers. Some members of the National Indian Youth Council believe the idea of a National Board is impractical.

All Indian persons consulted had strong feelings favoring greater involvement of Indians in every phase of Indian education, including the development of contracts with State Departments of Education and subsequent supervision of uses of the funds. Also favored was programing and budget development of BIA schools by local Indians. Funds for pilot and demonstration projects directly related to improvement of Indian educational opportunity were endorsed as well as expansion of the kindergarten and adult education programs.

National Office | Norwalk, Connecticut — Victor 7-4521

Field Offices | 14 Rue Dareau, Paris, 014 France · 51 Patriarchou Ioakim St., Athens 140, Greece · International PO Box 1193, Seoul, Korea · Mubarak Building, Verdun Street, Beirut, Lebanon · c/o District Office, Kumba, West Cameroon, Federal Republic of Cameroon, West Africa · PO Box 9133, Dar es Salaam, Tanganyika, East Africa

American Indian Program | 5208 A Constitution Avenue, NE, Albuquerque, New Mexico

Southern Mountain Program | 5604 Lawrence Road, Knoxville 17, Tennessee

The Honorable Edward M. Kennedy

May 7, 1971

Some Indians spoke on the desirability of consolidating higher education funds for college and vocational training, merging the two programs for greater continuity of service to Indian youth.

The Indian people were unanimous in the belief that the real need is for substantially greater funding for Indian education.

We feel the Indian Education Act is timely and has much merit if revisions are made in line with recommendations from Indian leaders. To obtain views from more Indian people they would like to have more hearings conducted on the various reservations instead of in Washington.

Sincerely,

Glen Lost
Executive Director

Talk Together

American Indian Study Center, Inc.

(A Project of the Baltimore Indian Community)

211 S. BROADWAY • BALTIMORE, MD. 21231

Telephone, 301/732-8270

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MR. AVERY LEWIS, Special Assistant

May 6, 1971

The Honorable Edward Kennedy
United States Senate
Washington, D. C. 20510

Sir:

I have read with care the copy of Amendment 6 to S.659, the Indian Education Act, which you have introduced into Senate as a result of the findings and recommendations of the Special Committee on Indian Education. I have also read the suggestions for improving this Amendment.

I wholeheartedly and totally endorse the Amendment and agree with and second the suggestions for improving the Amendment. In addition, although belatedly, I would have liked to submit a suggestion of my own; namely, that organized groups of Indians living in urban areas should be eligible for Office of Education funds to develop programs designed to preserve and maintain Indian culture, language and arts and crafts.

My congratulations and sincere best wishes to you and all the co-sponsors of this Amendment. It should be passed as is and strictly adhered to; first and foremost the National Board should be all native Americans.

Again, my best wishes to you. My prayers for your success be with you continually.

Respectfully yours,

Herbert H. Locklear
(Lumbee: Three Cloud Thunder)

HHL:mj

RAPID CITY PUBLIC SCHOOLS
809 South Street
Rapid City, South Dakota 57701

Telephone 342 4020
Area Code 605

Office of
The Superintendent

May 7, 1971

Senator Edward M. Kennedy
U. S. Senate
Washington, D. C. 20510

Dear Senator Kennedy:

I am well aware of the good work you are doing in the area of Indian education and particularly with Amendment 6 to S 659, the Amendments to the Higher Education Act.

We in Rapid City, with more than nine hundred Indian youngsters in our schools, are particularly interested in all kinds of legislation relative to Indian education. One of the unfortunate and unfair aspects of most legislation is that schools such as ours which have no Indian lands receive no funds whatsoever. However, the urban Indian is in need of as much, if not more, special attention. Even though we have a large number of Indian students who have migrated here from the reservations, there are no available funds for compensatory programs and services.

We are an extremely poor school district and this problem becomes an even heavier burden. It is frustrating not to be able to help these youngsters. Even though I have contacted our congressmen from time to time about this matter, nothing has developed to improve the situation.

The attached copy of a letter I sent to (Omitted) Vice-President Agnew some time ago further explains our dilemma. It is my hope that your influence and interest in Indian education will help to alleviate this concern.

Sincerely yours,

Charles A. Lindly

Charles A. Lindly, Ed.D.
Superintendent of Schools

May 13, 1971

Senator Edward M. Kennedy
Education Subcommittee
New Senate Office Building
Washington, D. C. 20510

Dear Sirs:

We, the members of the Taos Pueblo School Board representing the Pueblo Governor's office agreed that establishment of the fifteen men National Board of Indian Education under Bill S-659 is practical. We support this bill with the following stipulation:

1. Each area should be represented by two members of the board, for example--two members from the Albuquerque Area, two from Phoenix Area and so forth to insure equal representation on the board.

2. Selected members should qualify in terms of awareness of educational needs in the area which they represent, and members should consult and disseminate information to the people they will be serving.

3. We wish to maintain the trust relationship with the Federal Government, however, we feel that education is so important that it be elevated to departmental status.

4. We are opposed to elevating the Institute of American Indian Arts School to 4-year college level for the reason that we feel Indian students should be exposed to a broader educational base. With a broader exposure, they would compete at any level in a society.

We recommend that area field offices be established for all school board representatives with the main headquarters in Washington.

Sincerely yours,

Tony Reyna 1st

Tony Reyna, Chairman
Taos Pueblo School Board

School Board Members:
Mrs. Peggy Sandy
Mrs. Ida Isaacs
Mr. Jim Cordova
Mrs. Lorraine Martinez

May 12, 1971

Mr. Kennedy:

As a professional behavioral scientist with three years of experience at Albuquerque Indian School (AIS), an off-reservation boarding school, I should like to commend you on the general excellence of your proposed Amendment, S. 659, and offer a few comments relative to the "detailed investigation of the off-reservation boarding schools to determine which ones should be converted into therapeutic treatment centers"...etc.

While such a detailed investigation is welcomed by one who has endured much frustration in working within the present context of such a school, a word of caution is considered appropriate relative to what one defines as "therapeutic treatment centers". This is especially true in terms of what therapeutic models one employs in such a setting, especially with reference to the traditional "medical model" or method.

What is wrong with off-reservation boarding schools is what is wrong with the entire educational system in this country (which it imitates) plus a few more factors guaranteed to accomplish the ultimate result. These added factors include (a) an increased chance for the social break-down syndrome to appear because of their residential status; (b) a more global and insidious form of institutional racism (almost a de facto policy) which

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heightens the self-fulfilling prophesy of failure and incompetence; (c) English-as-a-second-language problems peculiar to groups without a written language who are forced into bilingualism often at age six in the company of strange, white, and often feared adults; (d) suffering from a values crisis while caught in a cultural double-bind; (e) enduring the tyranny of an antiquated staff made sacrosanct by the beaurocratic civil service process. While the above five add upon the general crisis in education, they remain in addition to the general crisis. This general "wrongness" of our educational programs has been powerfully stated by Walter L. Thomas, Ed. D. (Toward A Concept For Affective Education", Combined Motivation Education Systems, Inc., 8300 River Road, Rosemont, Illinois, 80018, March, 1971):

> "One of the things the school has mastered best is a fail-safe process of alienating children and youth. This process, now a master plan, has been derived over years of experience and has profited from the input of thousands of educators across the country. Education has successfully established and carefully implemented these principles of alienation and dehumanization, so that most children and youth are fortunate enough to be modestly affected...

(Not the Indian child, though, who must be maximally affected in these residential schools especially with all the additional factors heaped upon him).

> "A careful analysis of the dehumanizing function yields the following reliable guidelines for schools to follow:
>
> 1. Organize the school around the concept of subjects and disciplines.
>
> 2. Arrange all learning experiences on a fixed interval schedule.
>
> 3. Assure the rate of student to be generally passive.

4. Justify all requirements and expectations on the basis of some future reference point.

5. Include ample amounts of activities that are sometimes referred to as busy work.

6. Feature the teacher as the star in all classroom learning situations (front center and active).

7. Provide as little opportunity as possible for the student to participate in education planning evaluation, policy, or decision-making.

In short, the alienating function is accomplished by intellectualization, externalization, paternalization, and allocation of more money and facilities. These are the very same responses the white middle class makes to all social tasks and problems. The white middle class teacher and administrator have successfully spread the effect of these defense mechanisms to encompass education."

And the ultimate effect on minority groups, I might add, is devastating, especially when you have a "captive audience" in an off-reservation residential Indian school.

Our problems in these schools are primarily ones which can be loosely classed as behavioral and affective (values area). Dealing effectively with behaviors demands an approach predicated on social learning and value theory (read A. Bandura, Principles Of Behavior Modification, Holt, Rinehart and Winston, Inc., 1969) which predicates the establishment of a motivating environment dealing with observable behavioral events not with symptomology such as the traditional medical model attempts to do. Stopping the dehumanizing alienation process demands an effective affective education program. "We must attempt to humanize the institutional monstrocities we have created...(knowledge and skills) are very important, but only when the possessor has been tempered with the values of a sensitive

and moral man...Affective education has to do with values and feelings... If education is to be humanized, the affective areas of living and learning must be given a top level priority in the schools. The final difference among people is not what they know or what they can do, but what their committments are. The final difference among people pertains to their values and feelings, not their knowledges and skills." (Thomas, op. cit.).

Remember! The medical method has failed in the mental hospitals. Behavioral programs--motivating community concepts--are increasing yearly in mental hospitals around the country as they are in other institutions. (For example, read: Ayllon and Azrin, The Token Economy; Staff Manual For The Motivating Community, Behavior Therapy Program, Department of Psychology, Central State Psychiatric Hospital, Nashville, Tennessee). As the above-mentioned manual states:

> "This brings us to the question of how can we best utilize the hospital to prevent chronicity? On many wards in any mental hospital, patients remain mute, are incontinent, hallucinate, and exhibit every psychotic symptom in the book. But, if we take a closer look at them, we find that very few of them will refuse to line up for meals, go to the commissary, go to bed or get up on time. Behind the shadow of incompetence, apathy and overt psychosis, there is a continued responding to the basic daily routine. And here we find our first clue, which is to rearrange the mental hospital routine which fosters dependence and abnormal behavior in such a manner as to include more and more socially adaptive activities. These activities

should correspond as much as possible to those activities which are carried out in the community to which the patients shall return. In order to qualify our endeavors as a treatment process, we must be able to show that we change or alter both the environment of the hospital and the behavior and status of the patients. Therefore, let us define what we mean by therapy. Previously, we said that psychotherapy is the attempt on the part of one person to change the behavior of another, either in a group or in an individual setting. The success or failure of therapy is determined in the final analysis by the changes, or lack of them, in the patient's behavior. While the patient may talk about changes, unless these changes are carried over into his observable day-to-day behavior, therapy has not been successful and, in a sense, has not taken place. Therefore, we shall define our treatment program as making beneficial changes in the patient's observable behavior in the direction of activity, social communication, self-reliance, and appropriate adaptive responses to his environment.

"With regard to treatment, we shall employ those techniques of changing behavior known as "behavior modification" or "behavior therapy." This approach utilizes the principles of operant conditioning to direct and to control the behavior of distressed individuals. Our "cure" shall be

> defined as beneficial changes in the behavior patterns of the patient following "therapy", which makes possible his return to, and maintenance in, society without requiring further treatment."

This quote provides a pointed example of the ineffectiveness of the medical model even in mental hospitals, and the recognized effectiveness of the behavioral approach.

Perhaps I have belabored these points overly long, however, their importance cannot be stressed too much.

Much of what happens in off-reservation residential schools which is alienating and detrimental to development and learning has to do with the "closed system" traditional schoolness of the process and more importantly perhaps, the daily transactions with the staff and peers. Behavioral events derive from these transactions. Some of these behaviors are non-viable in terms of development and learning. It is important to recognize that they occur in ecological or environmental context, regardless of the internal state of the student or the "set" he brings into the transaction with him (from a "broken home" or otherwise). As Gruenberg and Zusman (International Journal of Psychiatry, April, 1967, Vol. 3, No. 4) state concerning the social breakdown syndrome, in this case, in mental hospital patients:

> "The most important etiological factor is not the institution but rather those around the patient--whether they are hospital staff and other patients or parents and siblings" (or teachers and dormitory counselors and aides).

So where are we?

We need a behavioral modification program for "propping up the system" for renovation and repairs. We need an affective education program to humanize the school, to provide experiences for value development and value clarification, remembering the importance of human unity and cultural differences. "Values are what make individuals distinctly human." (Thomas, op. cit.). Machines can do the rest, probably better than humans in many cases. We have educated too many of our children into alienated dehumanized machines!

I am taking the liberty of enclosing several items which may prove to be of interest. (Omitted.) The large volume, The Motivational Environment Program specification is an initial attempt by me at setting up a behavioral program at A.I.S. this year (1970-71) under Title I. An evaluation report will be forthcoming this year. A mid-term evaluation is already out.

If any small portion of this rather lengthy discussion proves of benefit, I am rewarded. My primary motivation in all this is to help the Indian children I have become so intimate with, and whom I have grown to love so much.

Joseph D. Blanchard

Joseph D. Blanchard
2551 Del Norte, S. W.
Albuquerque, New Mexico 87105

NAVAJO COMMUNITY COLLEGE
MANY FARMS RURAL POST OFFICE • CHINLE, ARIZONA • 86503 (602) 781-6302

BOARD OF REGENTS
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April 1, 1971

The Honorable Edward M. Kennedy
Senator from Massachusetts
Senate Office Building
Washington, D. C. 20510

Dear Senator Kennedy:

Thank you for your letter dated March 10th. I appreciate your sending me a copy of the Congressional Record, which contains the Indian Education Act.

The past several times I have been in Washington, I have tried to make an appointment with you and/or with your Indian Education Authority, Mr. Susman. I have not been successful yet, but I hope that I sometime have the opportunity of sitting down with you and with him and discussing Indian Education. As you undoubtedly are aware, we are facing some rather rapid changes in the area of Indian Education and your bill identifies some of these and will run afoul of others. I am sure I am telling you nothing new when I suggest that the establishment of this National Board of Indian Education will be the most difficult, in my estimation, with regard to acceptance by the Indian people. There is a built-in dilemma in the establishment of such an entity in that we are striving for local Indian control and we establish a National Board. Obviously, there needs to be someone who can run and steer the ship and make certain that it keeps on its course. Nevertheless, I am certain from my conversations with Indian leaders, that there is an apparent incongruity between the existance of this National Board and the existance of local controlling bodies. Certainly your bill describes the functions and powers and duties but I still feel that this will be one of the most difficult areas in which to gain acceptance by the Indian people.

In my estimation, this means that the tremendous value of your bill and the vital importance of such a bill may well be lost because of something which really is not all that important. I have seen in the past several years good recommendations made which were rejected by Indian people in some instances solely because there was some minor area of conflict or uncertainty.

Your bill identifies what I consider to be the major areas of concern that exist in Indian Education. The problem is to make certain that Indian people are involved in the full development and expression of this or related bills. A good case in point is the report "An Even Chance" prepared by a number of well-intentioned people from the East. What they found was vital and improvements must result but nevertheless, they failed to take into account the role of Indian leadership and I fear made jeopardy of the very thrust of their recommendations by such a default.

I believe you must actively establish a dialogue with Indian leaders through visits to reservations and through continued support for Indian initiated programs. I do hope I have the opportunity of discussing in much greater detail with you or with Tom this bill.

I agree that structural change is essential and I also believe constant Indian involvement is imperative.

At one time I had the dubious distinction of serving on President Johnson's Secret Task Force on Indian Affairs. At that time we discussed at great debth possible changes and ways to improve Indian Education. I wanted more far-reaching changes than any one else on the Task Force and I therefore like your bill in that it does more than many possible changes I have heard.

Nevertheless, I am concerned about the National Board in the sense that it is appointed by a President who may or may not be interested in Indians and who may or may not appoint Indians who represent the Indian people who have the programs and therefor the problems. As you know, there is an ever-increasing gulf developing between urban and reservation Indians. I believe it is essential in our thinking about Indian programs that we recognize that the needs and interests of these two groups do not always coincide. I of course believe that this Board, if there is to be one, should primarily reflect the needs and wishes of reservation Indians and you also know I am sure that there is little agreement among this group. The real question is the relationship of such a board to the President. He already is plagued with so many commissions and boards reporting directly to him that I wonder exactly what kind of attention such an independent body would receive from the President. Finally, I wonder why it would not be possible to provide regional boards which could more nearly reflect the needs of Indian people in the specific regions. It has been my experience that one of the problems facing the so-called Indian Education Advisory Board is that it is difficult for that group to speak as a unit in the sense that it can make statements that are applicable to all reservations and to all schools. In any event, I greatly admire your interest in Indians and I trust it will grow deeper and never lessen.

Sincerely,

Robert A. Roessel, Jr.
Chancellor

1726 Abingdon Drive
Apartment #202
Alexandria, Virginia
February 19, 1971

Dear Senator Kennedy:

The quest for Indian self-determination and control over their own destiny is continuously being frustrated at every turn under the present Government administered programs. In fact, the whole national educational system and Government administered programs are not geared to Indian needs. They do not take into account unique Indian background and heritage. The criteria, guidelines, regulations, and channels of operation of Federal and State programs are definitely tailored to middle-class white America, totally leaving Indian citizens at a very limited involvement and participation.

The bureaucratic domination over the lives of Indian people for more than 100 years has taken away opportunities for using their own judgment, assessing their situation, and planning and implementing programs designed to meet their needs and problems. It has forced them into the role of unconsulted receivers of services that may or may not make sense to them, resulting in serious dependency, hopelessness, loss of pride, and what appears to be lack of responsibility and lack of ability to make decisions.

This long prevalent situation is changing now. Indian demands for the right of self-determination are increasing. Indian leadership, both on the reservations and in the cities, is growing in sophistication and the Indian people in general are growing in their ability to chart their own future. The American Indian stands ready now to implement the policy of self-determination, but the present programs policies under HEW, Office of Education, HUD, and others reject such efforts.

Although the Bureau of Indian Affairs' prime responsibilities lie with American Indians, it is limited to the Indian on the reservation, and

every day they deny services to numerous off-reservation, or non-reservation, and so-called terminated Indians in the cities and small towns. About one-half the Indian population is in the cities. When the urban Indian turns to State and local services, he is also denied. As a result, thousands have not been successfully assimilated and find themselves confined to hopeless city environments of despair because of a lack of education and skills.

I can no longer live with my conscience and continue to play bureaucratic games to countless numbers of Indian groups, agencies, organizations, and individuals coming into our office (DHEW, Education for American Indians Office), desperately wanting financial assistance for their many and varied projects and programs, only to go back unassured, uncertain, and often discouraged. While our office and other so-called "Indian desks" (with no budgets) do give every assistance in channelling Indian programs within the various Federal agencies for possible funding, the chances for funding are one out of 100, if that. The usual bureaucratic responses are: "We do not have the authority to fund..."; "We do not fund Indian tribes or organizations..."; "We only work with and through the States..."; "BIA takes care of Indians."

I am writing you because in your hands lie the authority, the power, and the political pull to bring congressional action and legislation to at least alleviate some of the glaring critical circumstances, because they demand action of the highest order.

Trying to "scare up" funds for special needs of Indians is a continuous hopeless venture and as a trained professional Indian educator, I find it intolerable to continue raising false hopes in Indians who are already suspicious of a long history of broken Government promises. Therefore, may I recommend a few goals or strategies as suggestions in your pursuit for action.

1. Appropriations and a budget for Education for American Indians Office, HEW, and so-called "Indian desks" in other agencies. At present, they are merely "token" Indian offices, not meeting, and in fact legally unable to meet, the needs of Indian citizens.

2. Special appropriation and use of discretionary funds to meet the special needs of Indians, particularly urban Indians. These funds could be channeled through the above mentioned Indian offices or other appropriate bureaus to enable Indian initiatives and ideas to be tested and tried.

3. Special appropriations or legislative funding for Navajo Community College and other Indian initiatives in establishing higher education on or near reservations. At present, the Navajo Community College, the first Indian college on a reservation, is in dire need of financial assistance.

4. Provisions or amendments made in the present policies of Federal programs to contract with Indian tribes and urban Indian centers along with State and local educational agencies. Tribal councils have the authority to speak and act for the tribe and represent it in negotiations with Federal, State and local governments. The tribal governments are organized and structured in a way that if given financial support, they would meet their own economical, social, educational and health needs. Urban centers are seriously deficient in funds but they too are organized to meet special needs of Indians in the cities if given financial support.

5. Major policy initiatives to redefine and restructure programs to meet the unmet needs of all terminated Indians which at present BIA, Federal, State, and local government services are completely ignoring. The terminated Indians suffer accute limitations, disabilities, and indignities that few disadvantaged groups in America suffer in equal measure.

6. Federal departments, other than Interior, urgently need to redefine and restructure their present program, project, and funding procedures so that American Indians, whether urban or rural, can take advantage of their programs on an equal basis with other citizens. Such words as "tribe," "urban Indian centers," "Indian college," "Indian non-profit organization," "National Indian Education Association" and other Indian organizations should become common vocabulary in Federal program policies and regulations.

7. The above mentioned recommendations could be essential parts of a much needed bold comprehensive Indian education bill to meet the special educational needs of Indians in both Federal and public schools, including any Indian administered and controlled schools.

As an American Indian and as a tax-paying American citizen, may I urge your immediate action to once and for all make positive, sincere commitments to start meeting the urgent needs of the First Americans who, at present, have become the last American to receive equal rights, privileges and services.

Now that our Nation has met the needs of middle-class white America, why not start meeting the long overdue, urgent needs of Indian America!

Please help!

Sincerely yours,

George P. Lee

George P. Lee
Office of Education Fellow
Education for American Indians, HEW

Joseph Hudson
P.O.Box 11662
UCSB
Santa Barbara, Ca.
93107

The Hon. Edward M. Kennedy
United States Senate
Committee on Labor and
Public Welfare
Washington, D.C. 20510

Dear Sir,

My people are Rosebud Sioux of the Dakota Nation. One of my cousins is Dellas Bordeaux, Chief Eagle of the Rosebud Reservation, South Dakota. Another of my cousins is Sister Christine Hudson, O.S.B., administrator of Marty Mission's Indian School in South Dakota.

I am a student at the University of California at Santa Barbara, studying the Religious Tradition of the Dakota Paralleled with the Judaic-Christian Tradition, under the guidance of both the Institute of Religious Studies at UCSB, and Fr. Vincent Martin, O.S.B., of St. Andrew's Priory, Valyermo, Ca.

One of my friends to whom you had written, is Lawrence Baca, the temporary chairman of the proposed Indian Studies Program at UCSB. Through Larry, I became acquainted with your Bill, the Indian Education Act. Having read this Bill, I took it upon myself to write you my comments on it.

For the time being, I am not in any educational or administrative capacity, although I will teach someday. Therefore I am commenting on your Bill only as an Indian student, who sees the Bill's potential for assisting the completion of my study in order that I may help my own people.

Thus I see first that the Indian Education Act will possibly provide some money to complete my future graduate work. Secondly, I see that the Indian Education Act will possibly provide a framework within which I can work upon completion of my studies.

This is good.

But I will complete my study and work for my people, even without the assistance of your Bill. However, some Indian students and leaders will not be able to continue their work without the help of the Indian Education Act. I am concerned for them, should the Bill not be accepted.

Also, I ask you with what degree of compromise is this Bill being proposed? And by compromise I mean that frame of mind wherein a person asks for much, so that he will receive at least a little. Do you ask

for $25 million in your Bill, knowing that you will be lucky to receive $1 million, if that much? If so, I do not find that such a compromise makes any difference, notwithstanding the money involved, since the main reason your Bill must be accepted is more important than simply financial aid for educating my people. I hope that I see this Bill establishing precedent for helping my people through agencies other than the B.I.A.

This is good.

But you know as well as I do, that since the truth hurts, the B.I.A. will not take lightly being told it is a failure. But this does not make any difference either, since the alienation that already exists between our leaders and the B.I.A., will have by means of the Indian Education Act a means of becoming officially solidified. And even the negativeness of this alienation is to be preferred before the stagnation of indifference that exists now between the majority of my people and the leviathan B.I.A.; a stagnation and apathy that is the result of our fighting to live under the B.I.A. and not being able to do so.

And this too, is good.

In short your Bill is the perfect catalyst my people, as dying survivors, must have to be able to begin again living as Indian people, for all time.

For this I thank you.

I have the honor to remains yours

very sincerely,

Kiswacinsini, peacefully

Joseph Hudson

THREE FEATHER SOCIETY
Box 9
Avenal, CA 93204

12 March 1971

Edward M. Kennedy
United States Senate
Committee on Labor and Public Welfare

Dear Senator Kennedy:

Thank you very much for your letter of March 5, 1971 regarding American Indian Education. Your efforts are much appreciated.

I believe a National Board independent of the Bureau of Indian Affairs would be preferrable.

Please do not think that we criticize the B I A simply because it and the U S Indian Service, its predecessor, could not solve the immensely complicated problems of Indians. I have much to thank the old U S I S for; it and the Massachusetts Indian Association were responsible for my getting a medical education.

Since my retirement some three years ago I have taught at the University level, travelled much, and corresponded with a large number of Indians-at-large - people who have not been closely connected with the BIA, either as reserve or urban Indians.

Many, many Indians are ' making it ' in general public life - and contributing their share. These people, and reports such as the recent Havighurst Report, plus my own experiences, convince me that the Indian people as a whole have potential as citizens which has not begun to be tapped.

Aside from the many ppoblems suggested by the late Oscar Lewis in his works on the 'culture of poverty', the Indian people have problems best understood by Indians. If they are to succeed, it will be as Indians, not as imitations.

Indian-Americans, Armenian-American, Irish-Americans, German-Americans, Japanese-Americans all function from the depths of their natural characters, and they fail to the extent that they try to be something else.

If you fail from your own mistakes, you face up to it and learn - if you fail as the result of other's mistakes, you have an excuse rather than a reason.

We have many Indian students in colleges all over the country, many hanging on precipitously, due to improper preparation, poor financing, or being allowed into schools simply to let the school say it is giving the ethnic groups a chance.

I have enclosed some suggestions,

Sincerely,
Thomas S. Whitecloud, M.D.
Thomas S. Whitecloud, M.D. (Chippewa)

2100

THREE FEATHER SOCIETY

Suggestions for the improvement of Indian Education.

1. Improvement of home conditions. Jobs. No welfare without attempting to let the recipient do something in order to retain his self-respect.

2. Housing. Good example is the Alabama-Coushatta reserve, run by the state of Texas. Man puts in several hundred hours of labor as the down payment on his house. Then the house payments are taken up as in regular financing. Must have protection against loss of land.

3. New approach to the teaching of young. Use Indians if possible, or audio-visual methods using Indian commentators. Children should not be constantly confronted with an authority figure who is alien, no matter how kindly that figure is.

4. Break away, somehow, from the system that makes a child feel he is an 'A' person, a 'B' person, a 'C' person, etc. These classifications deal with academic ratings, ignore other facets of character such as honesty, consistency, critical ability, originality, etc. Try to grade if necessary on the group, so that each may contribute without seeming to degrade others.

5. Make a definite effort to predetermine potential dropouts, find out their problems, solve them, but if not, arrange to have some sort of continuing education for the dropout.

6. Arrange for preparatory school education for those going on to the larger colleges. Courses in these schools in how to study, how to write papers, how to take tests, how to use libraries, how to type thesis papers, use of audiovisual materials, use of copying machines, familiarization of journals, classical textbooks of the various fields.
   This should be done with a minimum of financial worry, extra-curricular activity, or other distracting forces.

7. Same for pre-nursing, pre-medical and paramedical students at the appropriate level, such as between college and medical or law school.

8. Keep in constant mind the importance of teaching each child the positive factors of his parent's culture at its best. History must not be taught so that the child becomes embittered by a lack of recognition of his people's history, or by a one-sided description of the wrongs done his people. Rather teach a balanced history, stressing the difficulties each group of American citizens went through, and how the student's people fit into the overall picture.

9. Teach the teachers. Again in a balanced manner, give those teachers who will be teaching Indian children instruction in racial differences, sensitivities, methods of praise and recognition within the culture, methods of criticism and punishment.

10. Arrange for formal credit for field work away from the classroom and the university. Let Indians study Indians or whites as much as non-Indians have studied them. Many misconceptions might be corrected.

Thomas St. Germain Whitecloud, M.D.

SMALL TRIBES ORGANIZATION of WESTERN WASHINGTON, INC.

33324 Pacific Hwy So. / Federal Way, Wash. 98002 / Phones 206 / VE 8-0790 or WA 7-0258

April 20, 1971

Honorable Edward M. Kennedy
United States Senate
431 Senate Office Building
Washington, D. C.

Dear Senator Kennedy:

We would like to take this opportunity to express our appreciation for your interest and involvement in Indian Education. For many years now, we have attempted to work within our communities to affect change in education. With your continued support, we are sure to succeed.

I do have some questions about the Bill S 659, which you have presented. There seems to be no direct statement allowing Indians to contract for education monies, such as Johnson-O'Malley Programs. As you well know, Johnson-O'Malley is the one factor directly related to Indians in education. Tribal councils need to have control of this money, working in coordination with school districts.

There should also be some consideration given to a stipulation that all programs affecting Indian Education have the involvement and endorsement of responsible tribal governments. Too often, we have had to accept decisions affecting our lives and our children. These decisions, normally, have no endorsement of our elected tribal leaders. We must become involved in all levels of decision making, not just with making suggestions and letting non-Indians decide for us what is best. I agree that parents must be involved in making these decisions, but so must our tribal leaders. Parents elect our councils, and school districts must recognize this fact. The fact that the State of Washington's Department of Public Instruction has denied active participation of tribal councils has caused much dissension within the Johnson-O'Malley Committees. This matter should be resolved. We need to be more than advisory committees. We need to have full authority to make decisions - decisions that affect our lives.

I fully endorse your proposal for new programs for our education, but is there going to be enough available funding with these programs? We know you realize the need for adequate funding; we also hope you receive the full support of Congress to supply our people with the necessary monies.

April 20, 1971

The National Board of Education sounds like a great idea. I would wonder, though, if you have taken the step necessary to insure that this board would, in fact, be Indians appointed by Indians. The President can listen to our requests and suggestions, but who finally makes the appointments? I feel it is definitely a requirement that you must have the endorsement of tribal governments in the selection of the appointees. We must receive more than token involvement.

Attached is a statement I have prepared for presentation to the Appropriations Committee on Interior and Insular Affairs. You may be interested in reading this.

I feel your proposed bill is a step in the right direction; maybe I am just too sensitive over this Indian control we talk about.

If you feel I can be of any assistance, please contact me.

Most Sincerely,

Virginia Brown

Virginia Brown,
Education Specialist

I Encl

cc Ted George, Northwest Representative
National Indian Education Advisory Committee

Concurrence:

Roy S. George, Jr.

Roy S. George, Jr.
President

CALIFORNIA LEAGUE FOR AMERICAN INDIANS

Post Office Box 389 • Sacramento, California 95802

April 9, 1971

Honorable Edward Kennedy, Chairman
Subcommittee on Indian Education
Committee on Labor and Public Welfare
Senate Office Building
Washington, D. C. 20202

Dear Senator Kennedy:

The Board of Directors of the California League for American Indians, at its meeting in Sacramento March 20, 1971, discussed your subcommittee's Senate Bill 659 regarding Title V, Indian Education.

I am writing to express the views of the board and a motion passed unanimously placing the League on record as favoring this legislation with a request for a few changes and additions which would strengthen this bill, and at the same time be more meaningful to the Indian people.

Part E, Title V, Senate Bill 659
Concerning part E, this organization believes that the term "community colleges" should be changed to "higher education." This would enable Indian colleges of higher education now being formed to be part of this legislation.

Part D, Title V, Board of Directors
This organization believes that, if the Indian people had more of a responsibility in appointing the officers of the board, the appointees would be responsible to the Indian people and not to one person or organization.

Johnson-O'Malley
The Johnson-O'Malley funds are presently limited to Indians on or near reservations. If a greater number of Indians are to be assisted in education, the Johnson-O'Malley program must be broadened to include those Indians who have left the reservations and those who have never had a reservation with which to identify.

Additions to Senate Bill 659

Senate Bill 659 failed to mention two important problem areas for American Indians.

1. The Indian dropout from school

2. The urban Indian and his problems in an urban environment

Please let us know if there is anything this organization can do to assure passage of this vital bill.

Sincerely,

Camilla Collins

Camilla Collins, President
California League for
American Indians

CC:nc

OFFICE OF SENATOR EDWARD M. KENNEDY WASHINGTON, D.C.
APR 16 2 9 PM '71

Commission Members.

Leonard Springer
Edward Cline
Victor Robinson
Gordon Beauer
Elwood Harding
Felix White
Donald LaPointe
Willard Mackey, Sr.
Gordon Kitto, Sr.
Oliver Saunsaci, Jr.
Marion Peniska
Peter Thomas
Carl Janis

STATE OF NEBRASKA

LINCOLN 68509

GOVERNOR'S COMMISSION ON INDIAN AFFAIRS

Robert B. Mackey
Director

April 13, 1971

Senator Edward Kennedy
United States Senate
Committee on Labor And Public Welfare
Washington, D. C. 20510

Dear Senator Kennedy:

We as Indians of the three Tribes of Nebraska - the Omaha, Santee - Sioux and Winnebago Tribes generally concur with the basic concepts and proposals as it appears in amendment #6, wherein broad latitudes appear available to Federal schools and public schools - on Reservations, off of Reservations, in rural areas and in urban and Metropolitan areas.

Apprehension arises in the language which would in effect give administrative authority of funds to public schools for educating Indian children in Public Schools, in a short time, a situation unfavorable to the Indians who have seen the results of non-Indian handling of these special education funds under the Johnson-O'Malley fund and reject amenment #6. A clear definition of the Bureau of Indian Affairs in its role with Indian Education is imperative, and some thought may be given to the possibilities of continuing the B.I.A. functioning as the administrator of the Johnson O'Malley funds in Public Schools to safe guard the "satisfactory and relevant education for Indian children.

The National Education Board will be the appropriate governing and controlling agency if it is composed of all Indian participation on the Board. The University of Nebraska under Dr. Paul Olsen, and the University of South Dakota under Dr. Tom Golden have been involved in extensive work concerning the Indian Education needs from special curiculum Development to special teacher and counselor training that are meritorious of consideration for consultation in the formulation of amendment #6 under the Indian Education Act of 1971 S-659.

The Nebraska Indians concur with the need to bring about a new concept for Indian Education because this need has not been fulfilled because there were no guidelines to control the public school administration of Indian Education Programs under the Johnson-O'Malley Fund. Amendment #6 would place control with State Department of Education.

There is a need for off reservation benefits for those of us who have left the reservation, seeking a better way of life. For some, socio-economic conditions improved with employment opportunities. For others, conditions did not improve. There is broad and far reaching need for legislation to encompass the survival needs of these "displaced" Indians who are no less Indian by having left the reservations to seek opportunities which are non existant at home.

It is suggested that Regional meetings with Indian leadership be held to provide grass roots data in the Educational need of Indians, and recommended solutions, as there is a general rejection of the amendment #6 as it now stands.

Sincerely,

Robert B. Mackey

Robert B. Mackey
Director
Nebraska Indian Commission

RBM/ys
cc Glen Soukup
John Sullivan
Wm. Peters
Indian Commission File
Mackey Desk

National Congress of American Indians
1346 Connecticut Ave. N. W.
Suite 312
Washington, D. C. 20036

Terry Walters
Educational Specialist
Bureau of Indian Affairs
Winnebago, Nebraska 68071

March 16, 1971

Sen. Edward Kennedy, Mass.
Senate Office Building
Washington, D. C.

Hon. Dear Sir:

Thank you for sending me the amendment to the Indian Education Act. I must say that I agree with most of it and hope that it will pass before the Indian people can begin to plan to accomplish some of the points covered.

However, I disagree with the plan for a four year Indian college at Santa Fe. These are my reasons: 1st, our Indian students need the competition offered by non-Indians as well as the integration which offers additional learning experience away from the classroom; 2nd, Haskell Indian junior college learned that a library is very important in order to gain status as an approved institution of higher learning and it is difficult to build up a library; 3rd, there is a struggling Catholic 4-year College of Santa Fe across the street which a few Indians already attend; and 4th, Indian Studies are now being started and planned at many universities which no doubt is the object of the Indian college.

Some minority groups are obtaining land at Davis, California to establish an Indian-Chicano 4-year college. Indian could go to this one if they plan to major in Indian Studies. Of course I definitely favor an Indian junior college to assist them in their unique problems before they enroll at the large universities. I have written articles on the problems of Indian students at our colleges and these point out the need for junior colleges.

I have also written to Mrs. Fred Harris telling her my views on this amendment. Members of the American Indian Education Association should all voice their opinions, I have much faith in this Indian group. Mr. Mondale, Mr. Harris and I am sure you are well familiar with this organization.

Thank you again.

Sincerely,
Joe Bendo

March 30, 1971
2029 S. 2nd
Fortuna, Calif. 95540

Senator Edward M. Kennedy
Senate Office Bldg.
Washington, D.C. 20510

Dear Senator Kennedy:

Mr. Patrick Renick from Ukiah sent a copy of your letter dated March 5, 1971 for any comments I may have on Indian Education. Mr. Renick and myself are board members of the Indian Teacher Education Program at Humboldt State College, Arcata (Humboldt County) California, he is chairman and I am vice-chairman.

First, speaking of our area (Northern California) I believe a National Education Board, then local boards consisting of Indian parents separate from the Bureau of Indian Affairs. Speaking from experience our area does not benefit through the Bureau unless you are from Hoopa where the Bureau is located.

Second, in our County of Humboldt we are the minority group, so there is discrimation expecially with the police force. I am a secretary for California Indian Legal Services so through the office I have seen the complaints. If there were programs with training for counselors, on job training for offices in City and County departments, a adult education program taught by a Indian to help other Indians complete their high school education, this way more Indians could qualify for job openings in our area. At the present time the Humboldt County Schools is writing a title III, ESEA proposal that will involve Indians (they say up to this point it hasn't) and hire some for this program, but you should read the qualifications they should come down to earth and have on the job training which would bring them up to the level required by the County Schools.

Thank you for your time spent in our behalf.

Sincerely,
Colleen E. Johnson (Yurok)
Colleen E. Johnson

EDWARD M. KENNEDY
WASHINGTON,
MAR 31 10 56 AM '71

March 20, 1971
Box 23
Belcourt, North Dakota

Senator Edward Kennedy
United States Senate
Washington D. C.

Dear Senator Kennedy:

In refrence to Bill S.659 and Amendments: Our comments as grass roots members of the Turtle Mountain Indian Reservation, Belcourt, North Dakota. As follows:

Sec. 305, Page 5, Sentence 19. That all services for which assistance is sought be administered through Tribal Council or Special Educational Committee.

Sec. 305, Page 5, Sentence 25. Such present planning involves a pilot program for foster home care in which mentally disturbed or mentalyy retarded children would be housed in seperate communities within the reservation instead of being moved to strange inviornments outside the reservation for care. The community would consist of cabins staffed by specially trained personnel, i.e., psychiatrists and social workers.

Sec. 305, Page 6, Sentence 25. That Tribal Council or Tribal Educational Council also have access to records concerning funding.

Sec. 305, Page 7, Sentence 25. That pessons utilized be comprised from all national tribes.

Sec. 305, Page 8 Sentence 3. That we no longer request professional help for the purpose of planning federally administered programs. Instead, that such planning be turned over to tribal members as they are the individuals affected by such programs. It has been our experience in the past that when professionals administer a program intended for helping or aiding the interests of Indian children, that little if any concern as to the needs of these children had been taken into concideration, and many of the children subsequently went without the benifits they were intended to receive.

Sec. 810, Page 14, Sentence 22. That local tribe should teach their Indian children tribal culture,history, and language, as a part of the educational curriculum.

Sec. 810, Page 15, Sentence 3. That a licensed dietician be responsible for the planning of meals in Indian schools, and that the use of government comodities in the preparation of these meals be discontinued.

Sec. 810, Page 17, Sentence 3. That outside contracts to private individuals or organizations be approved by tribal members prior to

Sec. 810, Page 17, Sentence 3 (cont.) the aproval of the Commissioner.

Sec. 314, Page 22 Sentence 20. That tribal communities and individuals be contacted in order to ascertain the degree of intrest in programs such as Adult Education.

Sec. 314, Page 24, Sentence 1. That each Indian Tribe in the U. S. be required to submit a candidate for the National Board, and that all candidates have a minimum of twelve years of education. Also, that the Deputy Commissioner of Education be an Indian.

Sincerely,

Mary Cornelius
Representative for Education
of the Turtle Mountain Indians
and,
Alice E. Christjohn
National Welfare Rights
State Chairman

cc
Mr. Mondale
Mr. Byrd
Mr. Cranston
Mr Cannor
Mr. Dominick
Mr. Eagleton
Mr. Humphries
Mr. Inouye
Mr. Javits
Mr. McGovern
Mr. Muskie
Mr. Pastore
Mr. Tunney

Mrs. Bernice Peltier
Dist. 1 N.W.R.O. & Tribal Welfare Comm.

Fred Peltier
N.W.R.C. Member

Dist. Counsel

OFFICE OF
SENATOR
EDWARD M. KENNEDY
WASHINGTON, D.C.
MAR 26 3 53 PM '71

SUSANVILLE
PHYSICAL THERAPY CENTER

POST OFFICE BOX 1029
SUSANVILLE CALIFORNIA 96130
TELEPHONE: 257-4990

March16,1971
Re: Indian Education
(your letter;3-5-71)

The Honorable Edward M.Kennedy
United States Senate
Washington,D.C, 20510

Dear Senator Kennedy,

I find it difficult to concentrate, to think about and evaluate any more 'hopeful' programs for Indians since it was made offical here in Calif. of the abandonment of our Indian college and university students by the folding of the EOP, this will not be forgotten nor forgiven.....

Well, to the business at hand.. These are my suggestions for improving the currently proposed bill:

(1). The National Board of Directors should be completely divorced from the BIA, further, the Indian Board should have the power to act on it's own.

(2). This National Indian Education Board Must be elective NOT appointive; elected by secret ballet by the rank and file of people belonging to all of the recognized Indian organizations in the U.S.

(3). Educational funding should include plans for ALL phases of higher education, Not just vocational type training.

(4). I urge Federal funding for the D.Q. University northwest of Davis,Calif.. the Black people have had a history of state and Federal help for their schools, can Congress do less for the Native people of this land?

Respectfully,

William Robert Cooke,R.P.T.
(member of the Yurok people)

White Mountain Apache Tribe
P. O. BOX 708
WHITERIVER, ARIZONA 85941

March 25, 1971

Senator Barry Goldwater
United States Senate
Washington, D. C. 20510

Dear Senator Goldwater:

We, the White Mountain Apache Tribe, strongly oppose Senate Bill S-659 pending in the 92nd Congress listed as an Amendment by Senator Kennedy. We have repeatedly opposed such actions on both State and Federal levels because of our concern for adequate and thorough education of our Indian children.

Our prime concern is the loss of local school control and our own local Indian participation in education problems. This is a very serious concern of ours because over the past ten years we have been able to generate a cooperative atmosphere with the Bureau of Indian Affairs education functions.

We would strongly suggest before any further consideration on this Amendment, that thorough and comprehensive hearings be held that involve the Bureau of Indian Affairs and the individual Indian from the Washington, D.C. level to the hogan. We would like to see in these hearings, a true expression of the local Indians reaction to this type of back door termination and the serious attempt to gain National control of our local functions.

We have repeatedly wondered why this type of legislation can be continually introduced to gain additional funding to establish new programs, and yet we are unable to receive adequate funding through the current statues and funding procedures. Why not re-evaluate the intent of this Bill for both funding and management and establish with the Bureau of Indian Affairs a comparable program of funding.

Since we are discussing funding, we would appreciate having added to the Bureau of Indian Affairs budget, the proposed $2,000,000 of overhead outlined in this Bill for the prime reason of gaining National control.

It is the strong feeling of the White Mountain Apache Tribe that education is a local program. The White Mountain Apaches also feel that the more home rule, the better education our children will receive, as each locality is a different educational situation.

We, the White Mountain Apache Tribe, ask your support in defeating this Senate Bill S.659 and request that you assist us in all other ways to maintain our local control, so that we feel we are exercising our goals of self-determination.

Yours very truly,

WHITE MOUNTAIN APACHE TRIBE

Fred Banashley Sr.

Fred Banashley, Sr.
Tribal Chairman

Copies to:
Senator Paul Fannin
Congressman Sam Steiger
Congressman Morris Udall
Commissioner Bruce
Ray Sorenson, Assistant Area Director
Miss Wilma Victor, Deputy Area Director
Patton Agency, Jo Ann Patton

Sponsors of Bill S.659
Mr. Kennedy
Mr. Mondale
Mr. Byrd
Mr. Cannon
Mr. Cranston
Mr. Dominick
Mr. Eagleton
Mr. Hart
Mr. Hughes
Mr. Humphrey
Mr. Inouye
Mr. Javits
Mr. McGovern
Mr. Muskie
Mr. Pastore
Mr. Tunney

Owens Valley Paiute-Shoshone Band

Board of Trustees

2587 West L.ST.
POST-OFFICE BOX 576
BISHOP, CALIFORNIA 93514

30 March 1971

The Honorable Edward M.Kennedy
The United States Senate
Washington,D.C. 20510

Dear Mr. Kennedy:

On behalf of our people I would like to express our sincere appreciation for your amendment NO:6, inregards to Indian education.

Such concern about your fellow Americans relates that with the vast intellectual, scientific, and technical ability of the American people their are no problems, We can not solve through reasoning and understanding if we care to do so.

Offering such a amendment is a very thoughtful and gracious thing to do.

Sincerely,
Michael R. Rogers
Michael R. Rogers
Chairman.

Ruth Myers
1521 East 6th Street
Duluth, Minnesota 55812

Senator Edward Kennedy
U.S. Senate
Washington, D.C. 20202

March 31, 1971

Dear Senator Kennedy:

You are to be commended for your Education bill in behalf of the Indian youth of our nation.

I am especially interested in the portion of the bill dealing with the education of urban Indian youth. This is badly needed for them.

I have been involved in our community trying to improve the education for the Indian community. Our Indian population is about 1,000 and estimated Indian student population of about 300. Granted, our population is not as large as other urban areas, but our needs are as acute and critical. Many times the smaller population areas get overlooked in preference to larger urban Indian areas.

When it comes to programs and funds, who will serve our needs?

We will be very glad to come and testify at any hearings concerning urban Indian education.

Sincerely,

Ruth Myers

Ruth Myers

RM/lld

60-433 O - 71 - pt. 4 ---28

OFFICE OF
SENATOR
EDWARD M. KENNEDY
WASHINGTON, D.C.

MAR 26 3 32 PM '71

THOMAS S. WHITECLOUD, M. D.
PHYSICIAN & SURGEON retired
100 EAST STANISLAUS • P. O. BOX 9
AVENAL, CALIFORNIA 93204
TELEPHONE ~~XXXX~~ 209-386-9725

Senator Edward Kennedy
United States Senate
Washington, D.C.

Dear Senator Kennedy:

Just returned from an organizational meeting of the American Indian Medical Association.

While there spoke at length with John C. Rainer, Taos Indian who was a former classmate of mine, and with A.C. Atencio, Ph.D. who is Spanish-American and Assistant Dean of Student Affairs at the University of New Mexico.

Both were concerned with two phases of minority education. One of course is funding, especially at the graduate school level.

The other phase is that of adequate preparation of the 'country' student for college and professional school work.

Not only the minority student, but the student of any color who attends small high schools throughout the country. These young men are expected to participate in the whole gamut of sports throughout the whole school year and still polish their academic abilities enough to compete with the more sophisticated students in the universities.

Again may I urge you to consider preparatory schools for these young people. Schools which could fill in the gaps of incomplete preparation, methods of study, free of extracurricular activities and economic worries, free of politics, race problems, drugs and alcohol.

Such schools would assure a greater academic accomplishment by all races.

Thanking you for your attention,

Thomas S. Whitecloud

Thomas St. Germain Whitecloud, M.D.
California Indian Education Association

Mar 23, 1971

2113115

CENTER FOR BUSINESS SERVICES
NEW MEXICO STATE UNIVERSITY
BOX 3AD, LAS CRUCES, NEW MEXICO 88001
COLLEGE OF BUSINESS ADMINISTRATION AND ECONOMICS, AREA 505 646-2821

Office of the Dean

March 11, 1971

The Honorable Edward M. Kennedy
Senator, Subcommittee Chairman
Subcommittee on Indian Education
Committee on Labor and Public Welfare
United States Senate
Washington, D. C. 20510

Dear Senator Kennedy:

Myself and a colleague at Northern Arizona University in Flagstaff, Arizona, have been doing research on the problems of Navajo employment. Our major focus is on the problems the Navajos are having as they move from the reservation to the urban setting. Our study attempts to analyze some of the relationships that are important to economic success among the Navajo as well as some of the cultural and value attitudes which are expressed by the more mobile Navajo. We are attempting to try to develop insights that can be used to establish programs that will lead to a more satisfactory employment of the Navajo. This project is being funded by the Department of Labor through the Arizona State Employment Security Commission.

In carrying on our study, we need as much information as possible on all aspects of federal involvement with the Indian including Indian education. For this reason, it would be very helpful if we had a copy of the hearings which were generated by your subcommittee as well as a copy of the committee prints. Would it be possible for your office to supply me with a set of these publications?

I have read with a great deal of interest the amendment that you have submitted to the Higher Education Act of 1971. After having spent six years at Northern Arizona University teaching and developing friendships among the many public school teachers in this area, I feel this amendment is a large step in the right direction. Hopefully, our study will illustrate more successful ways of moving the Navajo into the economic mainstream in a manner which uses aspects of his culture rather than destroying it.

Thank you very much.

Sincerely,

Bernard E. Anderson
Associate Director

BEA:mc

March 21, 1971
Salem, Va.

Senator Edward M. Kennedy
Washington, D. C.

Dear Senator Kennedy:

In the March 10, 1971 issue of The Cherokee One Feather, a newspaper owned by the Cherokee Indian Reservation of North Carolina, I read where you had introduced an Indian Education Act thereby giving the Indian the authoritory of educating himself by having control of his education program. My hat is off to you, I congratulate you.

In my opinion all of the Indian programs should be taken out from under the control of the Bureau of Indian Affairs. I have also read that Commissioner Bruce of the B. I. A. has been conducting an investigation concerning the money that was allocated to the educational program of the Indians, it seems that a good amount of the money did not go to the educational program. Perhaps you should ask Commissioner Bruce for his findings in this matter.

I am non-indian, there is not a trace of indian blood in me, but I feel disgusted when I read where we, the American people will go all out to help people of other nations of the world and then under our noses we have people theat are in great need and then, it seemspurposely, neglect them.

Again may I say my congratulations to you for thinking of these needy people and good luck on this and other projects that you are sponsering.

Paul Saunders

Paul Saunders
123 Bellevue Ave.
Salem, Va. 24153

STEWART INTERIM POLICY MAKING BOARD
P. O. Box 2
Stewart, Nevada 89437

March 18, 1971

Honorable Edward M. Kennedy
United States Senator
Senate Office Building
Washington, D. C. 20510

Dear Senator Kennedy:

I am acting in the capacity of the President of the Interim Policy Making Board for the Federal Boarding School at Stewart, Nevada.

The recent news release explaining the Indian Education Act which you are co-sponsoring with Senator Howard Cannon is indeed gratifying news. Such a revision for Indian education to Indian people has long been needed.

Your proposed legislation would give us the legality to function as a School Board similar to that in the Public School Districts in the State of Nevada. We offer our whole-hearted support in your commendable endeavor.

Very truly yours,

LeRoy Rupert, Chairman
Stewart Interim Policy Making Board

WESTERN UNION,
Superior, Wis., April 29, 1971.

Senator WALTER F. MONDALE,
Washington, D.C.:

We wish to support the Indian education act now being heard before the Senate.

SUPERIOR AREA INDIAN DEVELOPMENT ASSOCIATION.

WESTERN UNION,
Minneapolis, Minn., April 28, 1971.

Hon. WALTER F. MONDALE,
Washington, D.C.

DEAR SENATOR MONDALE: Please consider our support for the Indian Education Act, amendment 6 to Senate bill 659 as offered by the Honorable Senators Williams and Kennedy. This legislation is a milestone of cognizance to the deplorable conditions in Indian education. It is also a tremendous step toward Indian self-determination so essential in providing innovative and community based efforts in culturally oriented programs. The considerations of all members of Congress is appealed to for the passage of this legislation.

SENATOR GEORGE R. CONZEMIUS,
Minnesota State Legislature,
Secretary Minnesota Indian Affairs Commission.

WESTERN UNION,
San Francisco, Calif., April 23, 1971.

Senator CLAIBORNE PELL,
U.S. Senate Committee on Indian Education,
Committee on Labor and Welfare, Washington, D.C:

I strongly recommend that a chance be given to Indians who are in positions of powerlessness to voice their opinions and needs regarding the educational process as it effects their lives and the lives of their children. If you are truly committed to native American self-determination and local control of education for Indians supply time and money to hear what grass-roots see as their problems too often the self-styled Indian leader who maneuvers to positions of power in Indian organizations has no conception of conditions on the local level. How long shall such individuals and experts from governmental organizations make decisions for the majority of American Indians. We need local Indian input.

BEA MEDICINE,
Department of Anthropology, San Francisco State College.

WESTERN UNION,
Fort Totten, N. Dak., May 3, 1971.

Senator BILL DE MERT,
Senate Committee on Labor, Public Affairs Special Education Subcommittee,
Washington, D.C.:

The Devils Lake Sioux tribe has gone on record opposing proposed bill S. 659 pertaining to education. Resolution to follow.

LOUIS GOODHOUSE,
Tribal chairman.

DULUTH Public Schools

INDEPENDENT SCHOOL DISTRICT NO. 709

April 23, 1971

The Honorable Senator Walter Mondale
The United States Senate
Senate Office Building
Washington, D. C.

Dear Sir:

I am enclosing a corrected copy of a telegram mailed to you on April 22, 1971 pertaining to the Indian Education Bill, amendment 6, Senate Bill 659.

Yours truly,

Donald H. Peckenpaugh

Donald H. Peckenpaugh
Superintendent

DHP:vl

April 22, 1971

Telegram to Senator Harrison A. Williams, Jr.
Chairman, Senate Labor and Public Welfare Committee
Room 4230 Senate Office Building
Washington, D. C.

I have just had the opportunity to read the Indian Education Bill, amendment 6 to Senate Bill 659, which Senators Edward Kennedy and Walter Mondale introduced on February 25. In my opinion this legislation to assist Indian children is extremely worthwhile. As a school system with six schools with heavy Indian enrollment, I feel the provisions in the bill to increase Indian parent involvement and in earmarking impacted aid for it under Public Law 874 are outstanding features. I am also extremely pleased with the grants for planning and operating programs to improve Indian education.

Duluth lead the nation in a community elected Indian education advisory committee to advise administrators and board in the planning of an educational program for Indian students. Although it has been in operation only a few months we have had pronounced improvement in attitudes of the professional staff toward their responsibility to Indian children. The contribution of the committee has been helpful both in specific suggestions and in raising profound theoretical questions. The legislation as proposed would, in my opinion, improve education for the Indian children in Duluth.

Donald H. Peckenpaugh
Superintendent

STATE OF MINNESOTA
DEPARTMENT OF EDUCATION
CENTENNIAL OFFICE BUILDING
ST. PAUL, MINN. 55101

April 26, 1971

Senator Walter F. Mondale
441 B
Old Senate Office Building
United States Senate
Washington, D.C. 20202

Dear Senator Mondale:

The Minnesota Department of Education embarked on an intensive effort to improve educational opportunities for Indian citizens during the later part of 1968. The State Board of Education adopted in June, 1969, a State Plan for Indian Education. This Family Plan includes pre-natal through higher education. Our department has been successful in receiving federal and state funds to carry out programs which have been identified by Indian citizens of Minnesota to meet their needs. Unfortunately, federal and state programs currently available do not provide sufficient funds for the total Family Plan to be carried out.

I want you to know that Indian education is very high on the priority list of this department and we have been encouraged by the excellent support of the Minnesota Indian Education Committee. This committee is the result of a law enacted by the 1969 state legislature which has also supported supplemental assistance to carry out our State Plan. The twenty-five members on the committee come from all parts of the State and they have become an influential voice in Indian education in Minnesota. This Department is very pleased with the assistance the committee has given to us during the last two years.

We are grateful for your efforts in the United States Senate relative to Indian education, and especially pleased to note that you and Senator Edward Kennedy have introduced the Indian Education Bill. The bill has far reaching implications for Indian citizens and state departments of education. Hopefully, the bill will not separate the efforts being made in respective states; rather, it should strengthen the cooperation of all groups interested and responsible for the education of Indian citizens.

As you know, the problems and issues confronting Indian education are not easily resolved. The magnitude and depth of the concerns require extensive and intensive attention by many institutions and people. We want to be part of such an effort and will assist in any way we can. We trust the bill will allow the State Department of Education to continue to serve Indian people in meaningful and dignified ways.

I believe we have developed a keen interest and commitment to improve educational conditions which will have a positive impact on Indian people. We look upon Senate Bill 659, amendment 6, as an opportunity to continue to work cooperatively with Indian communities and local school districts to serve Indian children. Please count on our support and feel free to call on us if this department can be of further assistance.

Sincerely,

Howard B. Casmey
Commissioner of Education

cc: F. D. Bright
Will Antell

HBC:WA/do

May 1 1971

Wapato Washington.
April 27, 1971

Mr. Claiborne Pell
Chairman SubCommittee Education
Senate, Labor & Public Works
Senate Building
Washington D. C.

Chairman Pell:

I oppose action on Senate Bill No. S-659 and Senate Bill No. S-1401 until field hearings are held.

Ernestine Slickapee P.O. Box # 311, Kamiah, Idaho 83536
Veronica Taylor, P.O. Box 187, Lapwai, Idaho 83540.
Mrs. K. B. Black RT 1 Box 45 White Swan Wa. 98952
Florence Haggerty Rt. 1 Box 74 White Swan Wa. 98952
[illegible] C. White Jr. Box 115 White Swan, Wa 98952
[illegible] Rt 1 Box 100 White Swan, Wa 98952
Joe M. Simpson P.O. Box 163 White Swan, Wa. 98952
Demetrie Jim Rtd Rte Box 23, Wapato
[illegible] Rt. 3 Box 3181, [illegible]
Amelia S. Simpson Rt 3 Box 3120A Wapato, Wa. 98951
Joseph Batali Jr. Rt. 1, Box 28 Harrah, Wa 98933
Elmer L. Jerome Box 45 Harrah, Wa 98933
Theresa A. Simpson P.O. Box 163 White Swan, Wa. 98952
Yvonne Smith Rd 3. Box 3264AA Wapato Wash. 98951
Harris Teo [illegible] White Swan 98952
Hazel E. Cushman Rt. 2 Box 26 Glenwood, Wa 98619
Alecha Teander Rt 1 Box 43 Glenwood Wa. 98619

Marjorie Fiander - Box 30 Glenwood, Wash 98619
Caroline Wick Rt 2 Box 484. Toppenish Wn. 98948
Betty M. Moses 404 La Rose Lane - Wapato Wn. 98951
Genevieve Gleyman Box 543 Granger Wn 98932
Tallulah T. Pankhow, Rt 2, Box 81 Toppenish, Wash 98948
Joseanor. Greninich Box #44 Toppenish Wn. 98948

Wapato, Washington
April 27, 1971

Mr. Clairborne Pell
Chairman SubCommittee Education
Senate, Labor & Public Works
Senate Building
Washington D. C.

Chairman Pell:

I oppose action on Senate Bill No. S-659 and Senate Bill No. S-1401 until field hearings are held.

Ray C. Olney
618 LaRena Lane
Wapato, Wash 98951

Doreen Mahaffey Box 121 Klickitat, Wa. 98628
Donald E. Lockhart Box 35 Klickitat, Wash 98628
Linda Mahaffey Box 21 Klickitat, Wa. 98628
Nora Kalamas Box 221 Lyle, Wash 98635
Hallie Kalamas Box 221 Lyle Wash. 98635
Anita Lewis 309 N. F. St., Toppenish 98948
Calvin Charley P.O. Box 332, Wapato, Wa. 98951
Violet Tomaskin P.O. Box 302 Wap. Wa. 98951
Leonard Tomaskin, P.O. Box 302, Wapato Wash. 98951
Pauline Halsey - P.O. Box 780, Toppenish, Wa. 98948
Lucelia James Rt 1 Box 307 Wapato,
Mathew Shilow P.O. Box 172 Wapato Wa. 98951
Regina Starr - Rt. 2, Box 58 Toppenish, Wa.
Linas Blackeagle RR1 Box 72 Wapato, Wa. 98951
Ralph N. McEwen 102 Lee Ave Toppenish, Wa. 98948
Willard E. Polley 206 Robert Lane, Toppenish, Wash. 98948
Doris M. Cook Rt 1 Box 205 Toppenish, Wa. 98948
Stan Wallers, RR 1, Box 6715 - " " "
J. L. Barthlow - 205 Robert Lane - Toppenish, Wash. 98948
Robert Brady - 303 Penny Lane - Toppenish, Wa. 98948

Wapato Washington
April 27, 1971

Mr. Clairborne Pell
Chairman SubComittee Education
Senate, Labor & Public Works
Senate Building
Washington D. C.

Chairman Pell:

I oppose action on Senate Bill No. S-659 and Senate Bill No. S-1401 until field hearings are held.

Eugene B. Schuster	Rt 2 Box 6 Glenwood Wa
Edda Schuster	Rt 2. Box 6 Glenwood, Wa.
Mary L. Varner	P.O. Box 117 Glenwood, Wa.
Gary D. Varner	P.O. Box 117 Glenwood, Wa.
Nelson Lukes	(Satus) Rt. 2 Box 430 Toppenish
Geraldine Lukes	Rt 2 Box 430 Toppenish
Donald Jones	Rt 2 Box 430 Toppenish
Mrs. Paul Swartlout	301 Ku Kum Kanim Wapato, Wa. 98951
Larry A. George Granger School Dist. No. 204	Rt 2 Box 484 A Toppenish, Wa 98948
Susan Peck	
Nadine Miller	Rt 4 Box 4330 Wapato, Wa. 98951
Beatrice Shilar	P. O. Box 14, Wapato, Wa. 98951
Lewis Patton	Rt #1 Box 3 K Wapato Wa
Thomas W. Halfmoon	Rt. 1 Box 736, Toppenish, Wa 98948

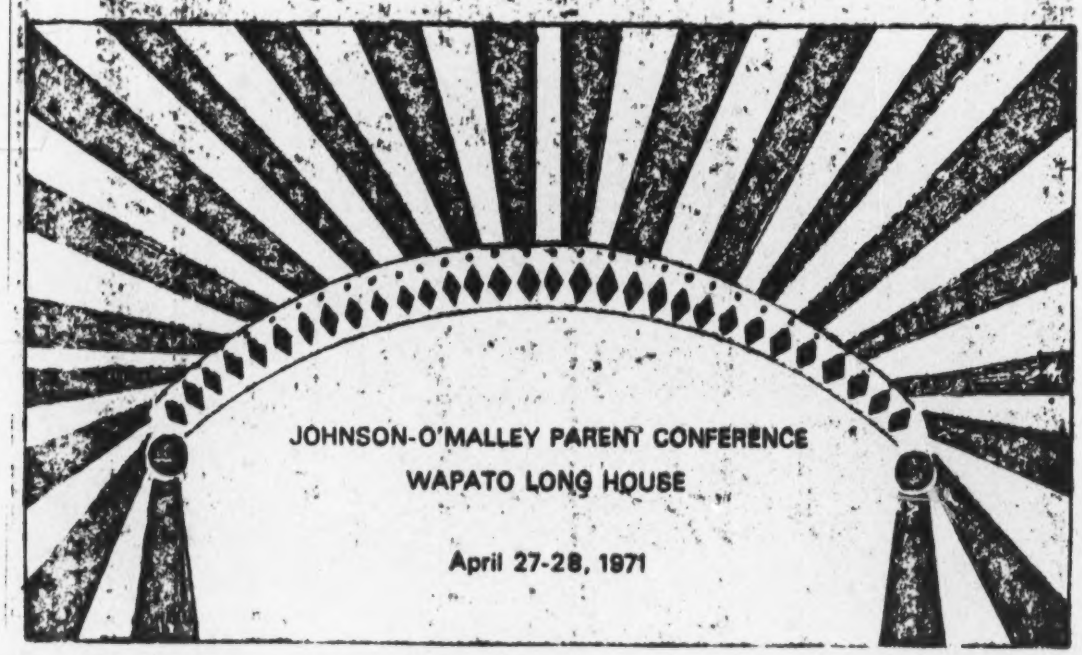
Wapato, Washington
April 27, 1971

Mr. Clairborne Pell
Chairman SubCommittee Education
Senate, Labor & Public Works
Senate Building
Washington D. C.

Chairman Pell:

I oppose action on Senate Bill No. S-659 and Senate Bill No. S-1401 until field hearings are held.

Don J. Pusset Box 38 Wapato, Wash.
Hadley Shilow P.O. Box 14. Wapato Wash. 98951
Marie A. Shilow - P.O. Box 14 - Wapato, Wn. 98951
Martha B. Yallup - P.O. Box 748 - Toppenish, Wn. 98948
William T. Yallup " " " " " " "


JOHNSON-O'MALLEY PARENT CONFERENCE
WAPATO LONG HOUSE
April 27-28, 1971

JOHNSON - O'MALLEY PARENT CONFERENCE
Wapato Long House
April 27 - 28, 1971
AGENDA

April 27, 1971

Morning Session:

9:30 - 10:00 Registration - Coffee - Get Acquainted
10:00 - 10:30 Welcome to Yakima Reservation - Yakima Tribal Council
Welcome - William Schlick - Superintendent of Yakima Indian Agency
Response - Robert L. Deal, Superintendent of Wapato School District
Introduction of Superintendents and Parent Committees
10:30 - 11:30 Explanation of the JOM Program, PL-874 and PL-815.
Albert Ouchi - Education Specialist (Adult Education) Portland, Oregon
11:30 - 12:00 Questions from floor concerning JOM Programs
Albert Ouchi and Lorraine Misiaszek
12:00 - 1:30 Lunch - Entertainment

Afternoon Session: Other Programs Related to Indian Education

1:30 - 2:00 ESEA Title I - Gerald Carlstrom, Evaluator, Federal Programs
2:00 - 2:30 ESEA Title II - Miss Nancy Motomatsu, Associate Supervisor Learning
2:30 - 3:00 Title III and URRD - Dr. Richard Mould, Evaluation Specialist
3:00 - 3:30 Hot Lunch Program - Mrs. Ena Simpson, Supervisor, School Food Services
3:30 - 4:00 School Finance - Wilbur B. Gilbert, Consultant, School Administrative Services
4:00 - 4:30 Small Group Discussion of Above Topics - Rotate Groups Each 15 Minutes

Evening Session: (Open to Public)

7:00 - 7:30 Coffee - Cake - Get Acquainted
7:30 - 9:30 Problems in Indian Education - Panel to answer questions and lead discussion on the topic."
Panel: Lorraine Misiaszek, Albert Ouchi, Tom Halfmoon, Gerald Carlstrom

April 28, 1971

Morning Session: Determining Needs and Developing JOM Proposals

9:00 - 9:30 Coffee
9:30 - 10:30 Determining Needs - Lew Patton, Tom Halfmoon and Robert Muehe
10:30 - 11:30 Developing JOM Proposals - Lew Patton and Tom Halfmoon
1. Parental Involvement
2. Setting Priorities
11:30 - 12:00 Break into groups from each district to discuss programs for the coming year.
12:00 - 11:00 Lunch
Luncheon Speaker - Lorraine Misiaszek
1:00 - 2:00 This period will be devoted to answering questions or giving aide in planning as the group desires.
2:00 Adjourn

WELCOME PARENTS

60-433 O - 71 - pt. 4 ---29

1971

Mrs. Florence M. Haggerty
Yakima Indian Nation
Box # 151
Toppenish, Washington 98948

Clairborne Pell
Chairman Sub-Committee on Education
Senate, Labor and Public Works
Senate Building
Washington D.C.

Dear Sir,

This is to advise you that we as Indian parents and as those who'm work with our Indian children wish to advise you that we oppose any action on these bills; Kennedy Bill S# 659 and the Jackson Bill S # 1401 ; until field hearings are held on the Indian Reservations.

Sincerely,

Mrs. Florence M Haggerty
Mrs. Florence M. Haggerty; Teacher
Mrs Lorraine Teo
Mrs. Lorraine Teo ; Teacher Aide
Helen Marek
Mrs. Helen Marek ; Teacher Aide
Virginia Yocash
Mrs. Virginia Yocash ; Teacher Aide
Ray Pimms Sr.
Ray Pimms Sr.

Esther E Dennis Cook Nutritionist
Amelia Schuppy - aide

April 26, 1971

Senator Edward Kennedy
U. S. Senate Office Bldg.
Washington, D. C.

Re: Senate Bill 959
Indian Education Act

Dear Senator Kennedy:

We would like to see a change in the bill to have the National Board composed of Indians to be elected by Indians. In Section 584 the word community should be removed and add all colleges. A clause should be added to give top priority for funding to Indian controlled colleges or universities.

We favor the bill but feel the changes are important.

Sincerely,

Rosalind Marshall

Rosalind Marshall
Box 235
Hoopa, Ca 95546

HOOPA, CALIF.,
April 23, 1971.

Senator EDWARD KENNEDY,
Washington, D.C.

DEAR SENATOR KENNEDY: I fully support the Kennedy Amendment 6 to S. 659 that you are sponsoring. However, I feel that the National Board of Indian Education should include Indian controlled universities.

Please give Indian controlled schools and universities top priority for funding. Thank you for your interest in the Indian people.

Sincerely,

MRS. ALBERT HAILSTONE,
Member of the Hoopa Tribe.

THE NAVAJO TRIBE

WINDOW ROCK, NAVAJO NATION, (ARIZONA) 86515

PETER MacDONALD
CHAIRMAN, Navajo Tribal Council

WILSON C. SKEET
VICE CHAIRMAN, Navajo Tribal Council

14 May 1971

Senator Edward M. Kennedy
Senate Office Building
Room 3214
Washington, D.C.

My dear Senator Kennedy:

The Navajo Tribal Education Committee met on May 13, 1971, for the purpose of considering the position to take on the proposed amendment number six to S-659, a Bill to amend the Higher Education Act of 1965 and the Vocational Education Act of 1963.

The Navajo Tribal Education Committee cannot support this amendment as written and proposed. The Committee further recommends against its passage. The reasons why the Committee takes this stand include the following:

1) Navajo Education has progressed to the extent where a workable relationship has been established between the Navajo Tribe and the Bureau of Indian Affairs which continues to improve.

2) The Committee felt there was a tendency in this Bill to lead towards termination of the trust relationship existing between the United States of America and the Indian tribes.

3) The Committee felt that transfer to a new agency would create confusion.

4) The Committee questioned the 15-member National Board proposed.

Sincerely yours,

John Cummings
Chairman, Navajo Tribal Education Committee

Concurrence:

for Wilson C. Skeet
Chairman, Navajo Tribal Council

P. O. Box 161
Brigham City, Utah 84302
April 26, 1971

Senator Edward M. Kennedy
Senate Office Building
Washington, D. C. 20510

Dear Senator Kennedy:

Your letter is very much appreciated. I believe you are right in your thought that my proposal for an educational center could be built into the National Board. It seems to me this can be done by renumbering subsection (4) of Section 563 to subsection (5) and inserting the following subsection (4) or one similar in content:

> (4) to establish and support an educational center for collecting and disseminating research findings and studies made by local educational agencies under grants pursuant to any section of this act, and any other studies or information relevant to American Indian education, for conducting research and studies in American Indian education, and for coordinating study and research proposals of educational agencies requesting grants under any section of this act. The National Board shall locate the center in Utah which is central to many Indian reservations, Indian population centers and Indian schools.

A National Board of Indian Education and a Bureau of Indian Education can go a long way toward bringing Indian education up to a respectable competency. I'm glad to see the kind of progress promised by your Indian Education Act. It is very much needed.

For a number of years I was employed by the BIA. I tried during some of those years to interest BIA education personnel in moving American Indian education forward. I wasn't too successful. In fact, it seemed to me that whenever I suggested improvements, such as my proposed center, I incurred the displeasure of some BIA top-level people who apparently wanted to maintain the status quo, and they kept this in their minds when they were considering promotions. So I know you are quite correct in your introductory statement that "the Bureau of Indian Affairs does not appear capable of self-renewal or internal reform."

Presently, I'm employed by the Internal Revenue Service at the Western Service Center in Ogden, Utah.

There is another item I think would be appropriate in your Indian Education Act. It is provision for preference to qualified Indian in initial appointments and promotions to teaching and administrative positions related to Indian education. For this I would suggest an additional section in the Act similar to the following:

AMENDMENT TO INDIAN REORGANIZATION ACT

Sec. 586. Section 12 of the Indian Reorganization Act of 1934 is amended to read as follows:

(a) The National Board is directed to establish standards of health, age, character, experience, knowledge and ability for Indians to be appointed and promoted, without regard to civil-service laws, to the various positions maintained for federally-operated schools and related educational programs or activities pursuant to any section of this act. Such qualified Indians shall have preference in appointments and promotions to vacancies in any such positions.

(b) For the purposes of this section, the term Indian shall mean any Indian of one-fourth or more degree Indian blood.

It seems to me that something should be done also to raise the standard of qualifications for non-Indians who are employed in Indian schools. For example, the great majority of teachers and administrators at Intermountain School have had virtually no experience on the Navajo Reservation or any other reservation. Their whole working life so far has been spent at Intermountain School. I've felt that no one should be advanced to an administrative position without a minimum of experience in some capacity on an Indian reservation and that a program ought to be developed whereby teachers would spend part of their summer months on an Indian reservation. This would assure that teachers and administrators had first-hand knowledge of the student's homes and conditions.

Furthermore, graduate degrees are not required for advancement to administrative and other top jobs in BIA Indian education. Some of the department and section heads at Intermountain School, for example, do not have graduate degrees.

Sincerely yours,

Curtis E. Jackson

WIND RIVER SHOSHONE AND ARAPAHOE EDUCATION ASSOCIATION, INC
P.O. BOX 145
Ethete, Wyoming 82520

May 14, 1971

Mr. Bill Demmert
Senator Kennedy's Staff

United States Senate
Washington, D. C. 20510

Dear Mr. Demmert:

We are very concerned about the Kennedy-Mondale Indian Education Bill. Our community is now trying to start its own high school with BIA money. We plan to run the school as an independent institution until a state public high school can be started on our reservation.

So far our proposals have been well received by the BIA and local groups. Our Arapahoe Tribal Council has unanimously endorsed our project and over 800 people on the reservation, a record, have signed petitions in favor of what we are doing. The BIA has given us a planning commitment of $25,000.00 and we expect to sign a contract for operation of our school for next year.

But, even if we get the BIA contract, it will not provide enough money to open a school large enough to enroll all of our children. This troubles us greatly because right now so many of them drop out of school (50%) and very few get into colleges. There are cases of mistreatment in the local public high schools off the reservation where about half of the children go. The rest are in far away BIA boarding schools or mission schools.

We are convinced that we will have good education for high school children from the reservation only when we control a high school right here. That is why we do not think the present form of the bill would benefit us very much. From reviewing its sections, we see that our independent school would not get very much, if anything, even if the bill passes. We would like to see the bill changed to provide operating and constructing monies for us in our present circumstances. Although we think we will be able to have a school here next year, it won't be big enough to hold all of our children unless Congress provides the money. We also need new facilities, since the ones we plan to use next year will be makeshift.

We know how interested Senator Kennedy and Senator Mondale are in better education for Indians. But that will only come about when Indian people control their own education, which is our goal here on the Wind River Reservation. Please change the bill to help us too.

Sincerely,

Allison Sage, Sr.

Allison Sage, Sr., President
Wind River Shoshone and Arapahoe
Education Association

THE AMERICAN INDIAN
2749 Cherokee Road
Birmingham, Alabama 35216

May 12, 1971

MAY 14 3 01 PM '71

Senator Edward M. Kennedy
Senate Office Building
Washington, D.C.

Dear Senator Kennedy:

I have read with interest the proposals for changes in Indian education in America. I must admit that I am greatly impressed with the possibility of your bill becoming a reality.

I have felt that Indian education has not been given the proper attention for the past few years. I would like to do anything possible or feasible to help encourage the passage of your bill. If there are things I can do or any of our people can do, please feel free to call on us.

THE AMERICAN INDIAN is a loosely-organized group of Indians who are interested in helping our race by encouraging and promoting better educational opportunities. The reason for my interest in the educational aspect is that I am a Dean at Samford University in Birmingham, Alabama; therefore education is of direct interest to me.

I shall look forward to your assistance in this matter.

Sincerely,

H. L. Martin

H. L. "Lindy" Martin
Executive Director

HLM/cah

TULE RIVER TRIBAL COUNCIL

Post Office Box 589 Porterville, California 93257

EDWARD M. KENNEDY
UNINTED STATES SENATE
COMMITTEE ON
LABOR AND PUBLIC WELFARE
WASHINGTON, D.C. 20510

May 6,1971

Dear Mr. Kennedy:

I'm sorry for this late response inregard to your letter of March 5, 1971 but the delay was unavoidable. I'm all for some thing of this nature. A bill of this cailber should have been implemented long ago. We have reçently met with local school officaials in regards to the Jonhson- O'malley Bill. They wanted to know what we wanted in education for our children and we told them that we are trying to get a study center or community building here on the reservation. With Johnson - O'malley funds we could purchase necessary equipment and supplies to furnish a building of this type.
This is greatly needed here on the Tule River Indian Reservation. We could use a special grant to get us started on the right road. If there is any way you can help us in this matter please let us know. In regards to the National Board, I'm for it as long as they get into the remote reservations as well as the concentrated areas. But I feel this board has to be independent of the Bureau of Indian Affairs.
I hope this will help you in evaluating your proposal.
Hope to hear from you soon.

Sincerely Yours,
Alec Garfield
Alec Garfield, Chairman
Tule River Tribal Council.

OFFICE OF
SENATOR
EDWARD M. KENNEDY
WASHINGTON, D.C.
MAY 15 9 38 AM '71

2323 East Fifth St.
Duluth Minn 55812
9 May, 1971

The Honorable Edward M. Kennedy
Senate Office Building
Washington, D.C. 20510

Dear Senator Kennedy:

I appreciated your sending me a copy of Amendment 6 to S 659 and the analysis of it.

From my work with local Indian groups (I am a librarian at the Duluth library, which is located in our Indian (Cities area), I hear reports that the greatest need for urban Indians in education is access to Johnson-O'Malley funds and Title I funds for which Indians have to cut through far too much "white" tape.

My husband, an English professor at U. of M., Duluth, was asked by the local UMD Anishinabe (Chippewa Indian) Club to help set up requests for Indian Studies courses. Their request was for courses about Indian cultures, taught by Indians, or, if that is not possible, by persons who respect Indians and will go beyond textbooks to involve local Indian leaders in the presentation of these courses. They do not, and rightly, I believe, want "white expert" courses.

Divesting the BIA of its jurisdiction over Indian education seems a step in the right direction. I support you & commend you for your action.

Sincerely yours
(Mrs.) Mary J. Erwin

MISSISSIPPI BAND OF CHOCTAW INDIANS
TRIBAL OFFICE BUILDING
ROUTE 7, BOX 21
PHILADELPHIA, MISSISSIPPI 39350

May 13, 1971

Senator Ted Kennedy
United States Senate
Washington, D. C.

ATTENTION: Mr. Tom Sussman

Gentlemen:

This letter is to verify that we sent you the following telegram dated May 13, 1971.

> "We urge Indian Tribes and Tribal School Boards should be eligible for all educational assistance programs in Kennedy Indian Education Bill. National administration of Indian school assistance should be responsibility of local Bureau of Indian Affairs Agency acting as administrator with Indian control exercised through local Tribal School Board."
>
> "Letter will follow telegram."
>
> /S/ Emmett York, Chairman
> Tribal Council

We appreciate your endeavors in this matter.

Sincerely yours,

Emmett York

Emmett York, Chairman
Tribal Council

City of Whittier

Whittier, Alaska 99501

CITY COUNCIL
Bennie M. Barker, Pres.
George S. Bennett, V. Pres.
A. A. Johnson
Patricia A. Marshall
Melvin L. Stevens

CITY CLERK
Twila M. Bennett

May 11, 1971

United States Senate
Committee on the Judiciary
Washington, D. C. 20510

Gentlemen;

In response to your request asking for our suggestions and comments on changes or amendments to Amendment #6-S. 659, the Indian Education Act, introduced by Senator Edward M. Kennedy on Febuary 25, 1971. We would like to suggest that it be ammended as follows:

A. To include all children in impacted, remote and destitute areas.

B. To include all areas qualifying in the provisions set forth under Title Three.

It is our opinion and I am sure the opinion of many not only in Alaska but in all other States that it is a good Bill, however it is to be sponsored with Federal funds which means every taxpayers money in the United States and therefore should not be limited to Indians and Natives in Indian Reservations and Native Villages but should instead include children of all races in all needy areas throughout the United States.

In Alaska as in many other States it is a problem which cannot be ignored. We are beginning to wonder about consideration for the other races, and this now includes the caucasians. Each year we see vast amounts of money appropriated for wars, foreign aid, welfare, Urban renewal in riot torn cities,financial aid to Indians etc. yet the white race and the working people who have made all this financial aid possible seem to be forgotten and their voices of protest dimmed by the constantly increasing cries for more aid.

Please do not make the mistake of interpeting this to mean we are not for all of it including the Education Act, we merely wish to stress that the Caucasians, Negroes and all other races should be included and benefit from these projects, after all that is what a Democratic America is all about. In Alaska we want our Natives to receive a fair land claims settlement, but we also want free medical treatment, housing, Education etc., for all of us after the settlement has been made, not just the Indian and Native, for we too have our underprivleged and needy as well as the Indian and Native.

Respectfully,
Bennie M. Barker
Bennie M. Barker
Council President

PEMBROKE STATE UNIVERSITY

PEMBROKE, NORTH CAROLINA 28372

Office of Admissions

April 2, 1971

Honorable Edward M. Kennedy
United States Senator
431 Senate Office Building
Washington, D. C.

Dear Senator Kennedy:

I am responding to a letter concerning a study of Indian education in general chaired by you in the Subcommittee of the Congress. I was asked to read, react and respond with questions and suggestions to your final report "Indian Education: A National Tragedy — A National Challenge", along with the summarized outline of the Kennedy Bill. Could we not appropriate or earmark money for Indian education as other kinds of education that need special attention in America without the stigma of a brand name being attached? (I am a member of a group of 30,000 or more Lumbee Indians settled along the Lumber River in Robeson County, N. C. — the home of Pembroke State University, with a four-year liberal arts program.) I have strong convictions that "Indian Education" will be a "National Tragedy" as long as it is segregated as "Indian Education".

There is a psychological point of view of failure and dependence on governmental agencies to subsidize our Indian education which will remain as long as we are set apart from the mainstream not being encouraged to organize, control and to implement an educational program with a sense of belonging. Large sums of money will go a long way to provide equipment and many kinds of pilot programs but perhaps the real key to a successful program is a child having an opportunity to learn without being singled out as being black, white, yellow, red (or Indian) — just another good old American. I ask the question, what is Indian education?

In an Indian education seminar I attended last year at Huron College, Huron, South Dakota, to my amazement, it was pointed out so often that B. I. A. extended just enough coverage to keep Indian people in jeopardy of a good education in the mainstream of American culture. Could we not entertain the idea of helping all American children who are deprived the opportunity of succeeding in our school systems?

The population of Robeson County, N. C. is split about three ways equally — white, black and red (Indian). We Indians will be the last to admit that we need help over and above the other two races. There is a strong feeling that other Indians in America would have been in a much better position had they not accepted the free gifts of the government but worked in the American way of free enterprise.

I would like very much to be a witness on the Kennedy Bill if it can be arranged.

Sincerely yours,

Jason B. Lowry
Director of Admissions

JBL:bl

Enc.: Brochures

western union **Telegram**

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M PIA007 AA PD PIERRE SDAK 26 1007A CST
SENATOR TED KENNEDY
US SENATE OFC BLDG WASHDC
THE UNITED SIOUX TRIBES OF SOUTH DAKOTA CANNOT SUPPORT THE
BILL S.659 WHICH IS THE AMENDMENT OF THE HIGHER EDUCATION ACT.
EACH RESERVATION CHAIRMAN SHOULD BE CONSULTED BECAUSE IT AFFECTS
HIGHER PEOPLE
UNITED SIOUX TRIBES PIERRE SDAK.

OFFICE OF
SENATOR
EDWARD M. KENNEDY
WASHINGTON, D.C.
MAR 28 5 PM

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Honorable Edward Kennedy
U. S. Senate
Senate Office Building
Washington, D. C. 20510

Dear Senator Kennedy:

We have read with jubilation your news release wherein you have co-sponsored an Indian Education Act with Senator Howard Cannon.

The Nevada Indian Affairs Commission is real receptive to this type of legislation to assist the educational opportunities for the Indians in Nevada and in the nation. We support this legislation and wish to convey to you our heart-felt thanks for introducing this vitally needed revision to the education in the public schools.

If we could request a copy of the proposed Bill and the time of the Hearing, we would like to have the information available to disseminate to the various Nevada Indian Tribes to have them assert an expression of support to you and Senator Cannon.

With best wishes.

Sincerely yours,

Ross Morres
Executive Director

March 17, 1971

International Institute of Boston
287 Commonwealth Avenue, Boston, Mass. 02115
Telephone: 536-1081

President John Lastavica
Vice President Mrs. J. Phillip Lane
Vice President Philip J. Webster
Vice President Dr. Ensio Aalto
Secretary Mrs. Franklin Browning
Ass't Secretary Mrs. Howard C. Rogers
Treasurer William C. Allison IV
Ass't Treasurer John R. Pearson, Jr.
Executive Director Gaspar Jako

MAY 13, 1971

HONORABLE EDWARD KENNEDY
SENATE OFFICE BUILDING
WASHINGTON, D.C. 20510

DEAR SENATOR KENNEDY:

IN REGARDS TO YOUR LETTER AND ENCLOSURES ABOUT THE INDIAN EDUCATION ACT, WE AT THE INTERNATIONAL INSTITUTE OF BOSTON ARE VERY INTERESTED IN THE INDIAN EDUCATION ACT AND YOUR AMENDMENT TO IT, AND ALSO FOR YOUR VERY CLEAR ANALYSIS OF THE AMENDMENT.

YOUR LETTER WAS LATE IN REACHING THE INSTITUTE BUT WE HOPE IT IS NOT TOO LATE TO REGISTER OUR HEARTY SUPPORT OF THE AMENDMENT 6 TO S659 SUBMITTED BY YOU AND YOUR CO-SPONSORS. WE ARE IN TOUCH WITH THE INDIAN ORGANIZATIONS IN NEW ENGLAND AND HOPE THAT YOU WILL LET US KNOW AT ANY TIME IF WE CAN BE OF HELP.

AS MANY INDIANS NOW ARE TAKING THE RESPONSIBILITY FOR RESOLVING THEIR OWN PROBLEMS, WE BELIEVE THAT IT IS BETTER FOR US TO STAND BY AND GIVE HELP WHEN NEEDED. THERE ARE THOUSANDS OF INDIANS IN NEW ENGLAND THAT ARE FORGOTTEN EVEN MORE THAN THE ONES FURTHER WEST.

SINCERELY YOURS,

John Lastavica

JOHN LASTAVICA
PRESIDENT

JL/CK

OFFICE OF
SENATOR
EDWARD M. KENNEDY
WASHINGTON, D.C.
APR 21 7 55 PM '71

Mr. Edward M. Kennedy
United States Senate
Committee on Labor and Public
Welfare
Washington, D.C. 20510

April 16, 1971

Dear sir,

I shall begin by apologizing for my delayed answer to your letter of last month. When I Recieved your letter I was caught up in the last minute struggles of Final Examinations and was not able to take the time necessary to consider your bill in the manner which I felt it deservrd.

I have now considered the bill.

May I compliment you sir; it is a superb proposal. It appears to me to be the beginning of a future for my people. It is my own belief that a people cannot exist in the world of today and tomorrow without an education. With proper funding the bill, as you and the other distinquished Senators have presented it, should meet the present problems with first class recognition of needs and defficiencies within the present system. It should bring us the education that we need and have long requested to properly meet the future.

Thank you also sir for consulting us, the Indian people, on this matter. You well know, I'm sure the long history of "help" that we've been given through the many mismanaged programs over the years. We know the solutions far better than anyone on the outside looking in. And it is important to us to have this voice. Our people cannot rise to our full height without your help and yet you will not be able to find the solutions without our guide.

Thank you sir for realizing this.

The only recommendations that I will make are to emphasize the need for adequate funding; Indian controls and an important push for compitant teachers. If the teacher does not undersatnd the students he teaches he can never help them. If he feels they are inferior he will never teach them. Without proper funding the program might as well not be started at all. And history has shown that without Indian controls the money is sometimes not wisely spent.

Once again sir, I thank you.

May your mind be at peace and your path be an easy one; may the sun warm you and the wind be at your back.

Washte,

Lawrence Baca

Lawrence Baca
State Youth Chairman
California Indian Education
Assn.

RESPONSE TO AN AMENDMENT

TO THE HIGHER EDUCATION ACT OF

1971, S. 659

April 26, 1971

Prepared by

Virginia Brown
Small Tribes Organization
of Western Washington
333324 Pacific Hwy. South
Federal Way, Washington

(206) 838-0790

The Honorable Senator Kennedy has presented an amendment to the Indian Education Act, S. 659. One of the Senator's recommendations was to appoint a National Board of Indian Education, connected directly to the Office of Education. I agree that a National Board of Indian Education is a necessity, but I strongly disagree that they should be appointed by the President. If we are to receive full consideration and full decision making authority, we need to have the responsibility of appointing our own people. Why should we suggest names and let the President make our appointments? It is an accepted fact that when appointments are made by the President, they very often become strictly political appointments and not on the basis of performance or ability. Too many times, we have been given the advisory role only, with little control and responsibility in decisions affecting our lives. We need to be able to make our own decisions and appointments. Let us make our own mistakes, if need be; everyone else has had the opportunity of making them for us.

It should also be a stipulation that these appointments receive the endorsement and approval of responsible governing bodies. Many times, we have been represented by Indian groups who do not have the endorsement of the elected Tribal Councils. Our Tribal Councils are elected to represent our people and should have the opportunity to do so. Although it is implied, the Senator does not state that the Board would consist of Indians. It should be a definite requirement of all members of the Board. We have capable Indians who are willing to serve in this capacity. Are we again going to have non-Indians making our decisions.

One of the functions outlined for the National Board is to investigate and determine which boarding schools should be converted into therapeautic treatment centers. I endorse this idea fully. When you realize that out of 100 students we sent to the Chemawa Indian School from Western Washington since September of this school year, 49 of these have returned home as of March, you begin to wonder about the purpose and capabilities of this school. More importantly, what happens to these children? A point of interest to you might be that our students now have the choice of taking their General Equivalency Diploma test or completing their high school classes at Chemawa. This is currently taking place. One of the main problems with Bureau of Indian Affairs boarding schools, I feel, is their compliance with civil service requirements. I would suggest that all civil service requirements be abolished; possibly then they could obtain and retain good teachers who are able to relate well to our children. This would also offer more job opportunities to Indian people.

In Part A of Senator Kennedy's amendment, he proposed to allow substantial increases of money Public Law 874 and Title 1, ESEA. I commend the Senator for his action; he has taken a necessary step in Indian Education. Senator Kennedy has suggested that Indians whether they are non-reservation Indians or not, are all Indians and he recognizes the fact that all Indians need and require the same services. We, at STOWW, have some bands of Indians in our organization who are refused Bureau of Indian Affairs and Indian Health Service assistance. These bands are as much Indian as reservation tribes. Why must it take a court decision to decide if they

are fully Indian? They think Indian, feel Indian and are Indian now.

In this section, Senator Kennedy stresses the need for having these monies, received from Indian communities be designed for use for those Indian children. I agree completely with the Senator. For years now, the money received by local school districts for Indian children has been used in the general operating funds. Our children have been neglected too long. The Senator also stresses the need for the participation and involvement of Indian communities. I would go a step further and suggest that tribal councils, along with parents, must be involved in all programming. The State Department of Public Instruction in Washington State has denied participation of tribal councils on Johnson O'Malley Committees. This has caused much dissatisfaction and dissension within our Indian communities. Our tribal councils are the elected governing bodies of our people; they must be recognized as such. It seems to me, too, that Indians are given the advisory role again in this section. There is a stipulation for consultation with parents of Indian children, but where do we have the authority of making actual decisions?

Part B allows the Commissioner of Education to make grants to everyone but tribal councils. Or are tribal councils referred to as public and private education and research agencies, organizations, and institutions? The Senator is going to realize that Indians demand to be specifically named in subh bills. And if tribal councils are not eligible to receive these grants, why not? In this section, also, is a reference to participation by tribal communities and parents. It should definitely

include our tribal councils, and not in the advisory capactiy, but in a decision making role.

Part B also allows the Commissioner to make grants to institutions of higher education to prepare persons to serve Indian children in the educational system. Who determines if an applicant received this type of grant? It should be apparent to everyone by now that Indians should have some control over this matter. When is our local control going to take effect?

In Part C the same question arises again concerning the granting of funds, participation of tribal councils and decision making authority. We would wonder also if $5,000,000 is enough for adult education? Divided as this money eventually will be, it seems that it may not adequately meet our needs.

In Part E there is a provision for more support of community colleges with Indian students. If these colleges were to recruit and obtain Indian students, who would determine how the additional funding would be used? There should be a provision included for local control of this money, or we may have community colleges recruiting our Indian students for the sole purpose of getting additional funds. If these colleges are near Indian communities, I would think that the tribal council or governing body in that area would have a direct interest in the administration of those funds.

In conclusion, I would like to say that we sincerely appreciate Senator Kennedy's interest and involvement with Indian education. I feel that his great commitment and assistance will certainly be beneficial to our people. The Special Sub-Committee on Indian Education has developed a very thorough,

relevant package for Indians; however, before passage of this Amendment, the forementioned items need further clarification. Thank you, again, for the opportunity of presenting our concerns to your committee.

GREASEWOOD BOARDING SCHOOL,
Ganado, Ariz., May 31, 1971

Hon. SENATOR KENNEDY,
Senate Office Building,
Washington, D.C.

SENATOR KENNEDY: I should like to inform you that I have read and studied your proposed plan for Indian education and have found it very appealing. I am in total agreement that the Bureau of Indian Affairs is having their problems and something should be done about it immediately.

I am a Blackfeet Indian who has been in the field of education for twenty-eight years. Sixteen of these years have been spent in working directly with Indian children, parents, and guardians. I have completed my second year on the Navajo Indian Reservation. I can truthfully say that on this reservation is the best example of BIA mismanagement in the whole area of Indian education. Their entire system demands a thorough re-evaluation or it will retrogress in zero.

Because I have functioned well in all area of education—from teacher to superintendent—and because I possess a curious and analytical nature, I am well aware many weaknesses and problems in the Bureau of Indian Affairs Education Program; and honestly believe that I can offer constructive suggestions and recommendations to remedy these many weaknesses and problems.

Respectfully,

JAMES G. KIPP.

KENT COUNTY DEMOCRATIC COMMITTEE,
Grand Rapids, Mich.

Whereas, Indians have been deprived of fair opportunities for health, education, housing, and jobs throughout the history of this nation and,

Whereas, Indians continue to live in poverty, continue to be mistreated, continue to earn an average of $1,500 wage per year with an unemployment rate of nearly 40% and,

Whereas, a proper education for all Indians would be a big step to alleviate their problem and,

Whereas, the Kent County Democratic Committee has always been opposed to unjust oppression of any kind; Now, therefore be it

Resolved, That the Kent County Democratic Committee go on record in support of the 1971 Federal Indian Education Act co-sponsored by Senator Edward Kennedy and be it further

Resolved That this Committee go on record in support of Michigan Senate Bill No. 10 which will provide for tuition payments to eligible Indians of this state to secure vocational or eductional training beyond the secondary education level, and be it further resolved that copies of this Resolution be sent to Senator Edward Kennedy and the sponsors of Senate Bill No. 10 and to the news media.

THOMAS F. BLACKWELL,
Chairman, Kent County Democratic Committee.

SPOKANE TRIBE OF INDIANS,
Spokane Reservation, Wash., May 27, 1971.

SENATOR EDWARD M. KENNEDY,
Committee on the Judiciary,
U.S. Senate,
Washington, D.C.

DEAR SENATOR KENNEDY: The Spokane Tribe has reviewed Amendment 6 to S. 659, the Indian Education Act.

While there are many items contained in this Act that are very beneficial we feel that the Bureau of Indian Affairs has long recognized the needs of the Indian people and through recent policy and organizational changes many of these problems and priorities are being met. One of the great problems is that there are no two Tribes that have identical situations and needs and these become even more widespread through the different geographical areas of our nation. Admittedly, it took the Bureau of Indian Affairs many years to recognize this and to realize that one set of regulations could not apply to all Tribes. We feel the

Bureau has made great progress in this area, especially since about 1955. Any new agency would be confronted with the same problems and we feel much time would be lost in learning the basic facts that the Bureau and Interior Department have already coped with and now fully understand. We also feel that placing Indian education under another bureaucracy would, as in most cases we have observed, create vast expenses with new offices, new management, new personnel, new regulations and new expenses, so that monies appropriated for "Indian Education" would be greatly decimated by the time they reached the reservations.

We feel the Bureau is already well organized, has knowledgeable personnel and is cooperating and working closely with our people. We might note here that our new Spokane Agency was created only last November; our Council was given full reign in the selection of personnel and we are highly pleased and satisfied with our choice of Bureau staff members and certainly so in the field of education. We are making good progress with the Bureau and don't feel we want to be interrupted.

We pointed out earlier that there are vast differences in Tribes. We cannot agree that there is an "Indian problem" in education as most "experts" maintain. Rather, there are numerous, countless problems that are all unique to specific reservations. We hear continually that Indian children are "different" than other children—that they must be taught "different." The degree of this again varies from reservation to reservation and the Spokane Tribe does not prescribe to this theory. eW feel that Indian children must have the same training and acquire the same qualifications as other people in order to cope with today's employment situations and changing times. We believe that in our area they do not need to be taught different than other children; if there are differences, such a theory only tends to emphasize the fact and feelings of distrust and resentment tend to rise. There are many qualified Indian leaders now who graduated from colleges of their choice without the benefit of today's "experts".

This does not mean to say that we do not promote and encourage Indian cultures and the preservation of arts, crafts, language and customs, but these should be at the option of the sudents and families involved. The opportunities are provided here by the Tribe for participation in programs to perpetuate tribal customs and heritage. Specific subjects are also taught in our local public schools on Indian history, culture and present day Tribal affairs through cooperation between local school personnel, the Tribe and the Bureau.

We fully realize that there are vast differences in opinions among the various Tribes regarding education programs. For example the problems cultures, needs, etc., required for the Navajo people are entirely different than those for the Spokanes—the same may be true for even our closer neighbors such as the Yakimas and Colvilles. Here much depends upon the progress, attitudes, environment, social and economic backgrounds along with a multitude of other local conditions that add to the complexity of the individual tribal problems. Some Tribes have participated or have been "involved" in public schools and education problems for many years. The Spokane Tribe has had members on the local public school board for at least 35 years and the board for the last several years has been made up entirely of Tribal members elected at regular public county elections.

How well any program functions depends upon the cooperation between the agency and people involved. We feel that the Bureau of Indian Affairs has made many recent adjustments and Indian Tribes are enjoying the best opportunities to advance and make their own decsions than at any time in history. We feel there is too great an overlap of responsibilities between the branch of education and other Bureau functions to have a separation. We know our local Bureau people and we receive full cooperation from our Portland Area Office and the Commissioner of Indian Affairs. We feel that changes to another department would create a long period of turmoil, misunderstandings and confusion that the Tribes and Bureau have already been through. The Spokane Tribe, therefore, desires to keep the education program with the Bureau of Indian Affairs and does not support the changes as introduced in Amendment 6 to S. 659, the Indian Education Act.

Sincerely yours,

ALEX SHERWOOD,
Chairman, Spokane Tribal Council.

CAMBRIDGE, MASS.,
May 1, 1971.

HON. EDWARD M. KENNEDY,
U.S. Senate.

DEAR MR. KENNEDY: Thank you for your considerate request for comment or suggestions on Amendment 6 to S 659. Although I cannot speak for any other Navajo or Indian person, I will gladly speak for myself in this matter.

I am a full blooded Navajo woman, currently a student at the Harvard Graduate School of Education, and will shortly receive a Masters Degree in Education for general purposes. I attended the public hearings on April 28 and 29 on this amendment, and gave careful attention to the testimony of the various witnesses and to the comments and questions both of yourself and of Senators Mondale and Pell. Let me first of all say that I appreciate the thoroughness with which you have attempted to frame legislation which will meet the real educational needs and problems of the Indian citizens of this country. You deserve a great deal of credit for your sincere and sustained effort to discover the wishes of Indian people for their schools and to find ways of implementing them. The amendment, as proposed, and the hearings as well, both demonstrate this.

However, my strongest recommendation, after hearing both the testimony of various Tribal and inter-Tribal-group representatives, and of many friends among those present, is that you need to give as much time and effort to the process of reviewing and digesting, and making specific input as regards alterations of the proposed legislation, as you gave to the process of drafting it. A White House Conference was suggested several times during the hearings. No clear reason was spelled out for why one is not planned. The idea seems quite wise.

The problem is not that there is that much wrong with the bill as it is now written (I will make specific suggestions as to areas I personally would change below). The problem is that it presents some really major changes in the institutional environment of Indian people, and we mistrust sweeping change. As you yourself put it, the "devil we know is not as frightening as the devil we don't know". Very many of the ideas presented in the bill are good ones, and will quite likely be received gladly by many people, if they have the time to approach them carefully and with deliberation. Some of them you may have to have the political courage to enact boldly on the strength of your own judgement as an elected legislator, and let the people discover their wisdom in practice.

My comments on specific parts of the bill follow:

SECTION A

I like the notion of separate specially funded programs for Indian children in Public schools. To safeguards, however, for ensuring that these funds are used to supplement rather than supplant regular program funds seem weak in two respects. Experience with similar weaknesses in Title I programs already would suggest that the reports required in section 305(a)(7) to the U.S. Commissioner of Education (whose office seems to lack capability for keeping up with such things) be also sent to the National Board of Indian Education, and that that Board be funded for sufficient staff to keep these reviewed, and to communicate with local advisory committees and with USOE on whether local programs are being administered fairly. Or else, the entire review and funding of these programs might be lodged with the NBIA, if you can get it away from USOE. (The attitude and testimony of the Commissioner was discouraging at this point, and strongly suggestive of "termination" tendencies in the thinking of USOE regarding Indian Education, reducing it to one more aspect of "Minority Problems".)

Secondly, the local committees (sec. 305 (b) (2) (B) (ii)) should be so set up in the legislation that school officials cannot in any way determine who serves on them. The way the bill is now worded, a given principal could appoint school employees (who happen to be parents) as parent members of the committee, and exert all kinds of undue pressure on them regarding approval of funding proposals, or criticisms of personnel or program.

SECTION B

I am delighted with the provisions for innovative program funding, and with the safeguards in 810 (f) (4), except that I believe that it would be the NBIA and not merely the Commissioner of Education who should be "satisfied" that Indian parents, teachers, etc. have been appropriately included in the planning and development of programs. The same comment holds for Sec. C on Adult Education innovative programs.

I would like also to see the words "English and/or Indian language" inserted after "basic" in section 314 (a) (2) (A) and other pertinent points, to allow for development of literacy programs in native tongues in those tribes in which written forms have been developed for their languages.

SECTION D

I should like to register my agreement with the testimony of the California Indian Legal Services representatives and others urging the inadvisability of automatically transferring existing BIA educational personnel and apparatus to the employment of the NBIA "en masse". Instead, some transfer period should be set, within which local boards must be set up by the present system, and assisted by the NBIA in establishing hiring criteria and procedures, after which local boards must be free to hire whomever they wish, with no obligation whatever to former BIA employees. I could not more strongly disagree, as an Indian with the testimony of the NEA representative, who urged that there was some blanket "job security" obligation to these people as a group. In my experience with Federal Indian School personnel, some of these people have been riding free at the expense of Indians long enough, and ought to be turned out to fend for themselves. Those who have been doing a good, or even a conscientious (if inadequate) job will have little to fear. They will be needed, and fairly treated.

THE NATIONAL BOARD OF INDIAN EDUCATION

You will already have gathered from the above that I am much in favor of the NBIA idea. I recognize the wisdom of the proposal by Mr. Platero (with, no doubt, considerable input from Navajo Tribal Education figures) that this Board be in an "advisory only" position with respect to local school Boards. This may not be possible to achieve in the first stages of development, however, so it should be provided in the legislation that the NBIA is to operate as an umbrella under which local boards can be organized and given specifically limited training, after which it is to serve as a funding and technical assistance source only, with no other authority over local Boards than the USOE has over other local School Boards. Other functions, such as the operation of centralized Educational Treatment Centers, could be carried out as special projects under NBIA by delegation of its authority to various Indian groups or organizations.

As far as location of the NBIA in the Federal structure is concerned, I could see it operating within the BIA only if it is given exclusive and independent charge of all educational operations and funds, and set free of Civil Service restrictions in both hiring and firing of employees, at least until it has had ample opportunity for housecleaning. At the same time, the character of the Commissioner's testimony regarding the currently "locked in" bureaucratic hierarchy procedures suggests the Board would inherit really massive problems in tackling the reform of such a structure. This the real wisdom of Mr. Platero's proposal that power be lodged not at the top, but at the local levels, with assistance from the top.

Should the NBIA be established with semi-legislative and policy making functions and centralized power, then I should like to see it completely separated from the BIA, and lodged under the Executive office. In no case would I like to see it placed under USOE, since I feel that this would likely result in the kind of fragmentation of Indian program and policy that the hearing produced ample evidence that Indian leaders fear.

I should like to see members of the NBIA both nominated and selected on a geographical region basis, with region size determined by equalizing the number of Indians residing in each region as nearly as possible, without dividing tribes or reservations up. Representatives should then represent all tribes and individual Indians within their region.

I do not know how much GS 18 rating personnel are paid, but I would like to see NBIA members paid sufficient salaries that it be understood that theirs is a

full time job involving sufficient responsibility that they hold no other job or major position. They should be given adequate funds for maintaining repeated contact with schools and parents throughout the region they represent.

Again, let me express my appreciation for your competent pursuit of Indian guidance in framing legislation affecting Indian people. And let me urge that you consider ways and means of extending the time in which your proposed legislation can be transmitted by word of mouth (past Indian Education, as you know, has not provided many of the people with a lot of skill in interpreting written laws, even though they are held in great respect their wisdom and understanding, once things are explained to them). This is a slow process, but it is the real key to the kind of Indian involvement you have espoused. Please give it time to happen. We deeply respect patience.

Most sincerely yours,

MARY HELEN TAPTTO.

MOUNT PLEASANT PUBLIC SCHOOLS,
Mt. Pleasant, Mich., May 3, 1971.

Senator EDWARD M. KENNEDY,
Chairman, Senate Subcommittee Administrative Practice and Procedure,
New Senate Office Building,
Washington, D.C.

DEAR SENATOR KENNEDY: I would encourage passage of Amendment 6–S.659 (Indian Education Act) during the present session of Congress.

The adults and children of our Indian Reservation would certainly benefit from this legislation.

Any information on the present consideration of this Amendment would be appreciated.

Respectfully,

CARLO BARBERI, *Ed.D, Superintendent.*

SUPERIOR, WISC.,
April 29, 9171.

SENATOR WALTER F. MONDALE,
Senate and Congressional Hearings,
Washington, D.C.

We wish to support the Indian Education Act now being heard before the Senate.

SUPERIOR AREA INDIAN DEVELOPMENT ASSOCIATION.

MINNEAPOLIS, MINN.,
April 28, 1971.

HON. WALTER F. MONDALE,
Washington, D.C.

DEAR SENATOR MONDALE: Please consider our support for the Indian Education Act, Amendment 6 to Senate bill 659 as offered by the Honorable Senators Williams and Kennedy. This legislation is a milestone of cognizance to the deplorable conditions in Indian education. It is also a tremendous step toward Indian self-determination so essential in providing innovative and community-based efforts in cultural oriented programs. The considerations of all members of Congress is appealed to for the passage of this legislation.

SENATOR GEORGE R. CONZEMIUS,
Minnesota State Legislature and
Secretary Minnesota Indian Affairs Commission.

SAN FRANCISCO, CALIF.,
April 23, 1971.

Senator CLAIBORNE PELL,
U.S. Senate Committee on Indian Education,
Committee on Labor and Welfare,
Washington, D.C.

I strongly recommend that a chance be given to Indians who are in positions of powerlessness to voice their opinions and needs regarding the educational process as it effects their lives and the lives of their children. If you are truly committed to native American self-determination and local control of education for

Indians, supply time and money to hear what grassroots see as their problems. Too often the self-styled Indian leader who maneuvers to positions of power in Indian organizations has no conception of conditions on the local level. How long shall such individuals and experts from governmental organizations make decisions for the majority of American Indians. We need local Indian input.

BEA MEDICINE DEPARTMENT OF ANTHROPOLOGY,
San Francisco State College.

FORT TOTTEN, N. DAK.,
May 3, 1971.

SENATE COMMITTEE ON LABOR AND PUBLIC AFFAIRS,
Special Education Subcommittee,
Washington, D.C.

The Devils Lake Sioux Tribe has gone on record opposing proposed bill S. 659 pertaining to education. Resolution to follow.

LOUIS GOODHOUSE, *Tribal Chairman.*

DULUTH PUBLIC SCHOOLS,
INDEPENDENT SCHOOL DISTRICT No. 709,
Duluth, Minn., April 23, 1971.

Hon. WALTER MONDALE,
U.S. Senate,
Senate Office Building, Washington, D.C.

DEAR SIR: I am enclosing a corrected copy of a telegram mailed to you on April 22, 1971 pertaining to the Indian Education Bill, amendment 6, Senate Bill 659.

Yours, truly,

DONALD H. PECKENPAUGH, *Superintendent.*

Telegram to Senator Harrison A. Williams, Jr.:

I have just had the opportunity to read the Indian Education Bill, amendment 6 to Senate Bill 659, which Senators Edward Kennedy and Walter Mondale introduced on February 25. In my opinion this legislation to assist Indian children is extremely worthwhile. As a school system with six schools with heavy Indian enrollment, I feel the provisions in the bill to increase Indian parent involvement and in earmarking impacted aid for it under Public Law 874 are outstanding features. I am also extremely pleased with the grants for planning and operating programs to improve Indian education.

Duluth lead the nation in a community elected Indian education advisory committee to advise administrators and board in the planning of an educational program for Indian students. Although it has been in operation only a few months we have had pronounced improvement in attitudes of the professional staff toward their responsibility to Indian children. The contribution of the committee has been helpful both in specific suggestions and in raising profound theoretical questions. The legislation as proposed would, in my opinion, improve education for the Indian children in Duluth.

DONALD H. PECKENPAUGH, *Superintendent.*

[Telegram]

PHILADELPHIA, MISS., *May 13, 1971.*

Senator TED KENNEDY,
U.S. Senate, Washington, D.C.
(Attention Mr. Tom Sussman)

Dear Senator KENNEDY: We urge Indian Tribe and Tribal School Boards should be eligible for all educational assistance programs in Kennedy Indian Education bill. National administration of Indian assistance should be responsibility of local Bureau of Indian Affairs Agency acting as administrator with Indian control exercised through local Tribal School Board. Letter will follow this telegram.

EMMITT HORK, *Chairman Tribal Council.*

STATE OF MINNESOTA,
DEPARTMENT OF EDUCATION,
St. Paul, Minn., April 26, 1971.

Senator WALTER F. MONDALE,
Old Senate Office Building,
U.S. Senate, Washington, D.C.

DEAR SENATOR MONDALE: The Minnesota Department of Education embarked on an intensive effort to improve educational opportunities for Indian citizens during the later part of 1968. The State Board of Education adopted in June, 1969, a State Plan for Indian Education. This Family Plan includes pre-natal through higher education. Our department has been successful in receiving federal and state funds to carry out programs which have been identified by Indian citizens of Minnesota to meet their needs. Unfortunately, federal and state programs currently available do not provide sufficient funds for the total Family Plan to be carried out.

I want you to know that Indian education is very high on the priority list of this department and we have been encouraged by the excellent support of the Minnesota Indian Education Committee. This committee is the result of a law enacted by the 1969 state legislature which has also supported supplemental assistance to carry out our State Plan. The twenty-five members on the committee come from all parts of the State and they have become an influential voice in Indian education in Minnesota. This Department is very pleased with the assistance the committee has given to us during the last two years.

We are grateful for your efforts in the United States Senate relative to Indian education, and especially pleased to note that you and Senator Edward Kennedy have introduced the Indian Education Bill. The bill has far reaching implications for Indian citizens and state departments of education. Hopefully, the bill will not separate the efforts being made in respective states; rather, it should strengthen the cooperation of all groups interested and responsible for the education of Indian citizens.

As you know, the problems and issues confronting Indian education are not easily resolved. The magnitude and depth of the concerns require extensive and intensive attention by many institutions and people. We want to be part of such an effort and will assist in any way we can. We trust the bill will allow the State Department of Education to continue to serve Indian people in meaningful and dignified ways.

I believe we have developed a keen interest and commitment to improve educational conditions which will have a positive impact on Indian people. We look upon Senate Bill 659, amendment 6, as an opportunity to continue to work cooperatively with Indian communities and local school districts to serve Indian children. Please count on our support and feel free to call on us if this department can be of further assistance.

Sincerely,

HOWARD B. CASMEY, *Commissioner of Education.*

YAKIMA INDIAN NATION,
CONFEDERATED TRIBES AND BANDS EDUCATION COMMITTEE,
Wapato, Wash., April 27, 1971.

MR. CLAIBORNE PELL,
Chairman, Subcommittee Education,
Senate, Labor and Public Works,
Senate Building, Washington, D.C.

CHAIRMAN PELL: I oppose action on Senate bill No. S. 659 and Senate bill No. S. 1401 until field hearings are held.

ERNESTINE SLIEKAPOR.
(And 65 others).

YAKIMA INDIAN NATION,
Toppenish, Wash, May 2, 1971.

Hon. CLAIBORNE PELL,
Chairman, Subcommittee on Education,
Senate, Labor and Public Works,
Washington, D.C.

DEAR SIR: This is to advise you that we as Indian parents and as those who work with our Indian children wish to advise you that we oppose any action on

these bills; Kennedy Bill S. 659 and the Jackson Bill S. 1401; until field hearings are held on the Indian Reservations.

Sincerely,

Mrs. Florence M. Haggerty, *Teacher.*
Mrs. Lorraine Teo, *Teacher Aide.*
Mrs. Helen Marek, *Teacher Aide.*
Mrs. Virginia Yocash, *Teacher Aide.*
Ray Pimms, Sr.
Ester E. Davis, *Cook Nutritionist.*
Amelia Sohappy, *Aide.*

State of Minnesota,
Bemidji, Minn., April 26, 1971.

Senator Edward M. Kennedy,
U.S. Senate,
Washington, D.C.

Dear Senator Kennedy: Thank you for the letter of April 19, 1971, and related information concerning the Amendment 6 to S. 659, of the Indian Education Act.

As I read and studied the Indian Education Act, I found the following questions coming to mind. I would greatly appreciate answers to and clarification of these particular points.

1. Definition of "Indian": Currently it is not specific enuogh. I believe a blood quantum should be indicated for the major portion of Indians that will be affected. I propose the one-fourth blood quantum be employed.

2. Provisions should be made and spelled out to aid and assist those Indians under one-fourth. Perhaps partial payment in school assistance costs; specifically for Indians in post-high school educational training programs. Colleges and vocational-technical schools.

3. "Direct funding" Provisions: Does the act provide for direct funding to such Indian agencies as e.g. the Minnesota Chippewa Tribe?

(a) Can a recognized tribe, band, reservation business committee, or Indian organization be a "Local Educational Agency"?

(b) Specifically, who or what can be a "Local Educational Agency"?

4. Does this bill for an act supplement and replace Johnson O'Malley funds currently administered by the Bureau of Indian Affairs?

5. The National Board of Indian Education: Will this be the number one office of Indian Education? Will the mere 15 member board, including staff, assume the entire duties of the B.I.A. regarding Indian Education?

6. Based on the 1969 Federal Government's allocation of 27.9 million for public schools with eligible Indian students—does the proposed 25 million actually mean less money for more Indians?

7. What about funds for building, remodeling, and additions? Title I mentions maintenance and construction, but how much, what portion of the budget? Improving school space, and facilities is extremely important in improving the quality of Indian education.

8. Special Program of Titles II and III are extremely important in improving the quality of Indian education. Indian people themselves know the specific needs of education for Indian studies. Allowing Indians to create and implement these innovative programs would improve greatly the quality of Indian education.

Also, in Part B of Amendment 6 of Special Programs is the section to provide grants to institutions of higher learning and other local agencies for preparing potential teachers, social workers, counselors of Indian students. This type of preparation in training institutions is essential to insure that these professional personnel are adequately sensitized to the basic cultures, traditions, and needs of the Indian people for whom they intend to work. The primary resources input to training institutions should rely heavily on Indian expertise (Indian community people, tribal officials, Indian educators).

9. Would you please define and specify Parent and Tribal "Participation" in Part B of proposal applications. This term is too vague and often invites a degree of tokenism for Indian participation. I would recommend that a specified percentage, number of Indians, or named tribal official be spelled out to sit in on the planning, developing, and evaluation of proposal applications.

10. In Part C of Amendment 6 of Adult Education, the need to further supplement and develop employment and educational opportunities are greatly desired.

The interacting fields of education and employment together create an opportunity for Indian Adults to gain valuable knowledge, skill, and insight of potential goals relating to these two important elements.

11. In Part D of Amendment 6, how does the National Board "establish" local school districts and school boards?

12. The extent to which the local tribal governments, committees, and agencies are delegated actual responsibility and authority to "control" Indian Programs is not quite clear to me. Will current public schools adhere to the National Board's regulations on funding requests and guidelines?

13. What will be the relationship of the National Board and the State Department of Education? Is it possible the State Departments will be by-passed on occasion of direct funding? Will the State Departments continue contract for grants with the National Board? What priority will State Departments have?

14. I question somewhat the "stability" of the National Board. How concrete will Indian education be as the position of President of the United States and as administration changes hands from time to time?

Basically, these are the questions that I find require clarification. I recognize that this bill for act must be an all-out effort by Native Americans, and congressmen of our government to insure that the Indian people of America may be able to benefit to the fullest potential from the intent as well as the fact of the bill.

I commend you, Senator Kennedy, for your sincere and honest effort that you have exhibited thus far regarding this Indian Education Act. Without your insight as co-sponsor of this bill, no one knows how long Indian education in America would continue to exist ineffective, inadequate and in some areas very detrimental to a very proud race. As for a general overview of the act, I see the major premise of the bill as a definite move towards meeting the needs of the Indian people in education. I reserve my right to endorse this bill until these and other points of interest have been clarified to my personal notifications. Thank you for your attention.

Respectively yours,

ROGER T. AITKEN,
Counselor, Indian Adult Basic Education.

[Telegram]

BROWNING, MONT., *May 3, 1971.*

Hon. EDWARD KENNEDY,
Senate Office Building,
Washington, D.C.:

Received your telegram dated April 30, regarding hearings of the Senate Education Committee scheduled May 6. Appreciate your notifying me of the hearings and the recommendations you feel that is necessary in regards to the hearing. But I am at this time demanding, as the president of the National Congress of American Indians, and president of the Affiliated Tribes of the Northwest, that there be more hearings held on this subject both in Washington and regional. This would give the Indian leaders ample time to be able to give a better response to the bills being submitted. At the present I am unable to take a position on behalf of the tribes that I represent until such time as they have had this opportunity.

EARL OLD PERSON,
Chairman, Blackfeet Tribal Business Council.

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE REGIONAL OFFICE,
OFFICE OF EDUCATION,
San Francisco, Calif., April 27, 1971.

Hon. EDWARD M. KENNEDY,
U.S. Senate,
Washington, D.C.

DEAR SENATOR KENNEDY: This office appreciates the opportunity to express a viewpoint on amendment six to Senate Bill 659.

The relationship of the U.S. Commissioner of Education in HEW to the proposed National Indian Board of Education is unclear to me in regard to funding. If the U.S. Commissioner of Education is empowered to make grants as described

in parts A, B, and C, then it seems to me that the role of the National Board of Indian Education is little more than advisory except in instances where the Indian Education Board would assume control of Federal Indian Schools.

With the continuing exodus from the reservation to the urban areas, the National Board of Indian Education needs also to have control of programs that affect Native Americans in the public schools as well as in higher education. I don't see that kind of authority being established in the National Board of Indian Education until it is also responsible for distributing funds rather than having them obligated through the U.S. Commissioner of Education.

I am enclosing a resolution passed at the recent Region IX conference on Urban Indian Education. Also enclosed is a list of Indian persons who could be helpful in providing additional viewpoints.

Sincerely yours,

MRS. COLLEEN REIMER,
Education Program Specialist,
Equal Educational Opportunities.

An urban Indian Education Workshop under the auspices of the Regional Council was held March 18 and 19, 1971. One of the recommendations coming out of the meeting applies to the Jackson hearings on the Kennedy Bill (SB 659). The recommendation follows:

1. That this body support the concept of a national All-Indian Board of Education.
2. That the Indian Community have much more input into the selection of the "Board" than the Bill now allows. (Indians want the board members to be responsible to the Indian Communities.)
3. That the bill include a section on the drop-out problem.
4. That the bill include in it services to urban Indians.
5. That the Bureau of Indian Affairs change their Johnson O'Malley (JOM) policies to include all Indians or to conform to the intent of the Act.

THE UNIVERSITY OF NEW MEXICO SCHOOL OF LAW,
Albuquerque, N. Mex., April 28, 1971.

Hon. EDWARD M. KENNEDY,
Chairman, Senate Subcommittee on Indian Education,
Washington, D.C.

DEAR SENATOR KENNEDY: This will refer to your letter of March 10, 1971, relating to the amendment to pending education legislation that constitutes the Indian Education Act. I am happy to have the opportunity to comment on the proposed amendment.

I believe that the tribal leadership will be consistent in their position of opposing the removal of the Indian education program away from the Bureau of Indian Affairs. This has been their position in the Denver conference of November. 1966; the Kansas City Conference of March, 1967; the National Congress of American Indian convention of October, 1969; etc. It could be that the Senate Sub-Committee on Indian Education has been misled in this respect by lack of balance between witnesses before the committee who were elected representatives of Indian Tribes and represented large numbers of Indian people, with whose children the committee is concerned, and these witnesses who represented their own personal point of view, many of whom were not Indians. It is significant also that no hearings were held in Albuquerque, New Mexico where opposition by the tribal leadership to any removal of education from BIA was strongest. One of the underlying reasons for this tribal position is fear of termination by indirection where it has not been accomplished by direction.

Too often individuals have let their attitude about the BIA, justified or not, color their objective judgment on matters as significant as Indian education. Even the committee on the NAACP Legal Defense and Education Fund which wrote the report "An Even Chance" contained but one official tribal spokesman representative of Indian people.

I will confine my comments to these sections of the bill beginning with Section 561.

Section 561(a) should be amended by adding after the word "members" on lines 4 and 5 the following "who shall be enrolled Indians of ¼ degree or more Indian blood," and deleting from line 10 the words "and organizations."

The reason for these suggestions are that there are too many persons now surfacing as spokesmen for Indians, who are not representative of Indians and even some whose Indian blood is open to question. Further, the education program administered by the BIA is for reservation Indian children and, therefore, Indians recommended by Indian Tribes should make up and control the National Board of Indian Education.

Section 561 (b). Line 9 of this sub-section should be amended by inserting "three-year" after "consecutive." The sentence beginning on line 13 of this sub-section should be deleted in its entirety and the following substituted in lieu thereof. "The Board shall elect a Chairman and a Vice-Chairman at its organizational meeting and annually thereafter."

The suggestion for consecutive three-year terms is so that an excellent board member may succeed himself for two consecutive three-year terms if he originally had only served a part of a three-year term. It is believed essential to Indian control of education that the membership of the Board elect its own officers.

Section 562. Delete sub-section (2) and insert in lieu thereof new sub-section (3) as follows "Preference shall be given to enrolled Indians in appointments by the Board for employment and in their advancement."

I believe Indian preference of enrolled Indians must be established as the policy of Congress not only for initial appointment but also for promotions and career advancement. My reasons for recommending deletion of Section 2 is stated in my comments on Section 564.

Section 563(2). Delete line 3 of this subsection and insert in lieu thereof "with the consent of the majority of the residents of the proposed district." Sub-section (3) delete from line 4 of this sub-section the word "having" and insert in lieu thereof "and who shall have."

The local residents of any proposed Indian school district should have the final determination as to the establishment of local school districts. The board of any school district should have administrative control and direction of any Indian school within the district so organized.

Section 564(a) Amend this sub-section by inserting after "Board" in line 2 "policy control over," change the period at the end of this sub-section to a comma and add "except training programs as authorized by PL 959."

Sub-section (b) Amend this sub-section by deleting all of the language after "learning" beginning in line 6 and inserting in line thereof "shall be transferred to and vested in the National Board by the Secretary of the Interior no sooner than six months nor later than twelve months after receipt by him of a duly authenticated resolution adopted by the National Tribal Chairman's Association requesting such transfer. There is excepted from any transfer training programs as authorized by PL 959."

It is my earnest conviction that the National Board of Indian Education through policy control of the education of Indian children will be able to control and direct the education of Indian children without becoming involved in daily operations and the problems of logistics. These problems could enmesh the Board that it possibly could not function in the more important areas of policy and direction.

After a reasonable period of time, during which much needed experience would be gained by the Board, and the opportunity provided for the duly elected representatives of the Indian people, whose children are being educated in Federal Indian schools, to observe the Board in action, the representatives of the Tribes could request the transfer of all education functions to the Board. The Secretary of the Interior would be authorized to make such transfer upon presentation of an appropriate resolution from the National Tribal Chairmen's Association. This amendment would place the decision of such major importance with the Indian people and this is the essence of Indian control of education for Indian children from Indian communities.

Section 5(b) This sub-section is amended by adding thereto sub-section (4) as follows. "In the exercise of the function under sub-section (b) there shall be open consultation with secondary school students, parents of students, alumni and elected tribal leaders.

This amendment will assure that Indian people most concerned will have an opportunity to express their views and it is consistent with other requirements of this bill.

Section 565(a) In Line 17 after "nominees" insert "of enrolled Indians of ¼ degree Indian blood."

This admendment is consistent with my recommendation for Section 561(a).

Section 583. Strike out all of this section and substitute in lieu thereof, the following:

(*a*) The National Board is directed

(1) to conduct, in concert with the Indian Arts & Crafts Board, a detailed investigation of the programs and operations of the Institute of American Indian Arts at Santa Fe, New Mexico.

(2) to make recommendations for establishing an All-Indian Board of Regents for the Institute.

(3) to submit to the Congress on or before January 1, 1973, a report of its actitvities under this sub-section and its recommendations for the Institute.

(*b*) In the exercise of the functions under this section there shall be open consultation with secondary school students, parents of students, alumni and elected leaders."

The Institute of American Indian Arts should not be elevated to the level of a 4-year college by legislative fiat. The suggested amendment will provide the opportunity for expression by the Indian people most concerned and be consistent with the philosophy of the bill for increased Indian participation in decisions relating to education of Indian students.

Pre-school programs, especially kindergardens are in need of additional funding both for programs and facilities. I recommend the bill include an authorization to that effect.

Along with the need for school construction there needs to be an increased authorization for the construction of all-weather roads to serve both existing and future schools. When I retired from the BIA on May 31, 1969, the optimum funding of 50 million dollars per year would be required to meet long-range road construction needs by 1985 but the then rate of funding will not meet these needs until the year 2000. At the same time the 5-year need for education construction was 178 million dollars. It is obvious that the goals of the bill cannot be accomplished unless these situations are improved.

I am on record in pointing out to the Congress that while it will allocate 25 million dollars per year for Indian students to be trained as barbers, and mechanics, etc., and pay family living costs while undertaking such training, only slightly over 4 million dollars per year was allocated for Indian students to attend college, leaving no funds for family living expenses. These needs to be brought into balance and I recommend that vocational training funds and higher education funds be consolidated in one line item to provide more flexibility and also opportunity for Indian students to cross over from one program to another, when justified, without jeopardizing their opportunity for training.

I would recommend that the National Board of Indian Education be authorized to carry out the functions of the present BIA Higher Education program in accordance with regulations promulgated by the National Board, including but not limited to, contracts with Indian Tribes, many of whom already have scholarship programs.

I wish to express my appreciation for the opportunity to comment on the proposed bill. I hope that my comments will help in the development of an Indian Education Act which meets the needs of Indian children in a manner satisfactory to them, their parents and their elected leaders.

Sincerely yours,

ROBERT L. BENNETT, *Director.*

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE,
NATIONAL INSTITUTES OF HEALTH,
BUREAU OF HEALTH MANPOWER EDUCATION,
Bethesda, Md., April 28, 1971.

SENATOR EDWARD M. KENNEDY,
U.S. Senate,
Washington, D.C.

DEAR SENATOR KENNEDY: I am in receipt of your letter dated April 19, 1971, as well as the copies, brief analysis, and outline of suggestions relative to Amendment 6 to S.659, the American Indian Education Act.

I was told by Mr. Tom Sussman, of your office, that though you requested my comments and suggestions before April 28th, that a slight tardiness in this regard would not be critical. Travel status has kept me out of the office and I was unable to respond until now.

The promptness with which you responded to my request for copies of this Act was most stimulating. My wife and sons are likewise proud of the opportunity that you are personally providing me in being able to offer my comments.

Senator Kennedy, at this point in time, I happen to be the only full-blood Indian dentist (Pueblo tribe of New Mexico) in the Federal Government and as far as I know, perhaps the only one in the country. I have been a dentist for fifteen years and during all this time I have been subjected many times to the following question—why are there so few Indians in the Dental and Medical professions? Each time I am asked this question I must refer to the Educational system (or lack of it) provided for American Indians. My own situation in obtaining a dental degree is unique and therefore I cannot relate it to other Indians.

Recently, I have become a member of the newly formed National Indian Education Association. In addition I have attempted to spread the word across the country that my dental brothers, namely the dental school deans, have asked me to recruit qualified Indian boys or girls into the profession of Dentistry. To my dismay, such a boy or girl is unavailable, not because they are not, or could not be motivated, but because their educational background is deficient to qualify them to meet the present dental school entry requirements.

The provisions in your proposed Indian Education Act will assure that sad commentaries such as the above, will be alleviated. I therefore submit this letter as a statement of support to your proposal.

I have reviewed the Act thoroughly and as a dental administrator in the Federal Government devoted to the managing of grant monies to dental schools to better meet educational objectives, I feel comfortable with most parts of the Act. My only suggestions relate to Part D of the Act, and suggestion number three in the outline of suggestions.

Relative to Part D, the establishment of a National Board of Indian Education, I strongly feel that there should be an Indian member representing the health professions. With only four full-blood Indian Physicians, and one full-blood Indian Dentist, in an American Indian population approaching 800,000, I feel that this area of Indian representation is lacking.

Concerning suggestion number three in the outline of suggestions, I again feel that technical assistance, and provided for by the National Board should include physiicans, dentists and other health specialties.

May I take this opportunity to thank you Senator Kennedy, and the other co-sponsors of the Indian Education Act, for your efforts in wanting to better the plight of the American Indian in this regard.

My grandparents could neither read or write. My parents were unable to obtain a college education. I have hopes that my fellow Indian brothers and sisters across this country will fare better, educationally, than past generations were able to do.

Sincerely yours,

GEORGE BLUE SPRUCE, Jr., D.D.S., M.P.H.,
Chief, Auxiliary Utilization Section,
Education Development Branch,
Division of Dental Health.

BOSTON INDIAN COUNCIL,
Boston, Mass., April 26, 1971.

Hon. EDWARD M. KENNEDY,
U.S. Senate,
Washington, D.C.

DEAR SENATOR KENNEDY: Amendment No. 6 to S659, the Indian Education Act is certainly a vast step forward for those of us who reside along the Eastern Seaboard and who are members of non-BIA-affiliated tribes. For the first time we may be included in a national Indian program. Until now, we have found that while we suffer the same inequities as those Indians who come under the jurisdiction of the B.I.A., we are totally left out of solutions and remedies. The fact that as few as ten Indian children are needed within a school district, will make funding for Indians possible in those areas where the Indian population is not concentrated or considered substantial enough to qualify for funding under existing programs.

There are some suggestions, I would like to make at this point.

In places where "participation by tribal communities and parents" are specified, it might be wise to include inter-tribal or Native American communities. In urban areas, often there are many tribes represented and while there is usually one or several Indian organizations, there is rarely a tribal community as that is commonly understood.

In defining "Indian", here in Boston we ask that a person show proof of acceptance within an Indian community. He must be accepted as Indian by Indians either here or elsewhere, if he cannot document his ancestral birth claim or his enrollment in a tribe or band.

Under Section 314 relating to "Improvement of Education Opportunities for Adult American Indians," it would be beneficial in compiling national statistics if research into "illiteracy and lack of high school completion" were extended to state reservations, urban and rural Indian communities. It is important to be explicit in regard to state reservations, because when one is not, only federal reservations are considered.

The National Board of Indian Education, in our opinion, should be in the Executive Office of the President. In this manner, the Board will not become entrenched in the existing bureaucracy.

In selection of the Board, it is my sincere hope that someone from a non-BIA affiliated group from the Eastern Seaboard will be selected as a representative. To my knowledge, we are not included in any national boards or committees.

Under miscellaneous provisions, requirements for admissions, programs and accreditation should be waived for those institutions in or near all Indian communities, not just reservations.

I am in agreement with most of the suggestions for improving Amendment No. 6 already submitted except for the one which says, State Departments of Education should be by-passed for all distribution of funds allocated under this bill. Here again, Eastern Seaboard Indians often have no formal arrangements with the federal government. This is a decision that should be made by the tribes or organizations residing in a particular state.

In view of the fact that the National Board is given so much power, I disagree with the proposal requirement that the Office of Education and the Office of Economic Opportunity should secure the Board's approval on programs and disbursement of funds. This just might tend to be discriminatory against urban and smaller Indian groups who are not represented on the Board.

All in all, we support the amendment and hope that you will continue in your efforts to help Indian people realize true self-determination and control over our own lives.

Very truly yours,

RAYLEEN M. BAY, *Coordinator.*

DAVIS, CALIF., *April 20, 1971.*

HON. EDWARD KENNEDY,
Senate Subcommittee on Indian Education,
U.S. Senate, Washington, D.C.

DEAR SENATOR KENNEDY: I am very enthusiastic in support of your legislation relating to Indian education, except in regards to the section relating to higher education. Allow me to make the following points:

1. Your language excludes Indian-controlled universities, such as Deganawidah-Quetzalcoatl University.
2. Your language allows colleges controlled by non-Indians to secure funds which should go only to Indian-controlled schools.
3. Your language would allow colleges with Indian boards hand-picked by the bureau to obtain funds.

I am enclosing a resolution which contains language which could be incorporated in your bill.

Above all, no college or university should be able to secure special funds for Indian higher education unless its governing board is comprised of at least one-half Indians who have been democratically selected by Indian people or organizations.

Your cordially,

JACK D. FORBES, PH. D.

RESOLUTION ON AMERICAN INDIAN AND MEXICAN-AMERICAN HIGHER EDUCATION

Whereas, very few American Indian and Mexican-American students are presently attending colleges and universities; and

Whereas, American Indians and Mexican-Americans have the lowest average educational achievement of any groups in the United States; and

Whereas, the federal government is at present providing no direct and regular financial support for colleges or universities oriented towards, and directed by, American Indians and Mexican-Americans; and

Whereas, the Bureau of Indian Affairs college scholarship program provides only minimal financial support for Indian students; and

Whereas, the Bureau of Indian Affairs college scholarship program is administered bureaucratically, without an impartial review boards; and

Whereas, a group of American Indians and Mexican-Americans have established Deganawidah-Quetzalcoatl University at Davis, California; and

Whereas, the Navajo Tribe has established Navajo Community College at Many Farms on the Navajo Reservation; and

Whereas, other Indian and Mexican-American colleges are proposed;

Therefore, be it

Resolved, That:

1. the Office of the President of the United States, the General Services Administration, and the Department of Health, Education and Welfare do everything possible to expedite the transfer of the former Army Strategic Communications Facility, Davis, California, to the trustee of the Deganawidah-Quetzalcoatl University;

2. the Office of Economic Opportunity, Department of Health, Education and Welfare, Department of Labor, Interior Department, and other appropriate agencies forthwith bring to bear all available resources to expendite the development and funding of Deganawidah-Quetzalcoatl University, Navajo Community College, and other such colleges and universities which may be established by Indians and Mexican-Americans;

3. the Interior Department establish a National Native American Scholarship Board to develop policy and to establish review procedures for the Bureau of Indian Affairs' scholarship programs, said Board to be composed of one representative each selected by the governing boards of the National Indian Education Association, the National Congress of American Indians, the Navajo Community College, the Deganawidah-Quetzalcoatl University, the National Indian Research and Training Institute, the National Council on Indian Opportunity, and the California Indian Education Association, with ex-officio representatives (one each) from the U.S. Office of Education, the Office of Economic Opportunity, the Department of Labor and Bureau of Indian Affairs; and

4. that the U.S. Office of Education's budget be augumented to include an appropriation, equal initially to the annual federal appropriation for Howard University, to be utilized for American Indian and Mexican-American higher education and specifically for the support of colleges and universities whose legal governing boards are comprised of a majority of American Indians or Mexican-Americans and whose programs are designed to meet the unique needs of American Indian and Mexican-American communities.

[Telegrams]

MARSHALL, MINN., *April 27, 1971.*

HON. EDWARD M. KENNEDY,
Senate Committee on Labor and Public Welfare,
Washington, D.C.:

This is to express endorsement of amendment No. 6 of S. 659 and other recommendations of subcommittee. I strongly support the direction of the determination and the retention of Indian culture through the education progress. I also wish to convey appreciation of your extensive efforts in preparation of this legislation.

ROBIN RAE BOFFERDING,
League of Women Voters, Marshall, Minn.

DULUTH, MINN., *April 27, 1971.*

SENATOR EDWARD KENNEDY
Committee on Labor and Public Welfare,
Washington, D.C.

DEAR SENATOR KENNEDY: I am in full support of the Indian Education Amendment No. 6 to S. 659. I feel with input such as Mr. Will Antill, the bill fully states what is needed in Indian education in Minnesota.

Sincerely,

MRS. NORA HAKALA.

MINNEAPOLIS, MINN., *April 28, 1971.*

Hon. EDWARD KENNEDY,
Washington, D.C.

DEAR SENATOR KENNEDY: Please consider out support for the Indian Education Act Amendment 6 to Senate bill 659 as offered by the Honorable Senators Mondale and Kennedy. This legislation is a milestone of cognizance to the deplorable conditions in Indian education. It is also a tremendous step toward Indian self-determination so essential in providing innovative and community-based efforts in culturally oriented programs. The considerations of all members of Congress is appealed to for the passage of this legislation.

SENATOR GEORGE R. CONZEMIUS,
Minnesota State Legislature, and
Secretary Minnesota Indian Affairs Commission.

JACKSON COUNTY DEPARTMENT OF SOCIAL SERVICES,
Black River Falls, Wisc., April 26, 1971.

Senator EDWARD M. KENNEDY,
U.S. Senate,
Committee on Labor and Public Welfare,
Washington, D.C.

DEAR MR. KENNEDY:

We have read the proposed Amendment 6 to S.659, the Indian Education Act, and find it to be a most timely piece of legislation. Many of the suggestions for improvement also merit consideration.

The only major weakness that we have observed is that there appears to be no provision to insure recognition of the parent-student groups. We have worked on many education projects with our local school district and the State Department of Public Instruction, and we have always felt that community representatives were placed in a position of great disadvantage in these negotiations. The first problem arises when public institutions request some verification of the committee groups' credentials. If there could be some guidelines that would insure community recognition and participation, many obstacles would be removed, and the members of the community could have some statutory authority to give them strength.

The second area of difficulty arises when community groups attempt to fulfill their responsibilities in representing the community. They usually have no funds to cover their operating expenses. We would like to see some funding authorized to meet per diem expenses and provide money for office space and equipment.

We are members of the Great Lakes Intertribal Education Committee and also members of the local Winnebago Education Committee. Since the Great Lakes group has already requested permission to participate in the hearings, we feel that we can endorse the amendment with the understanding that more Indian input will be considered before the bill takes final form.

Very truly yours,

Richard Cooper, *Social Worker II.*
Calvin Whiteagle,
Chairman, Winnebago Indian Education Committee.

THE NAVAJO TRIBE,
WINDOW ROCK, NAVAJO NATION, ARIZ.,
April 27, 1971.

HON. EDWARD KENNEDY,
U.S. Senate,
Senate Office Building,
Washington, D.C.

DEAR SENATOR KENNEDY: Thank you for your letter of April 19, 1971, concerning the Indian Education Act, Amendment No. 6 to S. 659.

I have reviewed the copies you sent to my office and find it quite favorable. Indian control of Indian Education is urgently needed and definitely should be made up of and staffed by Indians. I believe it is only through this reform in Indian Education that we can be able to really move forward.

Again, I want to thank you and your committee supporting this amendment. It is only through your effort and help that this reform in Indian Education is possible.

If I can be of further assistance, please do not hesitate to write.

Sincerely yours,

WALLACE HANLEY,
Assistant to the Chairman.

CALIFORNIA INDIAN EDUCATION ASSOCIATION, INC.,
REGION I (NORTH COAST),
Hoopa, Calif., April 25, 1971.

Senator EDWARD KENNEDY,
U.S. Senate Office Building,
Washington, D.C.

DEAR SENATOR KENNEDY: This is in reference to Senate Bill 659, (Indian Education Act) which you authored. We are generally in favor of the bill, but would like to see certain changes which we feel are most important. We would like to have the National Indian Board composed entirely of Indian people, and also feel that these Board members should be elected by Indian people so that they would be responsible directly to the Indian people.

Further, under Section 584 of the Amendment to Title III of the Higher Education Act of 1965, we feel that the word "Community" should be removed so as to include all colleges, and a clause should be added to this section to give priority to those colleges which are controlled by Indian people. Included would be such colleges as Navajo Community College and Deganawidah-Quetzalcoatl University which should have top priority.

In closing, I would like to thank you, also, for your valuable help in making the Deganawidah-Quetzalcoatl University a reality for the Indian and Chicano people. It is a wonderful thing.

Sincerely,

VIVIEN HAILSTONE,
Chairman, Region I.

BUREAU OF INDIAN AFFAIRS,
Ganado, Ariz., April 27, 1971.

Hon. EDWARD M. KENNEDY,
U.S. Senate,
Washington, D.C.

DEAR SENATOR KENNEDY: Thank you for your letter of 19 April 1971 requesting recommendations on Amendment 6 to S. 659, the Indian Education Act.

The parents of young Indian students want quality education. The Indian Education Act should not lower any standards; instead, it should keep abreast or better the standards of education as required by the states.

The fate of Indian Education should not be allowed to fall into the hands of Indian politicians. Many of the Tribal leaders are not professional educators. Educational professional people of Indian descent should have a major part in formulating educational policies. Indian Education must be free from petty politics.

Civil Service Regulation cannot totally be disregarded. Some minimum requirements are necessary, or else we lose sight of a goal towards quality education.

Some areas need improvement, e.g., qualification and certification of teachers and administrators, and student teacher ratio needs to be lowered.

If colleges and universities are forced to lower their standard for Indian admittance, it will provide Indians with sub-standard and inferior education.

Sincerely yours,

SAMUEL BILLISON, *Principal.*

NEW MEXICO STATE UNIVERSITY,
Las Cruces, N. Mex., April 25, 1971.

Mr. EDWARD M. KENNEDY,
Committee on Labor and Public Welfare,
U.S. Senate,
Washington, D.C.

DEAR SENATOR KENNEDY: I am sending this letter on behalf of the United Native Americans Organization of New Mexico State University. This organization is the only chartered organization on this campus that is of Native American membership. I also send this letter as president of the organization.

We the Native American students at New Mexico State University are aware of the Kennedy-Mondale Indian Education Act. We as college students and future Indian educators verily believe that this Amendment should be passed, we therefore, fully support the Amendment.

We strongly believe that this Amendment will effect and affect our lives, especially since we are the future educators for our kids. We have come to a realization that the educational standards we now face is short of what we want. We feel that we can better the so-called educational standards as it now stands, thus in order for us to make that a reality passage of the above Amendment is imperative. It will surely open new doors in the area of Indian education.

We urge everyone concerned to fully support said Amendment; we certainly hope that eyes will be open and see the importance of the passage of the above Amendment.

We as students of New Mexico State University are also aware of certain other findings on Indian Education and we hope that these and other findings become a reality and not have them tucked away as have been the case in the past. We hope that this is not just another waste of the federal funds. We are getting tired of being studied and researched and yet have nothing done for us. We do not want our hopes to again be shot out the saddle. We need to run our own educational efforts.

Again, we, the Native American students at New Mexico State University fully support Amendment 6, S. 659, Indian Education Act and ask that its passage be allowed as soon as possible.

Respectifully submitted on behalf of all Native American students at New Mexico State University and on behalf of the United Native Americans Organization.

FRED JOHNSON, *President.*

THE COMMONWEALTH OF MASSACHUSETTS,
EXECUTIVE DEPARTMENT,
Boston, Mass., April 26, 1971.

Hon. EDWARD M. KENNEDY,
U.S. Senate,
Washington, D.C.

DEAR SENATOR KENNEDY: I note that the Senate is at this time discussing a bill designed to deal comprehensively with the problems and challenges of Indian education.

With many other loyal American citizens, I am gravely disturbed regarding the apparent past unconcern of our Government's responsibility towards the native American.

If we are to make meaningful inroad against the unfair patterns which have existed for so many years in our educational system, it is absolutely imperative that Amendment 6 to S. 659, the Indian Education Act be implemented.

I fully endorse and support such amendment.

Sincerely,

GEORGE M. ALLEN,
Assistant to the Governor on Human Rights.

APRIL 26, 1971.

Senator EDWARD M. KENNEDY,
U.S. Senate,
Washington, D.C.

DEAR SENATOR KENNEDY: Having read the information sent me regarding Amendment 6 to S. 659, the Indian Education Act, I offer my endorsement of this proposed legislation.

I was particularily gratified to find supportive services playing a major role in future Indian education programs. As an advisor and professor at the University of South Dakota I am well aware of the social and psychological problems facing the American Indian at the elementary, secondary and college level.

One concern that I had was the possibility that Johnson-O'Malley funding might be returned to school boards serving the Indian population. In fact I am aware that some Tribal leaders are attempting to organize opposition to the amendments because of their fears concerning control of JOM funds.

Again I would like to state that I suppot Amendment 6, to S. 659.

Your concern for the American Indian is deeply appreciated and we hope for your continued support.

Sincerely yours,

JOHN E. MACKEY.

LANSING SCHOOL DISTRICT,
Lansing, Mich., April 27, 1971.

Sen. EDWARD M. KENNEDY,
Committee on Labor and Public Welfare,
Washington, D.C.

DEAR SENATOR KENNEDY: Thank you very much for your letter of April 21 requesting my comments and support on Amendment 6 to S. 659 of the Indian Education Act.

Currently I am teaching a course in American Indian History at Everett High School to 120 students. As far as can be determined, it is the only course of its kind in the State of Michigan at the high school level, and quite possibly the only course of this kind in the country. I opened up the topic of your amendment to these students for comments and suggestions.

Their first reaction was positive because it was designed to assist Indians, but an underlying question was bothering them. Is this amendment contrary to Civil Rights legislation because it proposes a type of segregated education? Also, why couldn't the present schools be adjusted with the funds?

I also contacted the top people of the various organizations with which I am affiliated, and asked for their support or suggestions on your legislation. In all cases they endorse the amendment in principle and urge passage of such. The specific people and organizations are:

Dwayne Wilson, Advisory Specailist, Equal Education Opportunity, Human Relations Task Force, Lansing School District.

John Winchester, Center for Urban Affairs, Michigan State University, Coordinator of American Indian Programs. John is also vice president of the National Indian Education Association, and is a commissioner on the Michigan Indian Affairs Commission.

George Bennett, President, Michigan Indian Benefit Association.

If there is any additional way I can be of assistance to you, please contact me.

Yours very truly,

JAMES W. FAULKNER,
Instructor, American Indian History.

CRESCENT CITY, CALIF.,
May 10, 1971.

DEAR SENATOR KENNEDY: I was very impressed with your amendment on the Indian Education Act. A 15 man National Board of Indian Education is the one we endorse over the Bureau of Indian Affairs, if you aren't creating another B.I.A. The guidelines should be strong.

Sincerely,

BARBARA ELLER,
Secretary Treasurer, Area I,
North Coast California Indian Education Association.

MINNEAPOLIS, MINN., *April 27, 1971.*

Hon. EDWARD M. KENNEDY,
U.S. Senate, Senate Office Building,
Washington, D.C.

DEAR SENATOR KENNEDY: This letter is in reference to Amendment 6 to S. 659, the Indian Education Act. I support the bill in general, however, I do have some comments.

The bill is very comprehensive and it appears that it could provide solutions for many of the extensive needs in Indian Education. However, there appears to be a failure to adequately consider educational needs of the Indian student in public institutions of higher learning. Perhaps it is understood that this is included in the transfer of the Bureau of Indian Affairs programing, and could be dealt with administratively. Regardless, I feel that there is a definite need to consider programing for the Indian college student, much more extensively than is currently allowed.

One suggestion which I strongly support, as listed in your comprehensive analysis, was number two (2): "provisions should be made for an Indian Tribe or Community to qualify for the Office of Education funds in order to develop their own schools when the L.E.A. will not or cannot cooperate with parents of Indian children in that public school. Construction funds must be available under this option."

One point which seems to have created much discussion is that educational needs of all Indians, according to definition, could be dealt with. This provides for non-reservation Indian children, including terminated tribes, state reservation Indians and Urban Indians. I feel that this is a positive point. All Indians are entitled to these opportunities, regardless of their status.

In reference to the definition of an Indian, I would suggest that the end of the definition be changed from "or who is considered by the Secretary of Interior to be Indian" to "or who is considered by his Indian community to be Indian."

I feel that I can give support for Part B of the amendment as I interpret it, to date. This involves the Special Programs and Projects to improve the Educational opportunities of Indian Children. The text is quite comprehensive, especially with inclusion of eligibility of reservation Indians for programs administered by the Office of Education.

I believe it is a must to establish an all Indian National Board of Indian Education, located in the executive office of the President with full and direct authority in educational matters concerning Indian education. I question the advisory role of the Board in regard to O.E. funding and programing. I feel it is necessary for the Board to have a more concrete function and a clearly definite voice than an advisory role, as such, would furnish. The selection process for Board members seems adequate—I have some questions however, relating to this. If the process equates with the present process of selection of the Commissioner of the Bureau of Indian Affairs, I would suggest alternatives be considered.

I had many more comments and suggestions however I believe they are being considered and have been pointed out already. It would only be repetitious to expound further.

Thank you for any consideration given to this letter and also for your sincere concern and outstanding leadership in the initiation of this legislation!

Sincerely,

ELIZABETH A. WHITEMAN,
Crow, Montana.

STATE OF MINNESOTA,
DEPARTMENT OF EDUCATION,
Bemidji, Minn., April 27, 1971.

Hon. EDWARD M. KENNEDY
U.S. Senate,
Senate Office Building,
Washington, D.C.

DEAR SENATOR KENNEDY: Your letter requesting my reactions to various sections of Amendment 6 to S.659, the Indian Education Act, was received over the weekend. I will endeavor to relate my immediate reactions to some of the proposed elements of this new legislation and hopefully, have it at your disposal for the scheduled hearings on April 28 and 29.

I feel it is a desirable move to transfer the responsibilities of administering the programs of Indian education, on the national level, to a National Board of Indian Education; and that such Board be located in the Executive Office of the President. I would agree, too, that there should be established a Bureau of Indian Education in the Office of Education to administer Title III (Public Law 874–81), Section 810 of Title VIII of E.S.E.A. of 1965, and Section 314 of Title III of E.S.E.A. Amendments of 1966. I have definite reservations, however, regarding other portions of this proposed legislation.

The provision to finance an independent Indian school, separated from the public school district, I believe to be of questionable merit in Minnesota. This might be applicable in a specific situation, but certainly should first require the concurrence of the State Department of Education. The problem of providing an adequate separate secondary school program would be difficult because of the small local Indian population. In Minnesota, this would normally mean secondary schools with one hundred or less Indian students enrolled. If only an elementary school were maintained for Indian students, the transition from elementary to secondary would perpetuate a period of extreme shock, and the resulting high level of student drop-out. Separate Indian schools would undoubtedly result in the loss of considerable state support for education, and would continue all the the evils of a segregated school system. I feel it would be better to improve Indian education in our public schools, where Indian students now attend, by upgrading the curriculum to provide an acceptable quality of Indian education for both the Indian and non-Indian students, and by a constant in-service program for teachers of Indian students.

The suggestion that the National Board should have the authority to establish accreditation requirements that State Departments of Education would have to accept would, I believe, result in a sub-standard level of education for Indian children, and would not prepare those who so chose to successfully participate in the academic disciplines of higher education.

I do not believe it would be advisable for federal funds related to education to go directly to Indian tribes, who would then contract with local school districts. This would tend to fragment a well-rounded school program, and create friction within a school district. It would be far better to require approval by a local representative Indian committee, elected by the Indian community, for any school program financed by federal funds in support of Indian education.

Substantial immediate financing for school construction from P.I. 815 funds is imperative. Inadequate building facilities is one of the major handicaps in developing a comprehensive education program to provide for the unique needs of Indian education.

Sincerely yours,

WALTER W. CHRISTOPHERSON,
Supervisor of Indian Education.

C.H.I.E.F. *April 27, 1971.*

Senator EDWARD M. KENNEDY,
Old Senate Office Building,
Washington, D.C.

DEAR SENATOR KENNEDY: Your letter of April 21, enclosing a copy of Amendment 6 to S. 659, the Indian Education Act, only reached me yesterday. Quite obviously I am in no position to send you a comprehensive critique of the legislation which you have introduced; after all, many able men have been at work for two years or more to draft it, and I have had it in front of me for little more than twenty four hours. However I can address myself to the main thrust of it. I do approve of your creation of a brand new agency which will have authority and responsibility for Indian education. I also approve . . . . if I am reading the fine print correctly . . . . of the fact that the Federal Government now recognizes that the Indian communities themselves should architect their own educational programs. However I do see one danger. While the old B.I.A. boarding schools have much to be ashamed of, they have (in spite of themselves) fostered the growth of pan-Indianism, which I think has been the most significant development for good amongst the Indians in our time. There is a danger that local autonomy in the design of educational programs will result in the creation of a school system with too parochial an outlook.

Turning to the twelve suggestions for improving Amendment 6, I disapprove of suggestions 4, 8, 10 and 12. 8 and 10 smack of an illiberal spirit. 12 means that, inevitably, one Federal Educational Policy will be adopted, which warps the very essence of what you appear . . . to me . . . to be trying to do. I think that the young Indian should be offered a wide variety of educational options, and if HEW or OEO come up in the future with exciting new programs, they should have the right to try them out. As to 4, my objection goes deeper. In recent years a number of well-meaning school administrations have deliberately lowered their standards to "service" the black community. The results have been disastrous. Young blacks are graduated from college, only to find that they could not compete in the job market with young white graduates. They are quite entitled to feel that they have been the victims of an elaborate hoax. To lower standards for Indian educators is wrong. Recast the suggestion to read that educators will have three years in which to meet the necessary standard, and I might be willing to buy it.

Finally, I would like to add a suggestion. You have noted, in your remarks before the Senate on February 25th "that Indian students in Federal schools score more than 2 years below national norms on achievement tests." This leads me to point out that almost all the current achievement tests . . . SSAT and the like . . . are objective tests, designed with the child from a middle-class suburban environment in mind. The further you move from the world of Brookline, Scarsdale or Waukegan, the less well does the youngster test out. I know; I taught college in Montana for three years. The ranch bred kid from Fishtail or Lavina performed poorly, in relation to his native intelligence, on his college entrance boards. If he did poorly, you can imagine what happened to the Northern Cheyenne boy or girl from Ashland. I should like to see specific provision made to support the development of adequate non-objective testing devices which will more fairly measure the real intelligence of youngsters from the under-privileged minorities.

Sincerely Yours,

DR. NATHAN C. SHIVERICK.

BARRY COLLEGE SCHOOL OF SOCIAL WORK,
April 26, 1971.

Hon. EDWARD M. KENNEDY,
U.S. Senate,
Washington, D.C.

Re Amendment 6 to S. 659.

DEAR SENATOR KENNEDY: This is in reply to your letter of April 19, 1971 relative to the above legislation. Thank you for sending a copy of your amendment and asking my response.

After carefully reading the proposed amendment I unequivocally support its passage and implementation. As an American Indian teaching in a graduate school of social work, I have been particularly concerned for some time at the lack of Indian students entering my profession. A profession which ostensibly provides the essential tools needed by the Indian to attain self-sufficiency. I feel the Indian Education Act will provide the necessary educational structure (controlled by Indians) which will make Indian education palatable to the Indian. When the total demographic, socio-cultural and welfare picture of the American Indian is examined, it presents many graphic needs, but especially the need for educational services. In addition to many splendid innovations, I am especially impressed with the attention given to the modfication of boarding schools to treatment centers for emotionally disturbed Indian children. That one step, if properly implemented, will do much to eliminating the problems of school drop-outs, alcoholism, suicides, etc. I, also, very much like your broad definition of "Indian," that will include the urban Indian heretofore neglected. The Indian should be actively involved in resolving his own problems. This involvement will require highly skilled Indian leadership in many professional areas. This legislative package will provide the educational structure to develop that essential leadership.

Co-incidentally, I have currently been involved in developing an educational grant to work with the South Florida Seminoles. Many of the problems discussed in your proposed legislation are obvious as we examine the Seminole community.

I am writing my Florida Senators requesting they support this legislation. Any further assistance that I may be in this matter, please feel free to contact me.

Very truly yours,

CHARLES E. FARRIS, ACSW,
Assistant Professor.

COLLEGE OF ST. THOMAS,
St. Paul, Minn., April 26, 1971.

Senator EDWARD M. KENNEDY,
U.S. Senate,
Washington, D.C.

DEAR SENATOR KENNEDY: Thank you for the information regarding Amendment 6 to S. 659, the Indian Education Act.

The College of St. Thomas is indeed concerned about the native American, and at the present time I am working on a program which will allow Indian students to attend St. Thomas without worry of academic failure or financial burden.

I have read the information you sent me, and I enthusiastically support your suggestions and Amendment 6.

I would appreciate any further information on the progress of this Amendment.

Sincerely yours,

FRANK J. CHIODI, Jr.,
Assistant Director of Counseling.

MOORE, OKLA., *April 27, 1971.*

Hon. EDWARD M. KENNEDY,
U.S. Senate,
Committee on Labor and Public Welfare,
Washington, D.C.

DEAR SENATOR KENNEDY: In response to your letter to me of April 19, 1971, in which you enclosed copies of Amendment 6 to S. 659, the Indian Education Act, I am enclosing comments and suggestions for possible improvement and change.

I, as a member of the Cherokee Nation of Oklahoma, have enlisted the aid of other Indian input from Mrs. Betty Campbell, member of the Kiowa Tribe of Oklahoma and Mr. Joe Work, member of the Choctaw Nation of Oklahoma, who work with Indian youth and parents in the area of education.

I felt that input from more than one tribe from qualified people who now work with Indian children in different counties of the State of Oklahoma would be a definite benefit to your scheduled hearings of April 28 and 29.

Since this letter was not received by me until April 23, I am sending this Air Mail, Certified Mail, as I feel that this input should be a definite part of the scheduled hearing.

As an Indian of Oklahoma, who works with Indian youth and parents in the state, I have definite feelings about the educational opportunities of the Indian youth of Oklahoma as well as the rest of the United States. I am honored that my opinions were solicited.

Sincerely yours,

PATRICIA ANN DOWNING (FARRIS).

RE AMENDMENT NO. 6 TO S. 659

The following suggestions are in response to items as specified relating to Oklahoma as opposed to Reservation areas.

Item 2. "Provisions should be made for an Indian tribe or community to qualify for Office of Education funds in order to develop their own schools when a local educational agency will not or cannot cooperate with parents of Indian children in that public school. Construction funds must be available under this option."

Suggestion.—Indian children in Oklahoma as tribal members are scattered throughout the state, therefore, this amendment would only go to further alienate the children from the society in which they must live and compete. We in Oklahoma do not need to further add to a feeling of difference as American citizens.

Item 7. "The National Board should have the authority to establish accreditation requirements for federal schools that State Departments of Education will have to officially accept."

Suggestion.—We feel the accreditation of federal schools should be a function of the State Department of Education as the federal schools should have the same quality of education and requirements as the local public schools. Stated more specifically—those children who attend federal boarding schools and who then return to the local public schools for various reasons should be able to continue with their studies and be prepared to compete academically with their grade level and/or peer group. This would be deemed necessary for those who not only complete their education at the high school level, but those who must be prepared to complete in higher institutions of learning.

Item 8. "State Departments of Education should be by-passed for all distribution of funds allocated under this bill."

Suggestion.—For the State of Oklahoma it is definitely felt the allocation of funds, specifically the Johnson-O'Malley Act, should continue to be a function of the Oklahoma State Department of Education. Continuance of the current program at the state level would assure that all the children of our tribes in Oklahoma would be serviced; whereas should the funds be administered and controlled by specific tribes this would not be effective as tribal members are located throughout the state. To cite an example: "In the existing Coordinator Program should one tribe employ a worker or coordinator for that specific tribe and should he find in his school as many as 15 different tribes, this worker would be compelled to work with only those students of the tribe that employed him. What is to happen to the other 14 represented tribes within that school district? Should there be a coordinator/worker for the other 14 tribes there would exist an overload of workers in one school not to mention the broad area the worker would have to cover to reach his students and hopefully be effective. This one incident shows only the problem encountered through workers not to mention the loss of funds which would be required to administer such a diversified program.

NOTE.—We feel that the thinking of the majority of the Indians in Oklahoma are of the opinion that the Bureau of Indian Affairs in contracting with the State Department of Education has efficiently operated and carried out the functions of the Johnson-O'Malley program in the State of Oklahoma. Therefore, their authority should not be vested to the National Board of Indian Education.

[Telegrams]

MANKATO, MINN., *April 30, 1971.*

Senator EDWARD M. KENNEDY,
U.S. Senate,
Washington, D.C.

Urge you heed advice of Will Antell re amendment 6 to S. 659, Indian Education Act, if Indian education remains part of BIA.

MRS ELIZABETH H. HARRER.

DULUTH, MINN., *April 29, 1971.*

Senator EDWARD M. KENNEDY,
Senate Office Building,
Washington, D.C.

We support Indian Education bill now in Senate hearings.

RAY MURDOCK,
Chairman, Indian Education Advisory Committee,
Duluth Public Schools, Duluth, Minn.

STATE OF NEW MEXICO,
DEPARTMENT OF EDUCATION,
Santa Fe, N. Mex., April 27, 1971.

Hon. EDWARD M. KENNEDY,
U.S. Senate,
Washington, D.C.

DEAR SENATOR KENNEDY: I received your letter and copies of Amendment 6 to S. 659, the Indian Education Act, this past Friday 23 April. Unfortunately, because of the scheduled hearings on 28 and 29 April, I am unable to present to you at this time only a few of my personal comments and sugegstions. In working for a better education for my people as Director of Indian Education, I believe that I can certainly support Amendment 6. I welcome efforts to bring to my people the type of education we desire our young people to have, rather than the type of an education which an educator without knowledge of our specific problems and needs would design for us, to fit into the mold of the "average Middle-class American family."

There must come a time when those of us in the field of education must look at and consider the needs of the students for whom we are responsible. We must meet these specific needs by becoming involved with the people whose children it is our responsibility to educate, and the parents, conversely, must be able to feel that they have the right, or more especially, the responsibility, to meet with the boards of education and the school districts to plan programs which will specifically meet the needs of their children over and above the standard curriculum.

It is my belief, also, that your Amendment would elminate any bias the present programs have which are discriminatory toward one group of Indians as against another. I have difficulty in reconciling myself to the fact that the Government has established certain guide lines which enable one group of Indians to be aided while excluding another.

The urban Indian, in my opinion, has actually been penalized for attempting to move off the reservation and becoming a member of the predominant society, yet those of my people who choose to remain on the reservation are also criticized. This appears to be another case of being damned if you do and damned if you don't. I can envision amendment 6 eliminating this fact, or at least establishing a program to help the urban Indian.

We have people who are attempting to aid the Indian, and perhaps in some way begin to bring Indian education to a meaningful level for my people, but then at the same time, we have to cope with groups still breaking treaties and/or pacts with the Indian. We discuss how we can bring higher education to more of my people and how we can aid Adult Indian Education, and while this is being done, the State of Colorado has decided to end its agreement with Indians to provide them an education at Ft. Lewis.

I commend your efforts to establish a National Board of Indian Education, a board whose members will be expert Indians and, at last, not Indian experts. Hopefully then, the last of the old line "Indian educators" will follow the way of the buffalo, and the remark made to me several years ago by a BIA educator can be forgotten. Not realizing that I am Indian, or probably not caring, she said to me, "I just love Indians. They are such delightful savages."

Thank you for asking for my comments on your Amendment, but most of all, thank you and the other members of Congress who have chosen to show my people that there are people in Washington who care.

If I can be of further assistance to you, this Division and I will be most ready to help in any manner possible.

Sincerely yours,

WILLARD A. SCOTT,
Director, Division of Indian Education.

CITY OF BOSTON,
MAYOR'S OFFICE OF HUMAN RIGHTS,
Boston, Mass, April 27, 1971.

Hon. EDWARD M. KENNEDY,
Senate Office Building,
Washington, D.C.

DEAR SENATOR KENNEDY: I am delighted to receive the opportunity to support such an excellent effort to improve the quality of life for such a significant minority as the American Indian. In Boston, the work of Education Director

Cecile Landrum in the Mayor's Office of Human Rights, with the Boston Indian Council has made us increasingly aware of the problems that the Eastern seaboard Indians confront in receiving federal funds for education. Thus, I feel that the sections of legislation which will enable the Eastern seaboard Indians, which are not affiliated with the Bureau of Indian Affairs, to receive federal funds will be of great assistance to the Indians who reside in cities like Boston.

At the same time, it would be unfortunate if at least partial control of these federal funds would not be exercised by a representative of the Eastern seaboard Indian tribes. Therefore, I would suggest that amendments be made which would pemit a representative of the non-Bureau of Indian Affairs affiliated tribes to sit on the national board.

Since many Indians in the eastern part of the United States do not reside on state reservations, it would seem that when studies are undertaken to determine illiteracy and high school dropout rates that it would be inappropriate to exclude the many Indians who do not reside on state reservations.

Finally, the section of the proposed legislation which would permit school systems which have ten or more children of Indian extraction in their system to receive federal education funds, seems to be excellent because of the great dispersion of American Indians in the eastern part of the United States.

In sum, I wholeheartedly support amendment 6 to S. 659, the Indian Education Act which you have introduced to the Special Sub-Committee on Indian Education.

Sincerely,

A. REGINALD EAVES, *Administrator.*

HAWTHORNE, CALIF.,
April 24, 1971.

DEAR SENATOR KENNEDY: I am so happy that you are sponsoring Amendment 6 to S. 659 (nIdian Education Act).

Shouldn't Indian controlled schools of higher education, including universities, be added? I am particularly concerned about funding for the Degananidah (Indian) University recently turned over to the Indian-Chican people at Davis, California.

Please let me know about this.

Yours sincerly,

GRACE THORPE.

TUFTS UNIVERSITY,
SCHOOL OF DENTAL MEDICINE,
Boston, Mass., April 26, 1971.

Hon. EDWARD M. KENNEDY,
U.S. SENATE,
Washington, D.C.

DEAR SIR: Thank you for sending me a copy of *Amendment 6 to S. 659* and the background information. I am in total agreement with the substance and intent of the amendment and *wish to be on record as supporting the amendment.*

Special programs and projects are critically needed to alleviate the educational plight of American Indian children. The problems of Indian students were dramatically revealed to us in the course of our recently completed OEO–AAMC sponsored project to develop a recruitment model for minority group students. American Indian students argued at some length that American Indian students have felt "left out" of special programs and that the dental profesion must demonstrate an organized effort to recruit and train Indian students.

To say that American Indians are under represented in this profession is a gross understatement; we were able in the course of our one-year project to identify only one American Indian dentist. I am including a copy of our final report for background information regarding our interest in developing viable programs that will increase the number of minority group dentists.

I am most hopeful that Amendment 6 to S. 659 will gain successful passage.

Sincerely yours,

JOSEPH L. HOZID, ED. D.,
Chairman, Committee on Equal Education Opportunities.

ORANGEVALE, CALIF., *April 23, 1971.*

DEAR SENATOR KENNEDY: Your amendment *6 to S. 659 (Indian education act)* should include wording which allows Indian controlled schools of higher education (universities) to be funded.

Please think about giving all Indian controlled schools a top priority position.

Sincerely,

SARAH H. HUTCHISON.

LAS CRUCES, N. MEX.
April 23, 1971.

Senator EDWARD KENNEDY,
Committee on Labor and Public Welfare,
U.S. Senate,

DEAR SENATOR: As a representative of the United Native Student Organization of New Mexico State University, I have read and discussed your letter and the Amendment 6 to S. 659, The Indian Education Act, and also known to us as the Kennedy-Mondale Indian Education Act. We are appreciative of your concern of our educational welfare and we fully support the said Amendment.

We the Native Americans seeking higher education despite the odds we face, have committed our efforts to better the educational standards and status in life in general for our people. Every effort on the part of the co-sponsors of he Amendment passage will mean a new era in Indian Education.

We are aware of the findings the Special Subcommittee on Indian Education released in 1969 and have hoped that those recommendations evolving from the study would soon become a reality.

We the United Native American Students, without question, fully support Amendment 6, S. 659, Indian Education Act and recommend its passage immediately.

Sincerely,

EUGENE LEITKA.

MINNEAPOLIS, MINN., *April 24, 1971.*

Senator EDWARD M. KENNEDY
Chairman of the Special Subcommittee on Indian Education,
Washington, D.C.

SIR: Received the copies of the Amendment 6 to S. 659, the Indian Education act. After reading it, I am more than interested in supporting it, for the now, and future Education of the American Indian, Reservation, Non*Reservation, Indian Children, including Adult, Terminated Tribes, State Reservation, and, Urban Indian.

I want to add, Important issue's such as this should be brought closer to the Indian People, Parents, Youths, communities, etc., I know right here in Minneapolis, Minn., we have a large count of American Indians from different Tribes, and, from different States, young and older, who do not take part or have knowledge of this issue and other interests, etc. It is that they do not care (?) which I do not believe. or, Lack of Communication, could be the Answer.

I am sure if some kind of effort was to be taken, there are Indians in this group who would take Interest, this has been on my mind for some time.

From Mrs. Rosemary (Cardinal) Hill, Chippewa of the Chippewa Tribe of the Keweenaw Bay Band at L'Anse and Baraga, Michigan.

Mrs. ROSEMARY HILL (CARDINAL),
Member of the N.I.E. Association,
Member of the N.C.I. Association.

DAVIS, CALIF., *April 25, 1971.*

Senator EDWARD M. KENNEDY,
Committee on Labor and Public Welfare,
U.S. Senate,

DEAR SENATOR KENNEDY: In response to your letter of April 19, 1971 regarding Amendment 6 to S. 659, the Indian Education Act, the Board of Trustees of Deganawidah-Quetzalcoatl University are very much in favor of this bill. However, they do have two major concerns about the amendment. The first one deals with section 584 of the Amendment to Title III of the higher education Act of 1965. By specifically listing "community colleges" and not just "colleges" it will

eliminate four-year colleges such as D-Q U. or the Institute of American Indian Arts, should it become a four-year institute. Therefore the word "community" should be deleted from sec.(a). Also, another line should be added to sec.(a), which would give top priority to colleges, (such as D-Q U. and Navajo Community College), controlled by Indian people. We feel this is of crucial importance to fledgling Indian colleges.

The second area of concern deals with the National Board of Education. We feel that it should be composed entirely of Indians who are elected in some way from the different areas of the U.S. so that they would be responsible directly to the Indian community and not principally to the federal agencies. The method for setting up procedures for the election of a Board by Indian people or Indian organizations and tribes can be one of the responsibilities of an interim board appointed by the President from nominees suggested by Indian tribes and organizations.

We are a little concerned about suggestion No. 12 from the "Suggestions for Improving Amendment #6—S. 659", as this could prevent some new or innovative program from being funded because the National Board of Indian Education may not know enough about it or because the Board members were not "in" on the idea from the beginning.

Lee Sclar, an attorney from California Indian Legal Services, who is in Washington right now, has been designated to speak in our behalf regarding this bill.

Thank you kindly for your interest and concern.

Sincerely,

DAVID RISLING, Jr.,
Chairman, Board of Trustees.

SAINT OLAF COLLEGE,
Northfield, Minn., April 27, 1971.

HON. EDWARD M. KENNEDY,
U.S. Senate,
Washington, D.C.

DEAR SENATOR KENNEDY: Thank you for the copy of Amendment 6 to S. 659, the Indian Education Act, and for the opportunity to offer comments and suggestions. Unfortunately, I received this material only this morning and since your letter indicates that a response would be most useful by April 28, I do not really have much time to rethink many of the elements of the legislation, nor to confer with a number of colleagues who are involved in Indian education in order to give you some kind of composite response. However, I have been familiar with your proposal before now and many of my thoughts on the subject have already been expressed through the officers of the National Association for Indian Education who have met with you personally and discussed this.

First off, let me simply add my voice in indicating a general approval of that thrust of this legislation that seeks to put Indian education into the hands of Native Americans themselves. There is no need to rehearse at length arguments for doing this. The long history of abuses in the name of education that Euro-American culture has thrust upon Indians speaks eloquently in favor of any program that would permit Indians to be responsible for directing their own programs—even at the cost of many mistakes. In the light of this overall attitude, let me comment briefly on some of the suggestions that have already been made to you for improving Amendment 6—S. 659. (These suggestions appear on the mimeographed sheet you sent, and I will use the numbers assigned to them there when referring to them below.)

(1) Location of National Board in the executive office of the President; the Board's fiscal autonomy; and is direct authority for Indian education.

(I fully support this and think it necessary even in the face of a movement towards simplifying government and subsuming many functions under omnibus agencies.)

(10) Board composed wholly of Native Americans.

(Notwithstanding the public-relations aspect of this and the actual fact that there are some non-Indians who have competencies that the Board might need, I do think that at the start we must insist on a Board made up of Native Americans.)

(8) I do not believe that State Departments of Education should be by-passed for all distribution of funds; however,

(2) I can only take this position if a specific alternative is available to the Indian community when local education agencies fail to cooperate or perform. Thus, there must be clear provisions for a tribe or community to receive funds directly to enable them to run the educational program necessary for them.

(4) The National Board needs to have the power to suspend Civil Service requirements during some kind of adjustment period.

(7) In addition, the Board should be able to establish accreditation requirements for Federal schools that State departments of education will have to officially accept.

(5) Along similar lines, local Federal schools should be able to suspend Civil Service requirements so as to develop their own tenure system.

(I know the kinds of vested interests that are confronted forcibly by items 4, 5, and 7 above, but these controls seem to provide safeguards against much of the program's thrust being offset under the guise of bureaucratic legalism.)

(9) The bill should by specific language guarantee a continuation of the Indian relationship with the Federal government in regard to educational funds.

(12) The bill should require that the Office of Education and Office of Economic Opportunity secure approval of the National Board on programs and disbursement of funds.

(This really seems essential to giving the Board the kind of control it needs. It would seem too that it might better account for the assignment of responsibility for the success as well as the failure of specific proposals and programs.)

These suggestions taken up are the ones (among those previously brought to your attention) that are of principal concern to me. Incorporated in some form into Amendment 6, they would create a document that I could support with great enthusiasm.

Good luck to you and your like-minded colleagues in the attempt to remedy the sad waste of human potential that U.S. Indian policies have made possible in the past.

Sincerely yours,

DUDLEY FLAMM.

[Telegram]

ANCHORAGE ALASKA,
April 28, 1971.

SENATOR EDWARD M. KENNEDY,
U.S. Senate,
Washington, D.C.

Agree with suggestion for improving amendment 6 to S. 659 and support amendment 6 to S. 659.

JUNITA CORWIN,
Member of National Indian Education Association,
Anchorage, Alaska.

[TELEGRAM]

LAKE KABETOGAMA,
Ray, Minn., April 26, 1971.

SENATOR EDWARD KENNEDY,
Washington, D.C.

DEAR SENATOR: The Indian Education Act bill is in the right direction for our true Americans. I support it very much. thanking you.

Sincerely,

JOHN SALMI.

[TELEGRAM]

EASTPORT, MAINE, *April 29, 1971.*

SENATOR EDWARD M. KENNEDY,
U.S. Senate,
Washington, D.C.

This will advise you that you have the full support of the passamaquoddy tribe on amendment 6 to S. 659.

EUGENE FRANCIS TRAVEL,
Governor, Passamaquoddy Tribe.

Response to an Amendment to the Higher Education Act of 1971, S. 659

PREPARED BY VIRGINIA BROWN, SMALL TRIBES ORGANIZATION OF WESTERN WASHINGTON, SOUTH FEDERAL WAY, WASH., APRIL 26, 1971

The Honorable Senator Kennedy has presented an amendment to the Indian Education Act, S. 659. One of the Senator's recommendations was to appoint a National Board of Indian Education, connected directly to the Office of Education. I agree that a National Board of Indian Education is a necessity, but I strongly disagree that they should be appointed by the President. If we are to receive full consideration and full decision making authority, we need to have the responsibility of appointing our own people. Why should we suggest names and let the President make our appointments? It is an accepted fact that when appointments are made by the President, they very often become strictly political appointments and not on the basis of performance or ability. Too many times, we have been given the advisory role only, with little control and responsibility in decisions affecting our lives. We need to be able to make our own decisions and appointments. Let us make our own mistakes, if need be; everyone else has had the opportunity of making them for us.

It should also be a stipulation that these appointments receive the endorsement and approval of responsible governing bodies. Many times, we have been represented by Indian groups who do not have the endorsement of the elected Tribal Councils. Our Tribal Councils are elected to represent our people and should have the opportunity to do so. Although it is implied, the Senator does not state that the Board would consist of Indians. It should be a definite requirement of all members of the Board. We have capable Indians who are willing to serve in this capacity. Are we again going to have non-Indians making our decisions.

One of the functions outlined for the National Board is to investigate and determine which boarding schools should be converted into therapeutic treatment centers. I endorse this idea fully. When you realize that out of 100 students we sent to the Chemawa Indian School from Western Washington since September of this school year, 49 of these have returned home as of March, you begin to wonder about the purpose and capabilities of this school. More importantly, what happens to these children? A point of interest to you might be that our students now have the choice of taking their General Equivalency Diploma test or completing their high school classes at Chemawa. This is currently taking place. One of the main problems with Bureau of Indian Affairs boarding schools, I feel, is their compliance with civil service requirements. I would suggest that all civil service requirements be abolished; possibly then they could obtain and retain good teachers who are able to relate well to our children. This would also offer more job opportunities to Indian people.

In Part A of Senator Kennedy's amendment, he proposed to allow substantial increases of money Public Law 874 and Title 1, ESEA. I commend the Senator for his action; he has taken a necessary step in Indian Education. Senator Kennedy has suggested that Indians whether they are non-reservation Indians or not, are all Indians and he recognizes the fact that all Indians need and require the same services. We, at STOWW, have some bands of Indians in our organization who are refused Bureau of Indian Affairs and Indian Health Service assistance. These bands are as much Indian as reservation tribes. Why must it take a cour decision to decide if they are fully Indian? They think Indian, feel Indian and are Indian now.

In this section, Senator Kennedy stresses the need for having these monies, received from Indian communities be designed for use for those Indian children. I agree completely with the Senator. For years now, the money received by local school districts for Indian children has been used in the general operating funds. Our children have been neglected too long. The Senator also stresses the need for the participation and involvement of Indian communities. I would go a step further and suggest that tribal councils, along with parents, must be involved in all programming. The State Department of Public Instruction in Washington State has denied participation of tribal councils on Johnson O'Malley Committees. This has caused much dissatisfaction and dissension within our Indian communities. Our tribal councils are the elected governing bodies of our people; they must be recognized as such. It seems to me, too, that Indians are given the advisory role again in this section. There is a stipulation for consultation with parents of Indian children, but where do we have the authority of making actual decisions?

Part B allows the Commissioner of Education to make grants to everyone but tribal councils. Or are tribal councils referred to as public and private education and research agencies, organizations, and institutions? The Senator is going to realize that Indians demand to be specifically named in such bills. And if tribal councils are not eligible to receive these grants, why not? In this section, also, is a reference to participation by tribal communities and parents. It should definitely include our tribal councils, and not in the advisory capacity, but in a decision making role.

Part B also allows the Commissioner to make grants to institutions of higher education to prepare persons to serve Indian children in the educational system. Who determines if an applicant received this type of grant? It should be apparent to everyone by now that Indians should have some control over this matter. When is our local control going to take effect?

In Part C the same question arises again concerning the granting of funds, participation of tribal councils and decision making authority. We would wonder also if $5,000,000 is enough for adult education? Divided as this money eventually will be, it seems that it may not adequately meet our needs.

In part E there is a provision for more support of community colleges with Indian students. If these colleges were to recruit and obtain Indian students, who would determine how the additional funding would be used? There should be a provision included for local control of this money, or we may have community colleges recruiting our Indian students for the sole purpose of getting additional funds. If these colleges are near Indian communities, I would think that the tribal council or governing body in that area would have a direct interest in the administration of those funds.

In conclusion, I would like to say that we sincerely appreciate Senator Kennedy's interest and involvement with Indian education. I feel that his great commitment and assistance will certainly be beneficial to our people. The Special Sub-Committee on Indian Education has developed a very thorough, relevant package for Indians; however, before passage of this Amendment, the forementioned items need further clarification. Thank you, again, for the opportunity of presenting our concerns to your committee.

ALL INDIAN PUEBLO COUNCIL, INC.
Albuquerque, N. Mex., May 25, 1971.

Hon. EDWARD M. KENNEDY,
U.S. Senate, Washington, D.C.

Dear SENATOR KENNEDY: The 19 Indian Pueblos of New Mexico are very concerned about the new Indian Education Bills introduced by you and Senator Henry M. Jackson. Because of this concern, we would appreciate it very much if you would consider the following request:

In view of the fact that there is another Indian Education Bill currently in the Interior Committee, for which hearings have not yet been scheduled, we feel that it is important for all tribes to be afforded the opportunity to review this Bill and compare the two. We are aware that hearings on your Bill have been closed and that the Bill has been referred to your Committee on Labor and Public Welfare. We are not sure what the present status of this Bill is within the Committee. Nevertheless, the 19 Pueblo Governors hereby request that you defer your Bill until we have had ample opportunity to thoroughly examine it in comparison with the other Bill.

We know that you meant well with the development of your new legislative measure concerning Indian education. We appreciate and value this very sincere concern. We are aware that this Bill resulted only after a great deal of research and consultation with Indian people was conducted. Through this, we feel, you provided the Indian people opportunities to express their educational needs. However, this was done before the legislation came into being. We feel that we need to examine the finished products and relate them to our expressed needs. We hope that you will honor our request and give us this chance to examine your Bill more thoroughly as well as Senator Jackson's Bill. We have requested that hearings for Senator Jackson's Bill be held in the Albuquerque area so that our people can fully participate in reviewing these Bills. If this can be arranged, we would like to have you or your representative come and provide us with some answers to questions we might have regarding your Bill. We feel this hearing is very necessary in order for us to truly have a basis for consider-

ing the two Bills. We might add that it appears there may be a third Bill concerning Indian education. This, according to the enclosed copy of a news article, will be coming out of Senator Montoya's office. We hope that they can have someone available also for this hearing.

May we state again that we sincerely appreciate your efforts and those of your colleagues to assist Indian people in their quest for better opportunities for a better life.

May we hear from you soon regarding our requests?

Sincerely,

BENNY ATENCIO, *Chairman, AIPC.*

FLANDREAU SANTEE SIOUX TRIBE,
Flandreau, S. Dak., March 31, 1971.

Hon. EDWARD M. KENNEDY,
U.S. Senator,
Senate Office Building,
Washington, D.C.

HON. EDWARD M. KENNEDY, This is in response to a bill S. 659 introduced by yourself which calls for a comprehensive Education Act to meet the special educational needs of Indians in both federal and public schools. I, having had twenty (20) years in the federal government, part of this time in the educational area, now presently serving as Chairman of the Flandreau Santee Sioux Tribe and Chairman of the Flandreau School Board, recently established for the involvement of the Flandreau Indian School, a federally operated school, have the following questions concerning this bill.

1. Will it adequately meet the educational needs of Indian people?
2. Does it really turn control of Indian education over to Indians?
3. What kind of Indian involvement or what organization was contacted in implementing this bill?
4. What assurance do we have the programs will continue for Indians after five (5) years?
5. What are your objectives in solving Indian School problems at the end of this period?
6. Does the bill provide provisions for direct funding to tribal organizations?
7. Are there definite stipulations that the National Board of Indian Education be made up of Indians?
8. How will this bill or policy affect federally operated boarding schools?
9. Is this new bill or structure really going to meet the needs of our Indian children?

In my present positions, it appear school structures are going to have to come from the youth or students and also that many little needs must be met so that our Indian Youth will gain status in attitude, character and feel like a true human being instead of a statistic or number.

I have two (2) delegates from the reservation that would be very interested to testify as a witness regarding Indian education problems.

Sincerely yours,

GORDON J. JONES,
Chairman, Flandreau Santee Sioux Tribe.

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EDUCATION AMENDMENTS OF 1971

HEARINGS

BEFORE THE

SUBCOMMITTEE ON EDUCATION

OF THE

COMMITTEE ON
LABOR AND PUBLIC WELFARE
UNITED STATES SENATE

NINETY-SECOND CONGRESS

FIRST SESSION

ON

S. 659

TO AMEND THE HIGHER EDUCATION ACT OF 1965, THE VOCATIONAL EDUCATIONAL ACT OF 1968, AND RELATED ACTS, AND FOR OTHER PURPOSES

AND RELATED BILLS

MAY 25, 26; AND JUNE 9, 1971

PART 5

Printed for the use of the
Committee on Labor and Public Welfare

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EDUCATION AMENDMENTS OF 1971

TUESDAY, MAY 25, 1971

U. S. SENATE,
SUBCOMMITTEE ON EDUCATION OF THE
COMMITTEE ON LABOR AND PUBLIC WELFARE,
Washington, D.C.

The subcommittee met, pursuant to the call of the Chair, at 9:35 a.m., in room 4232, New Senate Office Building, Senator Pell presiding.

Present: Senators Pell, Randolph, Prouty, Dominick, and Schweiker.

Committee staff members present: Stephen J. Wexler, subcommittee counsel; Richard D. Smith, associate counsel; and Roy H. Millanson, minority professional staff member.

Senator PELL. The Subcommittee on Education will come to order.

The witnesses today are the Honorable Elliot Richardson and the Honorable Sidney Marland.

STATEMENT OF HON. ELLIOT L. RICHARDSON, THE SECRETARY OF HEALTH, EDUCATION, AND WELFARE, AND HON. SIDNEY P. MARLAND, JR., U.S. COMMISSIONER OF EDUCATION; ACCOMPANIED BY DR. HARRY F. SILBERMAN, ASSOCIATE COMMISSIONER FOR EDUCATIONAL RESEARCH AND DEVELOPMENT, STEPHEN KURZMAN, ASSISTANT SECRETARY FOR LEGISLATION, AND CHISTOPHER T. CROSS, ACTING DEPUTY ASSISTANT SECRETARY FOR LEGISLATION

Secretary RICHARDSON. Thank you very much, Mr. Chairman.

Mr. Chairman, members of the subcommittee: My colleagues and I are very pleased to have the opportunity to appear before you today to testify on title III of S. 659 and related bills to create a National Institute of Education and a National Foundation for Higher Education. We also have some comments on sections 151 and 152 of the bill, which deal with the Education Professions Development Act.

The need for new approaches to the problems of education is clear. For the schools that have served so well for so long have now come into days of serious difficulties—difficulties we have not yet found tools to resolve.

We have poured billions of Federal dollars into education, only to find that the situation seems more critical than before.

Each year a heartbreaking number of disadvantaged young people leave school without the basic skills needed to fill any but the most

menial jobs. There is no assurance that their younger brothers and sisters will do better.

Older people with years of productive labor find themselves in a market which no longer needs their skills and with no adequate system for reeducation and renewal.

Too often, creativity and curiosity are stifled, persistence and motivation lost because we do not know how to build a learning environment which prepares young people to deal with the effects of modern society.

Too often the schools become a symbol of repression rather than honored as places which serve the student's hopes. Violence against teachers and against other students reveals an emotional wilderness in the minds of some of our young people. Incidents of violence initiate escalating security measures which turn the school from a community center into a daytime prison.

Even the best of schools do not prepare our children to deal constructively with an ever-changing world. We have not yet found ways to teach coping with change. Or humanity. Or ingenuity.

Obviously, change in the character of our schools and of our entire educational system cannot come solely from the Federal level. The brunt of the burden of change must be borne by State and local educational officials. But the Federal Government can provide the leadership for change and can make available the necessary financial assistance to educational institutions of all kinds and levels that will enable them to afford such change.

To do this, we need more flexible and responsive institutional arrangements at the Federal level. We need institutions which can provide the range of interrelated services we have found so critical to effectiveness. We need flexible institutions capable of combining energy and expertise in new ways to seek fresh approaches to education's problems. For this reason, the administration has proposed a series of major changes in the Federal structure as it relates to education:

The creation of a Department of Human Resources;

The creation of two new educational institutions devoted to change, the National Institute of Education and the National Foundation for Higher Education; and

The elevation of the Commissioner of Education to a level IV, making him the equivalent of an Assistant Secretary of HEW.

S. 659 in part shares this new vision. It does authorize the establishment of a National Institute of Education and a National Foundation for Education. However, I have serious reservations about the provisions of title III in S. 659, particularly insofar as they specify the internal organization of the Department. We urge the enactment of administration bills S. 1062 and S. 434 instead.

First, I feel it is unwise policy in general to detail internal organization by legislation. Such legal specificity creates too many roadblocks to change. One of the primary needs of any organization is the need for flexibility, the ability to maintain viability by responding quickly to changing conditions. One would hardly expect the Congress to legislate the organization of an infantry division. Its proper role is one of setting the goals and providing the resources.

It is up to the administrator, whether a military man or educator, to organize the resources and be responsible for carrying out the mission. Commissioner Marland is only the most recent example of a leader reshaping an organization to meet its mission as he sees it. The legislation before this committee would prohibit such adjustments.

Furthermore, the arrangements set forth in the bill are superfluous, since I have already made it clear that I intend to ask the Directors of the National Institute of Education and the National Foundation for Higher Education to report to me through the Commissioner of Education. To make this delegation a statutory requirement deprives the Secretary of a significant element of his authority. And one cannot fairly be held accountable for performance unless one has the authority required to perform.

I oppose the language of title III of S. 659 for other reasons as well. As created by the legislation, the Education Division of HEW would be composed of the Office of Education, the Institute, and the Foundation, all headed by the Commissioner of Education.

The Commissioner would be compensated at a level III of the executive schedule. This would give him a rank equivalent to the Under Secretary of Health, Education, and Welfare and would seriously skew the internal organization of the Department by elevating the Commissioner to a higher level than his counterparts in the health and welfare areas.

The Office of Education would also include a Deputy Commissioner, compensated at level IV, and six Associate Commissioners, compensated at level V of the executive schedule. Again, these salary levels are significantly out of line with comparable positions in the Department. Furthermore, the requirement for Presidential appointment and Senate advice and consent to the top eight positions in the Office could add serious political implications to the filling of these positions.

In addition, the elevation of the Director of the Teacher Corps to grade 18 and the Deputy Director to grade 17 would give a present division director status that some Deputy Commissioners do not now have, and an independent status equal to none.

Finally, not only would a legislated organizational structure prevent flexible Offices of Education response to changing educational problems, but it would also require an immediate reorganization of the Office from its current pattern of an Executive Deputy Commissioner and five Deputy Commissioners.

Similarly, S. 659 vests grant and policymaking authority for the National Foundation in a 15-member Higher Education Board appointed by the President and authority for the National Institute in a similar 15-member National Council on Educational Research. As I said in earlier testimony before this subcommittee, I firmly believe that the Foundation board should have a strong voice in the establishment of policy for the Foundation, as the NIE Council should have a strong voice in the formulation of NIE policy. However, ultimate responsibility for both these agencies must rest with the Secretary of HEW, and again, authority must go with responsibility.

Finally, in reestablishing the Office of Education, S. 659 would severely limit its scope of authority. It is authorized to promote the

improvement of educational opportunities for our Nation's people only "in such manner as may be specifically authorized by law." It would also authorize carrying out such other responsibilities "as may be specified by law" or as specified by the President "in accordance with law."

S. 659 goes on to specify that:

> Nothing in this section, or any other provision of law, shall be construed to grant the Office of Education any authority which is not expressly provided for by statute or implied therein.

These provisions are totally objectionable. Any executive agency, in order to function effectively, must have broad authority as part of its functional area. No leadership role can be totally dependent upon specific statutory authorization. The enabling legislation for the Office of Education which S. 659 would repeal does not contain any such limitation of its role in American education. Neither should any legislation reported by this committee.

In concept, I feel that the proposed Education Division is too narrow. The President has submitted a set of bills—S. 1430, S. 1431, S. 1432, and S. 1433—which reflect his comprehensive proposals for executive reorganization. S. 1432, the Department of Human Resources bill, would place not only the Office of Education, the National Institute of Education, and the National Foundation for Higher Education within the education agency, it would also transfer into the new Department the college housing program from the Department of Housing and Urban Development and the school lunch program from the Department of Agriculture.

The President's proposal would permit the centralization of authority in the Secretary, to be delegated as he decided. It would also consolidate other currently fragmented human resources programs and promote the better coordination of all Federal efforts dealing with the problems of people.

Education, I submit, is a crucial tool in the solution of these problems. However, the results will be far more effective and lasting when educational programs are coordinated with other social programs and not considered and treated separately. The President's proposal would foster such an integrated and flexible organizational approach, while S. 659 has provisions which would not.

On March 4, I had the opportunity to present my views on the Foundation before the subcommittee. Today, I reiterate my strong support for the Foundation and my belief that it can have a significant impact on the future of higher education. Since we did not have a chance to discuss S. 659 as it deals with the Foundation, I would like to add some specific comments on the Foundation authority as contained in S. 659.

SIMILARITY OF ADMINISTRATION PROPOSAL

In many respects, the provisions of S. 659 relating to the Foundation are similar to those contained in the administration's bill of last year. Since S. 659 was introduced in February, however, we have submitted a revised version of the original Foundation proposal, reflecting a year-long evolution in our conception of its role.

This is in part a result of conversations with members of the higher education community. This new version is contained in S. 1062, introduced by Senator Javits and six cosponsors. I would strongly commend the provisions of this bill to the subcommittee.

The National Foundation of Higher Education was proposed last year as an independent agency with a 15-member governing board. It was to be modeled after the National Science Foundation. In reconsidering last year's legislative proposals, we concluded that in the interests of coordination among education programs, the Foundation would better be placed within the Department of Health, Education, and Welfare. This year's proposal, then, gives to the Secretary authority for the Foundation and makes the board an advisory rather than a governing body.

These changes are a logical consequence of placing the Foundation within the Department of Health, Education, and Welfare. I recommend that since S. 659 places the Foundation in the Department, it also correspondingly alter the structure and governance function of the board.

The Foundation incorporated in S. 1062 contains a much clearer indication of the Foundation's mission to encourage innovation and reform in post-secondary education. The initial Foundation proposal also gave the Foundation more general grant-making authority. The lists of purposes and functions in S. 649's Foundation provisions do not reflect the new innovation thrust of S. 1062. I urge the subcommittee to adopt the provisions of S. 1062.

S. 659's version of the Foundation might be improved, we believe, through the inclusion of authority to transfer funds to or from the Foundation, authority to permit the Foundation to fund projects jointly with another agency and authority to make fellowship awards. In addition, S. 659 does not permit the hiring of technical and professional staff without regard to various civil service provisions. Addition of that authority would in our view give the Director special flexibility in hiring outstanding personnel.

In conjunction with my earlier statements, Mr. Chairman, about permitting the Secretary normal authority over internal Department matters, I recommend deletion of several provisions as unnecessarily restrictive with respect to the Department's operations. In particular, the requirements that the Foundation's report be submitted as part of the Commissioner's annual report and that the Commissioner promulgate management regulations for the Foundation—a responsibility normally vested in the Secretary—are inconsistent with the Department's responsibility for its internal affairs.

AUTHORIZATION

Finally, I should note that the authorization provided for in S. 659 is low, a comment I am not usually in a position to make. It would provide $200 million over 4 fiscal years, beginning in fiscal year 1973. S. 1062, on the other hand authorizes the appropriation of such sums as might be necessary. I recommend that this pattern be followed. We have requested an initial year appropriation of $100 million for fiscal year 1972. Two hundred million dollars would not appear to be sufficient over a 4-year period.

NATIONAL INSTITUTE OF EDUCATION

I move now to the second new institution proposed by the President, which both S. 659 and S. 434 would establish. I strongly recommend passage of S. 434, the National Institute of Education Act introduced by Senator Prouty and seven cosponsors. Since I have not previously had the opportunity to testify before this subcommittee about the need for a National Institute of Education, I would like to take a few minutes to talk about that need. Commissioner Marland will then discuss the National Institute of Education.

I cannot overemphasize the significance of legislation to shape new institutional leadership in educational research and development, through a National Institute of Education. Where once we put faith in the power of a new school building, an extra teacher, a new textbook, we know now that such "improvements" just do not make as much difference as we had once ascribed to them.

Research into the ways that people learn and live, and the painstaking development of effective and useful educational approaches, then, is key to progress in American education. Despite this, the Nation has not supported the major research and development effort needed to tackle our most stubborn and complex educational problems.

In contrast to research and development in other areas of national importance, educational research and development has remained a "poor cousin" in size, in resources, in scope, in organization.

In 1968, the man-years devoted to research, development, and innovation in education totaled just 5,836; in health, 58,570, 10 times as much.

Only about 10,000 researchers work on education, while the number of researchers working on health is three to five times that figure.

Since 1950, the Nation has invested less than $1 billion in educational research and development; in that time, $7 billion has been devoted to agriculture research and $14 billion to health research. Private industry's research and development investments have been even higher—the electrical equipment industry, for example, spends $4.2 billion a year on research and development; the aircraft industry spends $5.6 billion.

Research and development receives only 0.3 percent of educational expenditures and 4.6 percent of health expenditures.

I mention research in health, agriculture, and industry, not because their tasks are identical to those of education research—they are not—nor because resources in these areas are sufficient to their needs: certainly, there is always a need for more progress in these other areas of knowledge. Of course, research in these fields has had the advantage of a strong base in the hard sciences and more easily observable results than educational research. But the mission of educational research and development is certainly as challenging and complex as that of research in health, in agriculture, or industry. And education research and development clearly lags several orders of magnitude behind.

The growth of a vigorous research and development system in education has been hampered by other problems. The field has never attracted enough top researchers from a breadth of disciplines to give it firm grounding. Its institutional base has remained narrow, restricted mainly to university campuses—the expertise of business, governmental, and other institutions has scarcely been tapped.

Finally, educational research and development management at the Federal level has been kept to a relatively low profile. While research and development in other areas of natural importance has achieved high level, separate institutional status, the unit chiefly responsible for managing educational research and development, the National Center for Educational Research and Development (NCERD), has been unable to achieve sufficient visibility within the Office of Education. While the top management position ranks at a level IV in health research and a level V in agricultural research, the Center's placement within the Office of Education has meant that its head could be no higher than GS–17.

Through creation of a National Institute of Education, each of the obstacles to a vigorous research and development system can be tackled head on.

The new agency can substantially affect the size, scope, and vitality of the educational research community. An Institute will spark public and academic interest in educational research. Since education research has traditionally lacked prestige in the academic community, it has been unable to draw many of the top scholars. As the new agency boosts the competence and prestige of educational research and development, outstanding scholars from a wide range of disciplines will become interested in the field.

The NIE, separate from the Office of Education, would acquire national visibility in its own right. Its director, whom we propose to place at executive level V, would be a high level appointee, confirmed by the Senate. This ranking is a necessity if we are to recruit a director with extensive experience and the highest national stature, and to compensate him appropriately. The Institute and its director must command enough respect to draw the very best academicians, educational practitioners, public administrators and scientists to work in NIE.

In addition, exemption from certain civil service requirements would give the agency freedom to bring in outstanding scholars for varying periods of time and at salaray levels commensurate with their abilities. Their presence will build an institutional reputation and a high degree of confidence. All these qualities will help to maintain the Institute's prominence and therefore its ability to attract outstanding men and women.

Beyond strengthening educational research and development itself, the new Institute would organize people, energies and resources more effectively to conceive fresh approaches to education. A "critical mass" of expertise from a variety of fields would be marshalled. The National Institute of Education's personnel system will allow special flexibility to gather the best minds and put them to work together. And as a new agency, the National Institute of Education can develop operational patterns best suited to a research and development agency.

Finally, the NIE could stimulate the increase in funds for research that we have not yet been able to achieve. Perhaps because of its immaturity as a field, educational research has not received the public support necessary to secure substantial increased resources. If the agency does indeed succeed in boosting public interest in educational research and development, a willingness to increase public investment will surely follow.

I would like to emphasize the President's commitment to a sound and systematic growth of Federal expenditure for educational research and development under the NIE. We would expect NIE's first-year operational budget to fall within a range of $150 to $200 million. A substantial portion of this represents support levels of programs to be shifted from the Office of Education. After the first year, we would expect to see NIE's budget rising steadily to a level of $310 to $420 million in fiscal year 1977.

In summary, let me again emphasize that renewing education's promise requires new tools and techniques developed by a vigorous research and development system. The system of educational research and development itself needs strengthening if it is to match that challenge. Prominent researchers from many disciplines must be drawn to the task, funds must be marshalled to devise imaginative and radically new approaches.

As the next step toward these ends, we must mold a new agency capable of providing energetic national leadership—a National Institute of Education.

In conclusion, Mr. Chairman, I would like to emphasize perhaps more than my prepared statement does the fact that we appreciate very much the fact that S. 659, as you have introduced it, does include provision for both the Foundation and the Institute. And I would not like the testimony I have given which is critical in one respect or another of various of the administrative arrangements incorporated in your version of the Foundation legislation, for example, or title III, to obscure our appreciation of the fact that you have proposed legislation consonant with the basic concept underlying both of these important new components of the Federal role in education.

May I now ask permission, Mr. Chairman, to insert in the record at the close of my statement, first a table of differences between S. 1062 and S. 659 and, secondly a table showing comparisons between S. 434 and S. 659.

Senator PELL. Thank you very much, Mr. Secretary.

Before moving on to the Commissioner's testimony, I would say we are very honored to have both the ranking majority and minority member of the subcommittee here. They have statements they would like to make as they have to move on to other meetings.

Senator Prouty.

SUPPORT FOR INSTITUTE AND FUNDATION

Senator PROUTY. Thank you, Mr. Chairman, I regret very much it is necessary for me to leave.

I have another committee meeting at which I must be present as I shall be the only Republican member there.

I am tremendously interested in the National Institute of Education and the National Foundation for Higher Education. I am pleased that there is agreement in the subcommittee on the need to establish the Institute and Foundation. I am confident that in our deliberations, we shall insure both are structured in ways to insure they meet the obvious and compelling need for innovation and experiment in eduction.

I have had the opportunity to review in advance the testimony of enthusiasm for the Institute and Foundation and their observations on the legislation needed to see that both function as we agree they should.

I will follow this very closely, I assure you, Mr. Secretary and Mr. Commissioner, and I am very sorry it is necessary, for me to leave at this time.

Thank you, Mr. Chairman.

Senator PELL. Senator Randolph.

Senator RANDOLPH. Mr. Chairman, I, too, must join Senator Prouty, not at the same committee meeting, but another committee meeting, but the reasons are the same for our departure.

I think it is very important, Mr. Chairman, to realize that when a Senator cosponsors legislation that very often he says to the principal sponsor of that measure that he is joining because of the broad purpose sought to be achieved by the legislation which has been introduced rather than to attach himself to a finalization of language at the time of the introduction of the measure.

And so it was in that frame of thinking, Mr. Chairman, that I joined you as a cosponsor in the introduction of Senate 659. I feel that there are points of general agreement as we approach our overall responsibility, and I shall not this morning attempt, Mr. Chairman, because of the time element and the desire of the Secretary to move to the testimony of the Commissioner, to enter into colloquy or to make further comment. But I shall have certain questions that I will ask that these questions be presented either to Secretary Richardson or Commissioner Marland or one or more of their associates to bring out thoughts that I have had in connection with the material which is presented from the administration viewpoint.

I want to underscore my very genuine feeling that these differences sometimes are, in essence, our strengths because to have legislation presented either on the Hill or downtown and expect to have that legislation go to the Senate and pass as it was written and introduced would be a straight-jacketing of the legislative process. And the administration does not desire that, neither does the chairman of this Subcommittee on Education or Senator Prouty, the ranking member of the subcommittee on the minority.

I realize this is rather generalized, what I am saying, but I say it because I feel that there is a mutuality of awareness of the problem in one title or in four titles. And so we begin to think together and to work together and to not cross swords, but to exchange perhaps with vigor at times viewpoints in the hope that we can bring from this committee, Mr. Chairman, under your able leadership that type of legislation which will benefit the educational program of the United States.

Thank you.

Senator PELL. I thank you very much, Senator Randolph, I hope that out of the various theses and antitheses we get a fine synthesis.

Dr. Marland.

Secretary RICHARDSON. May I interrupt, Mr. Chairman?

Speaking for the executive branch, we share Senator Randolph's hope and we certainly expect to work with the committee in this spirit. We do not consider that legislation that we submit has been engraved in letters of of gold or brass.

Senator PELL. And one further small comment. My own view of it is an analogy from the private corporate field, Congress is really the board of directors, setting policies. While the executive council execute that policy.

Secretary RICHARDSON. All I would like to say, Mr. Chairman, is, I wish I had authority in relation to the Congress that most corporate executives have in relation to their boards of directors.

Senator PELL. Commissioner Marland, please.

NATIONAL INSTITUTE OF EDUCATION

Dr. MARLAND. Thank you, Mr. Chairman.

Mr. Chairman, I appreciate the opportunity to discuss with you the National Institute of Education. One cannot overstate the importance of an agency whose sole purpose is to lead in building tools for the resolution of education's difficulties and the fulfillment of its promises. I would commend to your attention S. 434, which contains the administration's proposal for creation of the NIE, and urge its enactment.

Several facets of the new agency, as the Secretary has noted briefly, are absolutely essential to its success, to its superiority over our present arrangements for managing research and development in the Office of Education. A number depend on legislative provisions not contained in S. 659. Let me deal with each of the essential qualities in turn, commenting as I go on specific provisions in S. 434 and S. 659 which affect them.

First, the National Institute of Education needs it own institutional identity, distinct from the Office of Education. Research and development management has been constrained in several respects by its placement within OE. Left in OE, it must conform to administrative patterns which evolved in response to the needs of operating programs. Its placement within OE restricts both the rank and number of its leadership. Then, too, establishing its own institutional identity on a level with the Office of Education will assure the NIE a visibility not now afforded research and development management in education.

Both S. 434 and S. 659 would establish the Institute as a unit separate from the Office of Education. We share with S. 659 the concept of three educational agencies overseen by a Commission of Education, although, as Secretary Richardson has stressed, we recommend strongly both against locking in this arrangement legislatively and against establishing a Division of Education.

The National Institute of Education, while requiring its own separate identity, will also need fruitful ties to other agencies supporting education or related activities. The most important of these, of course, is the Office of Education. One way to provide coordination is to make a single official responsible for both agencies.

Secretary Richardson would delegate to the Commissioner responsibility for overseeing the Office of Education, NIE, and the National Foundation for Higher Education. S. 659 would also make all three agencies responsible to the Commissioner, but the governing structure it provides for both NIE and the Foundation would seriously undermine the Commissioner's ability to coordinate the agencies.

As the Secretary has already warned, if these agencies are given board governance, it will be extremely difficult to insure linkages between them and the Office of Education and other appropriate agencies. I would therefore repeat the urging that these boards be made advisory.

I would reiterate the Secretary's concern that considerable and substantial responsibility for policy development should be afforded the advisory board of NIE. But ultimately governing authority must rest in the Office of the Secretary.

Another means of promoting coordination and cooperation between NIE and other agencies is to encourage them to undertake projects jointly. Section (7)d of the administration's bill provides a joint funding authority; S. 659 does not. In addition to permitting joint projects, the authority would allow other agencies to transfer funds to NIE and vice versa. This would allow, for instance, NIE to encourage OE to undertake a special dissemination project it felt important, for example, by offering to provide the funds. In this way, agencies can be encouraged to share their expertise and human resources for the advancement of educational research and development.

Of all the special qualities NIE must possess, perhaps the most crucial will be the agency's ability to attract outstanding scholars, educators, and the like. If the agency cannot marshal a staff of unusual breadth, competence, and stature, its other advantages will be severely handicapped.

The key to drawing that staff is authority permitting the Secretary to hire and compensate professional and technical staff without regard to certain civil service requirements. Other respected Federal research and development institutions such as NIH and NSF have authority to "except" staff from these civil service requirements. The NIE provision is modeled after the particular one NSF has used with successs for many years.

As these agencies have found, special flexibility in hiring and compensation is needed to draw and make use of top research and development talent. For instance, the university-centered career patterns of academia make it difficult to draw scholars away from tenured positions, except on a nonpermanent basis. Under the exemption authority, such people could come to NIE on a noncareer basis for 6 months, a year, 2 years, et cetera.

In addition, NIE will make use of flexible organizational arrangements such as short-term task forces organized to work on a particular problem and then disband. Exemption from the civil service provisions will permit the Director to hire top-level talent on a short-term basis to work in these groups without going through the normal lengthy civil service hiring procedures. Most of the staff, I should add, would be regular civil service employees. Excemption authority would be used only when a special advantage is to be gained.

As presented in S. 434, then, the porvision will allow the Director to—

> Bring people with special expertise to work on a short-term basis without waiting for lengthy civil service processing.
>
> Adjust qualification standards to the particular needs of a research and development agency.
>
> Offer salaries at a GS equivalent without having to offer the lowest step in the grade to prospective employees.
>
> Permit more high-level personnel than would be possible under restrictive civil service ceilings.

S. 659 would limit this provision to temporary employees. We strongly urge the committee not to restrict this authority. It is absolutely critical to NIE's capacity to draw emient scholars and educators to NIE.

The NIE's effectiveness will also depend upon its capacity to evolve and sustain flexible organizational patterns specially suited to its prob-

60-433 O—71—pt. 5——2

lem-solving research and development focus. Dr. Roger Levien has proposed a general organizational structure, and we are now working with this proposal and alternative ideas to design a detailed organization plan that promises to serve NIE's mission most effectively. That is a complex and challenging job, one that depends in part on decisions about other aspects of the new agency—its program, for example.

Because of this and because organization plans must be open to time testing and alteration, NIE's organizational structure must not be defined legislatively. Section 404(d) of S. 659 attempts such a definition based on Dr. Levien's current work.

I urge the committee to avoid this specificity as unnecessary and potentially harmful. A legislated organization structure would be a serious problem for any organization, but for a new agency, it could be disastrous. The best laid plans for a new agency may contain flaws in practice. Then, too, organization structure may need to be altered to adjust to changing priorities and circumstances. In either case, NIE's Director must be free to make adjustments in the organizational structure.

I should comment on the structure described in S. 659. As you know, Dr. Levien has supplied us with a recommended organizational model, composed of three main units.

One, a directorate of programs, would manage research and development programs aimed at solving major national educational problems. A directorate of research and development would oversee programs to strengthen the scientific base of education and educational practice generally. The third unit, a center for educational studies, would evaluate the state of education and of public education policies broadly.

The divisions as defined in S. 659 correspond generally to this scheme, although this description of functions is not entirely clear.

At this stage of our thinking, we are leaning to a somewhat different organization of functions for the NIE. A research and development division, for instance, might be responsible for supporting the development of significant and vastly different educational alternatives. A division of educational studies would be broader than the Center provided for in S. 659. It would be responsible for disciplined, problem focused research and analysis of the educational experience. This would include basic research in the learning process and evaluations of major reforms and developments.

I do not mean here to offer a definitive organizational scheme. I do want to demonstrate that we are currently thinking along slightly different lines than the outline suggested by Dr. Levien or that specified in S. 659. Again, we urgently recommend that no internal organizational structure be specified by law.

NIE FUNDING

Finally, NIE will need sufficient funding to sustain the momentum of progress. S. 659 would authorize $500 million over a period of 4 years. The administration's proposal authorizes the appropriation of such sums as may be necessary. We recommend that that pattern be adopted.

We expect a vigorously growing NIE to require higher funding levels over a period of years than S. 659 permits, as Secretary Richardson has estimated. We expect that the new agency would grow from a first-year budget ranging from a $150 to $200 million the first year to some $310 to $420 million at the end of the first 5 years.

We cannot provide definitive budget estimates for NIE. These must ultimately reflect decisions about program areas to be covered and more detailed cost assessments than are now available. The funding increase rate we suggest is based on a 20 percent annual growth rate, which the experience of other research and development agencies tells us is the maximum growth possible in such an agency. Again, we recommend that such sums as may be necessary be authorized and that the authorization be an open-ended one.

Before closing my testimony, I would like to make two points relating more to the office of Education than to the NIE. First, S. 659 would repeal the substance of the Cooperative Research Act, which has provided general research and demonstration authority for the Office of Education since 1954. Although many of the functions authorized by the Cooperative Research Act would be assumed by the National Institute of Education, it is extremely important that the Cooperative Research Act be retained.

The Office of Education must continue to carry out a number of activities authorized and funded under the Cooperative Research Act: demonstrations, dissemination, surveys, research designed to provide policy guidance, and the like. If the Cooperative Research Act is repealed, the agency would have no authority to conduct some of these crucial activities. Others, it could only do in severely restricted fashion under salaries and expenses budget. Any operating agency must have the freedom to carry out these research related activities.

After NIE is created, the Office of Education would continue to carry on functions under the Cooperative Research Act for which we have requested $33.6 million in fiscal year 1972. The Cooperative Research Act must be left on the books to provide funding authority for these important functions.

EDUCATION PROFESSIONS DEVELOPMENT ACT

Second, I am most disturbed about the changes S. 659 would make in the Education Professions Development Act. These would restrict the powers of the Commissioner to determine internal organization of the Office of Education and gravely reduce present capacities to allocate EPD resources to meet changing educational needs.

First, S. 659 assigns the Teacher Corps virtual independence as a separate office under the Commissioner with the director designated as GS-18. The Teacher Corps is working well as a division in the Bureau of Educational Personnel Development. To remove it to a separate office would create an imbalance in the Office of Education's organizational structure and impair efforts to coordinate it with other EPD programs.

We expect to submit legislation authorizing transfer of this program to the new action agency. Meanwhile, we are doing our best to build a vigorous Teacher Corps wherever its location. S. 659's provision will not, I believe, aid that effort.

In addition to the Teacher Corps provisions, S. 659 would drastically reduce our flexibility in administering other education professions development programs. It earmarks almost 75 percent of EPD funds among the different parts of the act. This would require a major alteration of the present programs.

For example, part D, under which most of the priority EPD programs are funded, would have to be cut back substantially. This would restrict the Commissioner's abilities to concentrate funds on important national priorities such as early childhood education and career education.

At the same time, the earmarking would require us to devote scarce resources to areas of extremely low priority. For instance, it requires that 15 percent of the funds be spent on the part C general fellowship program at a time when there is an oversupply of teachers generally. Other parts of the EPDA provide for training and retraining teachers in shortage areas. Funding part C will not help meet these shortages.

S. 659 would require us to spend 2 percent of the funds on part B(2) programs without adding the administration amendment which would permit these funds to be used for retraining as well as training of new teachers.

Finally, S. 659 fails to include another important administration amendment, the amendment to part D which would allow the development of new teacher education programs at the undergraduate level in coordination with schools of education and other faculties. This amendment would provide us with an opportunity to bring the liberal arts and other disciplines together with educational programs in the preparation of teachers.

This amendment is widely supported by the National Advisory Council on Education Professions Development, major educational associations, and numerous colleges and universities. I would like permission to insert for the record copies of their letters of approval.

And I would add again, in drawing upon the wisdom of the Educational National Advisory Council on the Educational Professions Development Act, this council has very strongly urged the retention of the administration position on the subject of EPDA legislation, particularly urging the continued support of this program in the way in which it is now fashioned without the restraints implicit in 659.

Senator PELL. Without objection, those letters of support will be inserted in the record. And the committee notes with delight the use that you have made of an advisory council. We hope all the advisory councils would be made equally useful.

Dr. MARLAND. Thank you, Mr. Chairman.

(The information subsequently supplied follows:)

ICE OF THE PRESIDENT

March 2, 1970

Memorandum to Dr. James E. Allen, Jr.
Assistant Secretary of Education
Department of Health, Education, and Welfare
400 Maryland Avenue, S. W.
Washington, D. C. 20202

Dr. Don Davies, Associate Commissioner of Education
Bureau of Educational Personnel Development
U. S. Office of Education - 3100 ROB III
7th and D Streets, S. W.
Washington, D. C. 20202

Received
Office Of Assoc. Comm.
MAR 4 1970
B.E.P.D.

Gentlemen:

The District of Columbia Teachers College vigorously supports consideration of technical amendments of the Education Professions Development Act, Title V HEA, that assists undergraduate teacher preparation.

As a Teachers College in an urban location, indeed a college itself in a low income area, this institution produces more teachers for the Nation'a Capital than any other single institution but watches the large grant money go for assistance to graduate education.

This College has this year about the same number of student teachers in the District public schools as did all the other institutions combined but watches the large money go to the universities.

This College developed an undergraduate Teacher Corps Proposal but again observed the grant go to the master's degree program.

When we graduate 200 teachers in June, we can expect 76.6% (on the basis of the last six years) to go into the District schools and teach -- unless some have completed their work early and already started teaching.

The Federal government must assist the undergraduate programs; they are producing the teachers. MAT and Teacher Corps are all right but they don't produce the bulk of the teachers.

Yours truly,

Paul Cooke
President

PC:bj

April 14, 1970

Dr. Curtis E. Nash
Central Michigan University
Mount Pleasant, Michigan 48858

Dear Dr. Nash:

Thank you very much for your comments about the proposed technical amendment for the Education Professions Development Act.

Language that would permit major development and reform efforts in the undergraduate training of educational personnel has been submitted to the Congress by the Department of Health, Education and Welfare. It is currently incorporated as Section 510 of the Higher Education Act (H.R. 16621). This provision is currently being considered in the Committee headed by Congresswoman Green and will be considered soon by the Committee headed by Senator Pell.

Thank you again for your letter.

Sincerely,

Don Davies
Associate Commissioner

THE ASSOCIATION FOR STUDENT TEACHING
Central Michigan University
Mt. Pleasant, Michigan 48858

Richard E. Collier,
Executive Secretary

Received
Office Of Assoc. Comm.
APR 1 1970
B.E.P.D.

Dr. Don Davies
Associate Commissioner
Bureau of Educational Personnel Development
U. S. Office of Education
7th and D Street, S.W.
Washington, D.C. 20036

Dear Don:

Not just because I am a member of the Executive Committee of AST but also because I definitely believe that we need to put some more money into undergraduate teacher education I write in support of your proposed amendment to the Education Professions Development Act, Title V, HEA. I do not have adequate statistics on the percentage of teachers in our schools who received initial teaching license at the undergraduate level but my guess is that it is substantial. It seems to me that the efforts to provide traineeships for undergraduates in Special Education has been most effective and the same kind of efforts should be devoted to general teacher education at the undergraduate level.

If such an amendment is apssed and proposals are requested, I will be among the first to submit one. I hope very much that your office will introduce this and let me know when so we can try and influence our congressman.

I enjoyed your Florence Stratemeyer lecture at Chicago recently and hope to see you sometime when you are in Washington.

Sincerely yours,

Curt

Curtis E. Nash
Past President

CEN:pe

March 25, 1970

...artment of the
...ral Education Association

President
Curtis E. Nash
Central Michigan University
Mount Pleasant, Michigan 48858

First Vice-President
Mary Ellen Perkins
State Department of Education
Atlanta, Georgia 30334

Second Vice-President
Bernadene Schunk
University of Wyoming
Laramie, Wyoming 82070

Immediate Past President
E. Brooks Smith
Wayne State University
Detroit, Michigan 48202

BETHANY COLLEGE
BETHANY, WEST VIRGINIA 26032

March 26, 1970

Received
Office Of Assoc. Comm.
APR 4 1970
B.E.P.D.

Dr. Don Davies, Associate Commissioner of Education
Bureau of Educational Personnel Development
U.S. Office of Education
3100 ROB III
7th and D Streets, S.W.
Washington, D.C. 20202

Dear Dr. Davies:

This is to recommend an amendment to the Education Professions DEVELOPMENT Act TITLE V HEA along the lines of the draft which you prepared for discussion with the AACTE and others concerned, which would specifically provide for under graduate teacher education programs.

I am particularly interested in provisions for encouraging colleges and universities to develop extended practicum experience for prospective teachers.

Our college has moved in this direction by providing observation and participation for juniors in Elementary Education in the local public schools and has under written the program to the extent of several thousand dollars for co-ordination and teacher stipends. We have given much thought to means of improving this program and extending it to students in Secondary Education, but have been frustrated by lack of staff time and funds to fully implement such a program.

I am convinced that if we could over come these initial hurdles through assistance by the EPDA, the college would be able to assume all of the continuing support necessary.

Sincerely yours,

John A. Spence

John A. Spence
Chairman

JAS/jcb

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE
OFFICE OF EDUCATION
BUREAU OF EDUCATIONAL PERSONNEL DEVELOPMENT
WASHINGTON, D.C. 20202

Dear :

Thank you very much for your comments about the proposed technical amendment for the Education Professions Development Act.

It appears now reasonably certain, although not definite, that Part G will be contained in a package of such amendments to the Congress during March or April for consideration in the modification of the EPDA. They will then be considered by the committees headed by Congresswoman Green and Senator Pell.

~~Xxxx~~Thank you again for your letter.

Sincerely,

Don Davies
Associate Commissioner

WINTHROP COLLEGE
SOUTH CAROLINA COLLEGE FOR WOMEN • ROCK HILL 29730

SCHOOL OF EDUCATION

February 11, 1970

Received
Office Of Assoc. Comm.
FEB 16 1970
B.E.P.D.

Dr. Don Davies
Associate Commissioner of Education
Bureau of Educational Personnel Development
U.S. Office of Education
3100 ROB III
7th and D Streets, S.W.
Washington, D. C. 20202

Dear Dr. Davies:

I am pleased with the invitation extended by you through AACTE to respond to the proposed amendment to EPDA regarding improvement of undergraduate programs for the education of elementary and secondary school teachers.

The USOE draft of the possible technical amendment to EPDA is deserving of support. The effect of undergraduate program development can and may be to replace, to some extent, insufficient "corrective or repair" attempts with sufficient "preventive" efforts. There is no assurance of this, of course. Insignificant, poorly conceived and unproductive EPDA grants may prevail in undergraduate training as well as in graduate training, but this risk must be taken.

Winthrop has received some support for development of new approaches to undergraduate training of prospective elementary school teachers through a Small Research Grant from the Atlanta Regional Office of USOE. We are encouraged by our program, based on some notions taken from several of the ten sets of specifications developed under the Model Elementary Teacher Education Project. Such "seed" money for undergraduate program development has enabled us to place a larger share of our limited resources into undergraduate efforts. Previous funding for graduate work has imposed the threat, if not the reality, of reducing our undergraduate resources in order to take advantage of funds available for graduate program expansion. Graduate program improvement must

not be accomplished at the expense of the undergraduate program. A more certain future lies in improved programs for recruiting and preparing prospective teachers who can become impact teachers or change agents at the outset of their full-time careers before they learn not to "rock the boat." The proposed amendment, in providing for undergraduate training more resources, better designed programs to meet the challenges facing beginning teachers in the 70's, extended practicum experiences, and closer cooperation among colleges and schools, should have an additional impact that has not developed under EPDA in the past.

Winthrop would welcome the opportunity to develop EPDA proposals for improvement of undergraduate teacher education. I hope the proposed amendment can be incorporated into the Act.

May I add that I am not convinced that past and present EPDA projects have had little impact. Some projects are, of course, inconsequential. The fault lies, I believe, not with the present structure of EPDA, but with the poor quality of the proposals. There is no inherent reason why local educational agencies cannot become more involved in planning, no reason why short-term experiences cannot be reinforced "back home," no reason why research cannot be generated and disseminated, no reason why sound formative and summative program evaluation procedures cannot be built-in to present programs. The major responsibility for the design and execution of impact-producing projects rests with the institutions themselves. You at the U.S. Office can only fund the "best," and if the "best" are not very good, you are stuck with them.

Again, thanks for the opportunity to comment.

Sincerely,

Jack H. Boger

Jack H. Boger
Dean

JB:lj
cc: Dean Ross Webb, Winthrop College
Walter J. Mars, AACTE Associate Secretary

TH STREET CC GE MILWAUKEE, WISCONSIN 53215

February 13, 1970

Received
Office Of Comm.
FEB 16 1970
D.E.P.D.

Dr. Don Davies
Associate Commissioner of Education
Bureau of Educational Personnel Development
U.S. Office of Education
3100 Rob III
7th and D Streets, S.W.
Washington, D. C. 20202

Dear Dr. Davies:

I read with great interest the initial description of the Education Professions Development Act and the proposed 1970 technical amendment to it. I remember attending a Chicago meeting several years ago on this particular act. For that reason I want to commend the intent of the amendment to include undergraduate education, since this was woefully lacking in the original Education Professions Development Act of 1967.

I am heartily in favor of including undergraduate programs for developing educational personnel in the colleges because I represent a four-year college. I see the recommended change as an aid to assisting Negro colleges and other teacher-training institutions which provide programs for the disadvantaged of many origins.

The recommendation that grants support to joint efforts is very desirable. In theory many educators recommend this type of cooperation. There are many more who need to work through the difficulties of such programs. If help is given to joint efforts, this may be an indirect way of encouraging more joint efforts.

I will try to join one of the committee groups on government regulations on February 26 or 27, 1970, during the AACTE convention.

Best wishes to you on your efforts on this and other activities in encouraging better teacher education programs.

Sincerely,

Sister J. Dolores Brunner

Sister J. Dolores Brunner
Academic Dean

SJDB:smm
cc: Walter J. Mars, Associate Secretary, AACTE

UNIVERSITY OF NEVADA

COLLEGE OF EDUCATION
OFFICE OF THE DEAN

RENO, NEVADA 89507

February 16, 1970

Received
Office Of Assoc. Comm.
FEB 20 1970
B.E.P.D.

Dr. Don Davies
Associate Commissioner of Education
Bureau of Educational Personnel Development
U.S. Office of Education
3100 ROB III
7th and D Streets, S.W.
Washington, D.C. 20202

Dear Don:

I received, through AACTE, a copy of the draft of the USOE Paper on a possible 1970 Amendment to EPDA.

I was quite heartened by some of the proposed provisions in the draft that would tend to move EPDA support one step closer to the development of needed change, innovation and expansion of programs in teacher education. I would suggest, however, that consideration be given to the concept of assistance to potentially good ongoing programs which need supplemental funds to achieve their aims. For years we have been working with some potentially good programs that deteriorate into ineffective traditional models because of lack of supplemental funds beyond which most colleges and universities give because of traditional concerns of staff, student resources, and budget ratios. I am sure you are well aware of these problems. In fact, EPDA support might well encourage expansion of beginning programs. It could sponsor developing programs on campus and in the community in teacher education which would require at least 50 percent of the financial effort to come from the institution or consortium of higher education, junior colleges and public schools. Again, we all have been involved in programs that would have made considerable change in teacher education, but became more traditional by the year because of the additional support needed to make them good.

Good luck on your planning for EPDA next year. I am counting on you to help develop the leadership and give this Office of Education program the kind of direction it needs.

Sincerely,

E. J. Cain
Dean, College of Education

EJC/cf
cc: Walter J. Mars

DEPARTMENT OF EDUCATION

February 16, 1970

Received
Office Of Assoc. Comm.
FEB 19 1970
B.E.P.D.

Mr. Robert Poppendieck
Director, Field Services
Bureau of Educational Personnel Development
Department of Health, Education and Welfare
400 Maryland Avenue, S. W.
Washington, D. C. 20202

Dear Mr. Poppendieck:

My attention has been called to the proposed amendment to the Education Professions Development Act which would provide support for undergraduate education of prospective teachers. I have read it carefully and write to indicate my warm support for it. Federal encouragement of programs that would provide more realistic and effective cooperation in the preparation of teachers between the institutions that provide the formal preparation and the schools would do much to bring about more effective and realistic teacher education.

Sincerely yours,

William H. Cartwright
Chairman

WHC/b

DEPARTMENT OF HISTORY

POSTAL CODE 27706
TELEPHONE 919-684-3814

February 14, 1970

Received
Office Of Asset. Coll.
FEB 20 1970
B.E.P.D.

Mr. Donald Davies, Associate Commissioner
for Educational Personnel Development
Department of Health, Education, and Welfare
Office of Education
Washington, D. C. 20202

Dear Sir:

I have read with interest the draft of the proposed amendment to the Education Professions Development Act which has as its purpose to develop and strengthen programs for the education of future teachers, and I should like to endorse its content. If adopted, it would contribute to improving the undergraduate training of educational personnel and would create a healthy coordination between persons in academic disciplines and those involved in teacher education. The details of the proposed program seem sensible to me and I should like to support the proposal with enthusiasm.

Sincerely,

Joel Colton

Joel Colton
Chairman

JC/j

Cc: Mr. Paul Ward
Mr. Robert Poppendieck

FILMED FROM BEST AVAILABLE COPY

The University

DEPARTMENT OF HISTORY

POSTAL CODE 27706
TELEPHONE 919-684-3814

February 14, 1970

RECEIVED
Office Of Assoc. Comm.
FEB 20 1970
B.E.P.D.

Mr. James Allen, Assistant Secretary for
Education, and Commissioner of Education
Department of Health, Education, and Welfare
Office of Education
Washington, D. C. 20202

Dear Sir:

I have read with interest the draft of the proposed amendment to the Education Professions Development Act which has as its purpose to develop and strengthen programs for the education of future teachers, and I should like to endorse its content. If adopted, it would contribute to improving the undergraduate training of educational personnel and would create a healthy coordination between persons in academic disciplines and those involved in teacher education. The details of the proposed program seem sensible to me and I should like to support the proposal with enthusiasm.

Sincerely,

Joel Colton
Chairman

JC/j

Cc: Mr. Paul Ward
Mr. Robert Poppenuieck

The Commonwealth of Massachusetts
University of Massachusetts
Amherst 01003

SCHOOL OF EDUCATION

Received
Office Of Assoc. Comm.
MAR 11 1970
D.E.P.D.

March 4, 1970

Dr. Don Davies, Associate Commissioner of Education
Bureau of Educational Personnel Development
U. S. Office of Education
3100 ROB III
7th and D Streets, S. W.
Washington, D. C. 20202

Dear Don:

I am reacting to a proposal sent to me by Walter J. Mars, AACTE Associate Secretary, regarding a possible technical amendment to the Education Professions Development Act. I agree completely with the position stated by Jerry that our desperate need in teacher education is not at the graduate level, but rather at the undergraduate level. I would support very strongly the enlargement of EPDA funds for undergraduate teacher education, rather than being restricted solely to graduate education. If there is anything that I could do to help facilitate this possibility, please don't hesitate to let me know.

Sincerely yours,

James M. Cooper

James M. Cooper
Director of Teacher Education

JMC/klc

NEWARK STATE COLLEGE
UNION, NEW JERSEY 07083

Received
Office Of Assoc. Comm.
MAR 6 1970
B.E.P.D.

March 4, 1970

Dr. Don Davies, Associate Commissioner of Education
Bureau of Educational Personnel Development
U. S. Office of Education
3100 ROB III
7th and D Streets, S.W.
Washington, D. C. 20202

Dear Dr. Davies:

Newark State College supports the position taken by the United States Office of Education in its draft paper on proposed amendments to the Education Professions Development Act of 1967. We do so, however, with certain reservations.

Newark State College finds nothing objectionable in the proposed changes to the legislation. We believe they are feasible and needed. Our fear is that the legislation, if passed, might open up the EPDA coffers to additional programs with no increase in funds. We believe that the present funding of EPDA programs is less than desirable; dividing existing funds even further would perhaps serve to cripple operating projects.

For some time we have thought of an undergraduate program in conjunction with our present Project NOW program (NOW is a masters in student personnel program specializing in guidance). NOW's directors have thought about a combined undergraduate, graduate curriculum that would speed the process of educating sorely needed guidance personnel for inner-city schools. If the proposed legislation is passed we would pursue this idea with the thought of submitting a proposal that would seek funds for pilot implementation of this concept.

Please note that we greatly favor programs which provide extended practicum experience for prospective teachers, as is done in our Project NOW program.

Newark S e, which is represented in the New Jersey Education Consortium In also emphatically supports the consortium approach to today's educational problems. We therefore heartily support the references made to this activity in the position paper, feeling that a collaborative effort offers the participant much greater and better subject matter and field based experiences.

In our opinion the complexity and intensity of education problems today mandates, for the sake of economy and efficiency, the pooling of institutional resources.

Sincerely,

Foster F. Diebold
Director of College Development

FFD:ad

cc: Mr. Walter J. Mars, Assoc. Director
American Assn. of Colleges for Teacher Ed.

PRESBYTERIAN COLLEGE

LAURINBURG, NORTH CAROLINA 28352

February 18, 1970

Received
Office of Educ. Comm.
FEB 27 1970
B.E.P.D.

Dr. Don Davies, Associate Commissioner of Education
Bureau of Educational Personnel Development
U. S. Office of Education
3100 ROB III
7th and D Streets, S. W.
Washington, D. C. 20202

Dear Dr. Davies:

In accordance with material furnished to me recently through the Government Relations Committee of the American Association of Colleges for Teacher Education, I should like to note our concurrence and strong support of the statement which has been developed by the Office of Education concerning the strengthening of programs for the education of teachers and related education personnel.

The draft copy of a proposed amendment to the Education Professions Development Act of 1967, which would make possible specific support for improving undergraduate teacher education programs is, in my opinion, entirely appropriate. Despite the importance of graduate level professional preparation in teacher education, the realism of our circumstances forces us to conclude that undergraduate programs involving initial certification for teaching are crucial. Both in terms of program changes and in the number of persons served, the opportunity for cooperative ventures which require additional funding is evident. All agencies need the supportive assistance that the E.P.D.A. provisions have thus far ignored.

I trust that it will be possible to obtain the necessary legislative support for the change in this important Act.

Cordially yours,

John P. Daughtrey
Director, Teacher Education Programs

JPD/gd

EMORY UNIVERSITY
ATLANTA, GEORGIA 30322

DEPARTMENT OF SOCIOLOGY
AND ANTHROPOLOGY

FEB 19 1970

February 16, 1970

Mr. Don Davies, Associate Commissioner
Bureau of Educational Personnel Development
Office of Education, HEW
Washington, D. C. 20202

Dear Mr. Davies:

Your proposed amendment to the Education Professions Development Act (EPDA) was forwarded by the Executive Officer of the American Sociological Association to me in my capacity as Chairman of the Undergraduate Committee on Teaching and Curriculum.

I am in full agreement with your objective of bringing together the academic disciplines and those responsible for professional education as a means of improving the education of elementary and secondary school teachers. As you well know, it makes little difference how well trained such a teacher is in the aspects of professional education unless he or she is equally well trained in the content area or areas in which teaching is anticipated.

I was particularly pleased to see proposed section 563.(a) and (b). Regarding item (3) under section 563.(a) I should like to suggest that your office in reviewing grant proposals give priority to those proposals that indicate a clear sharing of responsibility by the academic discipline concerned and the teacher training department for the practice teaching or internship experience of prospective teachers. I would suggest that the academic discipline be responsible for content development and evaluation of the prospective teacher in this regard. The department or school of education would be responsible for evaluating the student on matters pertaining to teaching methods, techniques, philosophies, and other aspects of professional education. Such a joint endeavor in the practicum area would go a long way toward developing the needed cooperative and joint ventures between the discipline and the professional educators. In my opinion, the principal responsibility for improving teacher training rests with the disciplines though I am fully aware of their past lack of action in this realm.

The ASA Committee on Undergraduate Teaching is currently drafting a proposal concerned with content improvement, development of training materials, and new training experiences. I hope that your agency under Sec. 563.(b)(5) will be able to receive such a proposal.

Best wishes to you in your endeavor, I am,

Sincerely,

John T. Doby
Professor

JTD:jp
cc: Dr. E. H. Volkart

TE UNIVE... ITY MUNCIE, INDIANA 47306

TEACHE... ...E

February 18, 1970

Received
Office Of Assoc. Comm.
FEB 25 1970
B.E.P.D.

Dr. Don Davies
Associate Commissioner of Education
Bureau of Educational Personnel Development
U. S. Office of Education
3100 ROB III
7th and D Streets, S. W.
Washington, D. C. 20202

Dear Dr. Davies:

Ball State University is in accord with the AACTE position on the Education Professions Development Act. Continued emphasis upon graduate programs oriented to bringing liberal arts graduates into teaching and on improving content competency of experienced teachers will not affect the quality of people being prepared to enter the profession. As the disparity between supply and demand in the teaching profession narrows, it is less necessary to attract into teaching people who have completed baccalaureate programs with other emphases. Improvement in the nature and quality of the area or areas of specialization at the baccalaureate level should result in less need for support programs to bolster this component at the graduate level. Since it is the professional education component in the program for teacher preparation which distinguishes beginning teachers from other educated persons with baccalaureate degrees, emphasis on materials and techniques of instruction should prove constructive. Programs for educating teachers should not evade or be apologetic about stressing pedagogy, since it is the distinguishing essence of the profession.

It is our conviction that reputable institutions for preparing teachers have many unrealized and unfulfilled dreams about improvement of their own programs. Many factors at the local level, which need not be elaborated here, mitigate against aspirations to "be as good as we know how to be" in teacher education. A program of federal support which motivates and assists institutions to improve themselves--to initiate a series of changes which are aimed at improving the quality and capabilities of graduates from curricula in teacher education--appears to hold great potential for good. Teachers will undoubtedly continue to be prepared in a wide variety of institutions and on differing programs. It seems that it would be highly desirable to encourage many of these institutions to upgrade their programs, rather than to concentrate on a more limited number of situations. Demonstration programs or centers are necessary, but what they are demonstrating must be incorporated at the grass roots level if a real impact on teacher education is to result.

Page
Februa. 70

The reco ations of the AACTE Committee on Government Relations relative to the E on Professions Development Act are supported enthusiastically by Ball St niversity.

The proposed dment to the EPDA advanced by the USOE also merits the support of th institution. Its emphases upon encouraging development of practical cooperative baccalaureate level programs for teacher preparation appear constructive and reflective of current needs. Its inclusion of support for preparation of personnel to serve in positions below that of teacher is particularly pertinent. Two suggestions are offered for consideration: (1) that more obvious support be given to stressing the professional component in the program of teacher preparation, to balance what seems to have been an earlier tendency to downgrade this aspect in favor of stress on the academic teaching specialty, and (2) increased recognition of the sociological orientation needed by teachers in today's society.

Ball State University regards viewpoints expressed in positions taken by the AACTE and the USOE in regard to the Education Professions Development Act as wise, desirable, and deserving of support.

Sincerely,

John Dunworth

John Dunworth, Dean
Teachers College

JD:ssw

cc: Dr. Walter J. Mars
President John Pruis
Vice President Burkhardt
Dr. Mauth

OKLAHOMA STATE UNIVERSITY • STILLWATER
The Graduate College
372-6211, Ext. 6132
74074

February 24, 1970

Received
Office Of Assoc. Comm.
FEB 27 1970

Dr. Don Davies, Associate Commissioner
of Education
Bureau of Educational Personnel Development
U. S. Office of Education
3100 ROB III
7th and D Streets, S. W.
Washington, D. C. 20202

Dear Dr. Davies: VIA AIRMAIL

In reviewing the draft for possible amendments to the EPDA Title V Programs, we have found a number of points with which we are in strong agreement. The areas which deal with joint efforts of institutions of higher education and local school agencies in the development of programs which articulate theory and application are particularly appropriate.

It is our impression that the direction being taken in the revision of EPDA Programs in teacher education is highly desirable. We are particularly pleased in observing the broad base of expertise which is being used in this endeavor.

Sincerely yours,

Norman N. Durham
Dean

NND:bt
cc: Dr. James E. Allen, Jr.
Assistant Secretary of Education
Department of Health, Education and Welfare

American Association of Colleges for Teacher
Education

Morningside College
SIOUX CITY, IOWA 51106

DEPARTMENT OF EDUCATION
TELEPHONE (712) 277-5108

February 13, 1970

Dr. Don Davies, Associate Commissioner of Education
Bureau of Educational Personnel Development
U.S. Office of Education
3100 ROB III
7th and D Streets, S.W.
Washington, D.C. 20202

Received
Office of Legislative Comm.
FEB 18 1970
B.E.P.D.

Dear Dr. Davies:

Re: Education Professions Development Act

The letter dated February 4, 1970, from the office of Walter J. Mars, AACTE Associate Secretary, is before me. This relates to the EPDA. The importance of this act and the good it has done is inmeasurable. It is a most effective instrument. May I just show by two cases what it has meant.

Case No. 1 - Mr. Jerry Lawson

Mr. Jerry Lawson is approximately 33 years of age. He is now a college graduate. His major interest is in the field of Art, and in this area he has a splendid amount of talent. Mr. Lawson recently became interested in young people. However, because of family responsibilities it was utterly impossible for him to return to college and qualify himself for the field of teaching. Through the EPDA and the limited amount of compensation it provides, he has been able to make his way and will conclude his program of teacher education in the summer of 1970. He will thereby be available for teaching and will be an excellent teacher.

Case No. 2 - Mr. William LaBahn

Mr. LaBahn is a man of approximately 24 years of age. He has family responsibilities. His employability status has not been too compensating, nevertheless he is bright, energetic, industrious, very responsible, and dedicated. Through EPDA the possibility of his becoming a teacher has been made available. He has been carried through all the steps required for

certification--is now teaching on a temporary certificate in one of our Sioux City junior high schools and will complete the balance of his program qualifying him for certification by the end of the summer of 1970.

The Federal government through this act is providing an avenue of training for individuals who would otherwise be unable to make the grade because of limited finances. Likewise, it is providing to the schools of America highly-qualified teachers who would never be available without this opportunity.

We recommend this program wholeheartedly.

Sincerely yours,

Russell M. Eidsmoe

RUSSELL M. EIDSMOE, Head
Department of Education

RME:mma

Hello Don

COLLEGE OF NOTRE DAME
BELMONT, CALIFORNIA
•
TELEPHONE 593-7676

OFFICE OF THE DEAN

March 2, 1970

Received
Soc. Comm.
6 1970

Dr. Don Davies
Associate Commissioner of Education
Bureau of Educational Personnel Development
U.S. Office of Education
3100 ROB III
7th and D Streets, S.W.
Washington, D.C. 20202

Dear Dr. Davies:

I have read your draft of the USOE discussion paper and think it is good. However, I think that page four, section II, of the October 20, 1969, rationale raises many debatable issues and I doubt that it strengthens your case.

Thank you for your continuing dedication to education.

Sincerely yours,

Sister Rosemarie Julie

Sister Rosemarie Julie Gavin
Academic Dean

SRG:gs

cc: Walter J. Mars, AACTE Associate Secretary

3401 TH STREET COLLEGE MILWAUKEE, WISCONSIN 53215

February 12, 1970

Received
Comm.
26 1970
B.E.P.D.

Dr. Robert Poppendick
Director of Field Services
Office of Education
Washington, D. C. 20202

Dear Dr. Poppendick:

Thank you for the invitation to attend the meeting in Chicago on last Thursday to discuss the amendment to the Education Professions Development Act, Title V, HEA.

I was glad to hear the overview of the programs presently funded under the Education Professions Development Act. I am even more interested in the amendment since it aims to get at the teaching problem at one of its most critical points, namely, pre-service education. I see a great need for strengthening undergraduate programs so that we can better prepare teachers for the very critical and significant role they are going to be called upon to face in the next decade. This need is crucial when it comes to the preparation of teachers for culturally different children. In this area we would like to give prospective teachers many more life experiences which may demand more time spent in college and which in turn means more money. However, most of our students are presently hard pressed to meet the tuition for a regular program. Hopefully, with an amendment such as you presented to us last Thursday, something might be planned to supplement an on-going teacher-preparation program which would be impossible without such assistance.

I strongly urge you to place this amendment before those bodies which must approve of it, and I commend you for your efforts in improving teacher education throughout the country.

I am most interested in being kept informed of the progress of this amendment.

Sincerely,

Sister Bernadette

Sister Bernadette Kalscheur
Chairman, Education Department

SBK:hm

Street College of Education
216 W. URTEENTH STREET NEW YORK, N.Y. 10011
TELEPHONE CHelsea 3-[illegible]03

February 13, 1970

Received
Office Of Assoc. Comm.
FEB 18 1970
P.E.P.D.

Dr. Don Davies, Associate Commissioner
of Education
Bureau of Educational Personnel Development
U.S. Office of Education
3100 ROB III
7th and D Streets, S.W.
Washington, D. C. 20202

Dear Don:

I am writing to support the recommendation of the AACTE Committee on Government Relations concerning the Professional Development Act. I believe, however, the issue of improving the professional education of teachers is a more complex one than is presented here and really needs more specific and meaningful analysis. A number of us are working hard on this in our own institutionally related programs of training.

Most sincerely,

Gordon J. Klopf

Gordon J. Klopf
Dean of Faculties

GJK:sj
cc: John Niemeyer
Margaret Yonemura
Walter J. Mars

OLIVET NAZARENE COLLEGE

Education with a Christian Purpose

KANKAKEE, ILLINOIS

Received
MAR 16 1970
B.E.P.D.

March 11, 1970

Dr. Don Davies, Associate Commissioner of Education
Bureau of Educational Personnel Development
United States Office of Education
3100 ROB III
7th and D Streets, S. W.
Washington, D. C. 20202

Dear Dr. Davies:

I have a memorandum from the American Association of Colleges for Teacher Education relating to Government Relations.

A reply was requested late February but the letter did not reach my desk until it was too late to meet that dead line. I am very sorry about this but I thought I would add my support in a more direct way.

I am quite aware that there is a limit to what the government can do but there is a need to be met in the field of education. I see no way that private funds and student tuition will be adequate to meet these needs. My personal feeling is that we must upgrade, considerably, the programs for teacher education.

Here at Olivet the Education Department wants to do some research in methods but the problem of funding beyond the present budget seems impossible. The same is true in some other areas.

Therefore, in the light of what I have said, I support the proposal of the AACTE.

With kind personal regards,

Linford Marquart formerly at National College Evanston.

Linford A. Marquart, Coordinator
Federal and State Grants

LAM:ph

COLLEGE O. AINT ROSE
ALBANY, NEW YORK 12203

Office Of Assoc. Comm.
FEB 19 1970
B.E.P.D.

Office of Academic Dean

February 16, 1970

Dr. Don Davies, Associate Commissioner
of Education
Bureau of Educational Personnel Development
U. S. Office of Education
3100 ROB III
7th and D Streets, S. W.
Washington, D. C. 20202

Dear Dr. Davies:

A recent notice sent out by the Government Relations Committee of the American Association of Colleges for Teacher Education indicates that a constructive response has already been made to its October position paper by the Bureau of Educational Personnel Development. Since you have expressed a real interest in seeking reaction to the possible amendment to EDPA, I should like to go on record as strongly supporting the proposal to further the aims of the Education Professions Development Act of 1967 by:

1. Providing resources for the improvement of undergraduate programs for preparing educational personnel through the development of high-quality subject matter content and more effective training materials;

2. Providing resources for the design of undergraduate programs for preparing educational personnel to meet the current needs of the nation's elementary and secondary schools;

3. Encouraging colleges to develop and to provide extended practicum experience for prospective teachers.

In the light of the teacher education programs currently offered by our College, and in view of our plans for the expansion of these services, we are particularly interested in grants to support:

Dr. Do...
Page 2

1. Joint efforts by four-year higher education institutions and junior or community colleges to develop high-quality programs for preparing educational personnel who may choose to serve in positions below the teacher or equivalent level;

2. Joint efforts by such institutions to develop programs leading to the teaching level in which responsibility is shared between junior or community colleges and four-year institutions;

3. Joint efforts by the academic and teacher education departments of a college to develop new or improved programs of study for persons planning to pursue careers in elementary and secondary education;

4. Joint efforts within consortia in establishing programs of study that draw on the resources of all participating institutions;

5. Joint efforts by institutions of higher education, professional associations, and/or private agencies to develop new programs of study, new training materials, and additional training experiences for prospective teachers;

6. Joint efforts between institutions of higher education and local education agencies to develop training experience in local schools as a part of new or strengthened teacher training programs.

Thank you for the interest you have shown in developing and improving programs for the education of American teachers.

Sincerely yours,

Sister Catherine T. McNamee

Sister Catherine T. McNamee, CSJ
Academic Dean

SCTM/smt

cc: Dr. Walter J. Mars

February 13, 1970

Received
Office Of Assoc. Comm.
FEB 16 1970
B.E.P.D.

Dr. James E. Allen, Jr.
Assistant Secretary of Education
Department of Health, Education and Welfare
400 Maryland Avenue, S. W.
Washington, D. C. 20202

Dear Dr. Allen:

Our Department of Education heartily endorses the idea of strengthening undergraduate teacher education through provisions of the Education Professions Development Act.

Specifically, we endorse the Pucciello 1970 Technical Amendment to the Education Professions Development Act, Title V D.E.

Very Truly Yours,

James W. Kilchen

James W. Kilchen, Head
Department of Education and
Director of Teacher Education
Mississippi State College for Women
Columbus, Miss.

JWK:eam

cc: Dr. Walter J. Mars, AACTE Associate Secretary
Dr. Don Davies, Associate Commissioner of Education
Bureau of Educational Personnel Development
U. S. Office of Education

Virginia Institute of Technology

Leonard Nelson, President Montgomery, West Virginia 25136

February 11, 1970

Dr. Don Davies, Associate Commissioner
of Education
Bureau of Educational Personnel Development
U.S. Office of Education
3100 ROB III
7th and D Streets, S.W.
Washington, D.C. 20202

Dear Dr. Davies:

I am writing this letter in support of the American Association of Colleges for Teacher Education's recommendation that the Education Professions Development Act be revised to permit funding of programs that would contribute to the improvement of undergraduate teacher education programs. I have reviewed AACTE's position on this matter and I concur with the recommendation the association has advanced.

I urge you to support the legislation that is necessary to facilitate the AACTE's recommendation.

Sincerely,

Leonard C. Nelson

LCN:bjs

Received
Office Of Assoc. Comm.
FEB 13 1970
B.E.P.D.

STANFORD UNIV. .Y
STANFORD, CALIFORNIA

CHOOL OF EDUCATION

February 17, 1970

Received
Office Of Assoc. Comm.
FEB 25 1970
B.E.P.D.

Mr. Don Davies
Associate Commissioner
Department of Health, Education
and Welfare
Bureau of Educational Personnel Development
Washington, D. C. 20202

Dear Mr. Davies:

Thank you very much for your letter of February 9 and the enclosed preliminary Discussion Draft of the Amendment to the Education Professions Development Act. All I can say is that I sincerely hope that this amendment will be adopted. I consider ~~it~~ especially the clause referring to "joint effort by the academic and teacher education department" to be of prime importance.

I think that the trend of separating teacher training from academic training and reserving the former to fifth year graduate program has had rather unfortunate results--especially in some of our top insitutions of higher learning. There seems to be a very large potential pool of highly intelligent young undergraduates feverishly looking for relevance within their undergraduate studies -- a relevance which the academic departments functioning by themselves are often unable to provide. Post B.A. training in Schools of Education and/or Peace Corps involvement does not seem to be the answer -- perhaps because many young people are affected by the disappointment and dropout syndrome before they ever reach the post-graduate stage. At any rate, I do think that very much could be gained by an early involvement of undergraduates with the clearly defined practical problems and realities of Education. I do hope that the proposed amendment will pass and that it can be used to serve this purpose.

Sincerely yours,

Robert L. Politzer
Professor of Education
and Romance Linguistics

WINONA, MINNESOTA 55987

OFFICE OF THE PRESIDENT

February 11, 1970

Received
Office of Assoc. Comm.
FEB 16 1970
B.E.P.D.

Dr. Don Davies
Associate Commissioner of Education
Bureau of Educational Personnel Development
U. S. Office of Education
3100 ROB III
7th and D Streets, S.W.
Washington, D. C. 20202

Dear Dr. Davies:

I am writing in support of a possible amendment to the Education Professions Development Act which comes before Congress for review this spring. I highly support the recommendations, particularly for undergraduate teacher preparation, which were made by the American Association of Colleges for Teacher Education in October of 1969.

We have been engaged in teacher education here at the College of Saint Teresa for over sixty years. We now have an excellent program, which we are endeavoring each year to improve. We do need some support for this improvement, as you well know. Please give very serious consideration and, hopefully, a positive response to the possible technical amendment to the Education Professions Development Act, Title V, HEA.

Gratefully and sincerely,

Sister Joyce Rowland

Sister M. Joyce Rowland, O.S.F.

EAST ORANGE
NEW JERSEY

DEPARTMENT OF EDUCATION

February 17, 1970

Received
Office Of Assoc. Comm.
FEB 20 1970
B.E.P.D.

Dr. Don Davies
Associate Commissioner of Education
Bureau of Educational Personnel Development
3100 ROB III
7th and D Streets, S.W.
Washington, D.C. 20202

Dear Dr. Davies:

Many small teacher education colleges in the urban areas of our country have responded to the changing community in so far as they have been able but the response involves programs in school-community-college interrelation which require greater resources in personnel and time than local college budgets based largely on tuition can support. Hence, the position paper (draft) of the United States Office of Education "A Possible 1970 Technical Amendment to the Education Professions Development Act, Title V HEA" merits consideration and support. We who work in small colleges are less likely than larger institutions of higher education to receive the consideration of the representatives and congressmen. Therefore, the EPDA will continue to exclude our needs unless action is taken to help us.

Upsala College and the Board of Education of the city of East Orange have already undertaken steps in the redesign of teacher education. The two agencies have already established a working committee toward this end. It is the goal of the committee to develop a relevant teacher education program along lines of a medical internship which will become virtually self-supporting. There is need for seed money to support initial efforts to the point where both agencies can assume their financial responsibilities based on demonstrated performance.

Your support of this proposal will help us if action is forthcoming through suitable amendment to the Education Professions Development Act, Title V HEA.

Yours sincerely,

K. Rystrom

Kenneth Rystrom
Chairman, Department of Education

KR:cb

KEARNEY, NEBRASKA

School of Education

February 9, 1970

Received
Office Of Assoc. Comm.
FEB 13 1970
B.E.P.D.

Dr. Don Davies, Associate
Commissioner of Education
Bureau of Educational
Personnel Development
U.S. Office of Education
3100 ROB III
7th and D Streets, S.W.
Washington, D.C. 20202

Dear Dr. Davies:

I have just finished reading the draft of the possible 1970 Technical Amendments to the Education Professions Development Act, Title V, that were circulated by the AACTE staff.

I firmly believe that the proposed amendments would serve, in a most substantial way, to prompt the improvement of undergraduate Teacher Education Programs. It has been my feeling that the program as it exists tends to "hit around" the real problem of Teacher Education and does not come to grips with directly improving the quality of undergraduate programs. I believe the technical amendment, as described in the draft, would go a long way to a solution to this concern.

We are certainly hopeful that such an amendment can be passed and stand ready to do anything that we can to assist in that endeavor.

Sincerely,

Leonard C. Skov
Dean

LCS/cw

MONTGOMERY, ALABAMA 36101

February 20, 1970

Received
Office Of Assoc. Comm.
FEB 25 1970
B.E.P.D.

Dr. Don Davies, Associate Commissioner of
Education
Bureau of Educational Personnel Development
U. S. Office of Education
3100 ROB III
7th and D Streets, S. W.
Washington, D. C. 20202

Dear Sir:

There is, without a doubt, a need for improvement in undergraduate teacher education. We concur with the point of view expressed in the letter from the AACTE Committee on Government Relations to the AACTE Executive Committee dated 20 October 1969 and further support the principles and content set forth in the USEO discussion paper pertaining to this matter.

In the section dealing with the allocation of grants, however, it is felt that some guidelines for ensuring the inclusion of some small institutions, and some predominately black institutions should be incorporated into any final document.

Very truly yours,

W. P. Smith, Chairman
Division of Teacher Education
and Psychology

agj

AMERICAN COUNCIL OF LEARNED SOCIETIES
345 EAST 46TH STREET (AT UNITED NATIONS PLAZA), NEW YORK, N. Y. 10017
CABLE ADDRESS: ACOLSOCNEWYORK TELEPHONE: (212) 986-7393

March 13, 1970

Office of the Commissioner
MAR 17 1970
B.E.P.D.

Mr. Don Davies
Associate Commissioner
Bureau of Educational Personnel
Development
U. S. Office of Education
Washington, D.C. 20202

Dear Don:

I was very glad that you invited me to attend the meeting to discuss the proposed amendment to the Education Professions Development Act, TITLE V, and I am now happy to respond to your request that participants write you their suggestions.

I feel strongly, as many participants in the meeting did, that Section 562 should be revised so that grants and contracts can be awarded to professional scholarly organizations. It will be extremely cumbersome for learned societies to be sub-contractors to individual universities or consortia of universities. The natural administrative channel for a national effort should be from the national organization to appropriate institutions of higher education rather than the reverse.

If, as I gather, the problem is to avoid giving greater influence and power to lobbying organizations, the words "tax exempt" should precede the term "professional educational associations," thus eliminating from the list of possible grantees and contractors professional lobbies. If the associations which represent the scholarly disciplines are to play the major role we all agree they should, they must be placed on a par with institutions of higher education and state and local educational agencies in the administration of programs.

With warm regards,

Cordially yours,

Gordon B. Turner
Acting President

GBT:lw

Sen. Ralph Yarborough
Rep. Carl Perkins

NATIONAL EDUCATION ASSOCIATION • 1201 16th St., N.W., Washington, D.C. 20036 • (202) 833-4000
HELEN P. EAIN, President
SAM M. LAMBERT, Executive Secretary

August 31, 1970

Honorable Claiborne Pell
United States Senate
Washington, D. C. 20510

Dear Senator Pell:

The National Commission on Teacher Education and Professional Standards supports the proposed amendments to the Education Professions Development Act in the Administration's Amendments to the Higher Education Act, H.R. 11621 and S. 3636.

The Commission has considered the proposed legislation and urges that the proposed amendments be legislated promptly so that authority to improve undergraduate programs can be established. The Commission supports the Resolution of the National Advisory Council on Education Professions Development as expressed June 12, 1970 and forwarded to you July 7, 1970 by the Council Chairman, Mary W. Ricke.

We urge speedy action even if it becomes necessary to treat the Education Professions Development Act amendments apart from the rest of the Higher Education Act proposals.

We also express our support of the Senate Amendment (S. 3707) proposed by Senator Javits to make funds under the state grant portion of the Education Professions Development Act (Title V-B2) available to retrain present teachers to meet critical shortages.

We appreciate your interests in education and your part in many recent positive developments. We hope that our position adds support for your action on these proposals.

Sincerely,

(Mrs.) Lois Williams
Chairman
National Commission on Teacher Education
and Professional Standards

LW:bd

AMERIC... ...CIATION OF JUNIOR COLLEGES
... CIRCLE, N.W., SUITE 410, WASHINGTON, D. C. 20036
(202) 293-7050
EDMUND J. GLEAZER, JR.
Executive Director
WILLIAM G. SHANNON
Associate Executive Director

August 13, 1970

Honorable Claiborne Pell
Chairman, Subcommittee on Education
U.S. Senate
4230 New Senate Office Building
Washington, D. C. 20510

Dear Senator Pell:

The American Association of Junior Colleges has considered the proposed amendments to the Education Professions Development Act as contained in the Administration Amendments of 1965. It has also considered the resolution adopted by the National Advisory Council on Education Professions Development at its June 12, 1970 meeting endorsing these amendments and commenting on their importance.

The American Association of Junior Colleges strongly supports the resolution of the Council and fully endorses the proposed amendments.

Sincerely,

Edmund J. Gleazer, Jr.
Executive Director

EJG/sd

Executive Director WILLIS E. DUGAN

AMERICAN PERSONNEL AND GUIDANCE ASSOCIATION
1607 NEW HAMPSHIRE AVENUE, N.W. • WASHINGTON, D.C. 20009 • AC 202 483-4633

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August 5, 1970

The Honorable Claiborne Pell
Chairman, Subcommittee on Education
United States Senate
4230 New Senate Office Building
Washington, D. C. 20510

Dear Senator Pell:

The American Personnel and Guidance Association and its 30,000 national members applaud the recent endorsement by the National Advisory Council on Education Professions Development of the Administration Amendments to the Higher Education Act as found in H.R. 16621 and S. 3636.

Our Association is particularly pleased with that amendment to Part D, Sections 531 (b) and (c) which authorizes grants to develop, expand, and improve undergraduate and other programs for training educational personnel. This amendment seems to open up avenues which will give full meaning to a concept of differentiated staffing in education and thus make the education "career ladder" a reality. We in the guidance, counseling, and testing fields enthusiastically support this amendment.

May I also add that Senator Jacob Javits' recent bill, S. 3707 which provides opportunities for professionals in one area of educational expertise, which may have surplus numbers of personnel, to be re-trained for another area of educational expertise experiencing personnel shortages, seems to hold great promise for quality education across the education profession. This bill can be quite helpful in meeting all personnel requirements.

If our Association can be of any assistance in your efforts please do not hesitate to call upon us.

Sincerely,

Willis E. Dugan
Executive Director

WED:rrv
cc: Senate Subcommittee on Education
Joseph Young, Executive Director
National Advisory Council on Education Professions Development
Senator Ralph Yarborough, Chairman, Committee on Labor and Public Welfare

Washington, D.C. 20036
Phone (202) 833-4412/3

Richard E. Collier, Executive Secretary

DR. RUSSELL ... COMMISSIONER
BUREAU OF EDU... PERSONNEL DEVELOPMENT
U.S. OFFICE O... ...ON

September 14, 1970

The Honorable Ralph Yarborough
Chairman, Full Committee on Labor and
Public Welfare
United States Senate
New Senate Office Building
Washington, D.C. 20510

Dear Senator Yarborough:

The Executive Committee of The Association of Teacher Educators, at its meeting in Oregon in August, reviewed the proposed amendments to the Education Professions Development Act as contained in the Administration's Amendments to the Higher Education Act introduced in the House (as HR.16621) and Senate (as S.3636). The Executive Committee endorsed strongly these amendments.

The Association of Teacher Educators is concerned particularly that funds be available for the direct reform of regular undergraduate educational personnel development programs. Having appropriately prepared people initially determines the advancement that might be made later by school personnel at the graduate level. The Executive Committee of The Association of Teacher Educators supports the resolutions of the National Advisory Council on Education Professions Development as expressed on June 12, 1970, and forwarded to you on July 7, 1970, by the Council Chairman, Mary W. Rieke.

It is urgent that the amendments referred to be considered now. The Association of Teacher Educators represents a membership of more than 5,000 members, representing almost all of the major institutions engaged in teacher preparation as well as the public schools working cooperatively with these institutions. We feel the urgency of aid to affect the development of programs at the undergraduate level. We feel that you would want to know our position on the proposed amendments. We hope that our position is in agreement with your study of the needs of education.

We do express appreciation for your interest in education and your part in many recent positive developments in education in the nation.

Sincerely,

Mary Ellen Perkins

Mary Ellen Perkins, President
The Association of Teacher Educators

MEP:lgr

President
Mary Ellen Perkins

First Vice President
Bernadene Schunk

Second Vice President
Bill J. Fullerton

Immediate Past President
Curtis E. Nash
Central Michigan University

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2233

Congress of Parents and Teachers
700 North Rush Street
Chicago, Illinois 60611

110 Bridge Street
Manchester, Mass. 01944
July 23, 1970

The Honorable Edith Green, Chairman
Special Subcommittee on Education
U. S. House of Representatives
2451 Rayburn House Office Building
Washington, D. C. 20515

Dear Mrs. Green:

One of the strong interests of National PTA is the strengthening of teacher education, as I am sure is well known to you. The Education Professions Development Act has been the means of several very promising programs, and we have been very happy with this legislation.

We are concerned with the possibility that the present session might come to an end without the extension of this legislation or the enactment of the proposed amendments. The proposals to extend EPDA authority to improving undergraduate programs, where most teachers are prepared, also to authorize larger local and state roles, and to include Indian schools, seem to us to offer significant improvement.

Since questions in respect to other parts of the Higher Education Amendments may not be resolved in the near future, we would ask whether your committee might be willing to report these amendments for enactment separately. We should greatly appreciate your consideration of this action, and would be pleased to be advised of any help we might give.

Sincerely yours,

CR

Mrs. Edward F. Ryan
NCPT Chairman for Legislation

2252

August 31, 1970

The Honorable Carl D. Perkins, M.C.
2252 Rayburn House
Office Building
Washington, D. C. 20515

Dear Representative Perkins:

Although the attention of many of us has been diverted in recent weeks to other education legislation such as the FY 1971 USOE appropriations measure, we would like to point out that the proposed amendments to the Education Professions Development Act as contained in the administration amendment to the Higher Education Act (H.R. 16621 and S. 3636) are important steps in attempting to improve the quality of teaching.

If the Office of Education is to be able to incorporate these changes into its budget for FY 1972, it is urgent that the appropriate legislative action be taken in the current session either within or outside the present Higher Education Amendments proposal.

Sincerely,

Forrest E. Conner
Executive Secretary
AASA

Individual letters with similar text also sent to:
Rep. Edith Green
Senator Ralph Yarborough
Senator Claiborne Pell

American Association
for the Advancement of Science

1515 MASSACHUSETTS AVENUE, NW, WASHINGTON, D. C., 20005
Phone: 387-7171 (Area Code 202) Cable Address: Advancesci, Washington, D. C.

August 14, 1970

Received
Office Of Assoc. Comm.
AUG 17 1970
B.E.P.D.

Dr. Robert Poppendieck
Director, Field Services
Office of Education
Washington, D.C. 20202

Dear Dr. Poppendieck:

It has been a pleasure for me to look over the Resolution of the National Advisory Council on Education Professions Development, with respect to Administration Amendments to the Higher Education Act (H.R. 16621 and S. 3636), and I should like to express my personal endorsement.

The matter has not been taken up by the Commission on Science Education as a formal matter, since the Commission will not meet again until October. I can react personally, however, partly out of our experience during the past two years in the development of guidelines for the training of elementary school teachers and high school science teachers, and partly out of the long experience of the AAAS Education staff in other matters relating to elementary and secondary school education.

I believe firmly in the general principle that the Congress should provide general authority and funds for the development of national programs for the improvement and advancement of education, on the basis of its awareness of the need for changes, but that congressional restrictions and limitations should be held to a minimum. The most effective work can be done if administering agencies and the educational community, in general, can have the maximum amount of freedom in the encouragement of innovations and in adapting quickly to the rapidly changing needs in education.

I should be very happy to have my reaction to the Resolution given to the appropriate members of the Senate and House of Representatives Education Committees.

Sincerely yours,

John R. Mayor

John R. Mayor
Director of Education

JRM:lj

National Advisory Council on
Education Professions Development

July 13, 1970

JUL 14 11 04 AM '70
OFFICE OF
U.S. COMMISSIONER
OF EDUCATION

Dr. Terrel H. Bell
Acting Commissioner of Education
U. S. Office of Education
Room 4181-D, FOB 6
400 Maryland Avenue, S.W.
Washington, D. C. 20202

Dear Commissioner Bell:

This Council, at a recent meeting, endorsed the amendments to the Education Professions Development Act as contained in the amendments to the Higher Education Act of 1965. I am enclosing a copy of a letter sent to both Senator Pell and Congresswoman Green with respect to this matter.

Sincerely,

Joseph Young
Executive Director

JY:alk

Enclosure

308 Vanguard Building / 1111 - 20th Street, N.W. / Washington, D.C. 20036 / (202) 382-8

July 7, 1970

Honorable Claiborne Pell
Chairman, Subcommittee on Education
U. S. Senate
4230 New Senate Office Building
Washington, D. C. 20510

Dear Senator Pell:

The National Advisory Council on Education Professions Development has considered the proposed amendments to the Education Professions Development Act as contained in the Administration Amendments to the Higher Education Act of 1965.

After a careful review, the Council voted to endorse these amendments. On behalf of the Council I am transmitting to you a copy of the resolution which endorses these amendments and comments on their importance.

The Council's resolution notes the need for action on the amendments to Title V of the Higher Education Act during this session of the Congress to enable the Office of Education to incorporate these changes in its plans and budget for Fiscal Year 1972. Accordingly, it is our hope that, should it appear unlikely that the Higher Education Amendments be voted on in toto this year, an appropriate course of action will be taken to ensure that amendments relating to the Education Professions Development Act are passed this session.

Sincerely,

Mary W. Rieke, Chairman

60-433 O - 71 - pt. 5 - 5

NATIONAL A[illegible] COUNCIL ON EDUCATION PROFESSIONS DEVELOPMENT

RESOLUTION

The Council, at its June 12, 1970 meeting, unanimously passed the following resolution endorsing the amendments to the Education Professions Development Act as contained in the Administration Amendments to the Higher Education Act introduced in the House (as H.R. 16621) and Senate (as S. 3636).

The National Advisory Council on Education Professions Development strongly endorses and urges early enactment of the Administration Amendments to the Education Professions Development Act (Title V, HEA of 1965).

Although the six amendments are of a technical nature, the Council would like to emphasize the significance of two of the amendments:

I. An amendment to Part D, Sections 531 (b) and (c) authorizes grants to develop, expand, and improve undergraduate and other programs for training education personnel. At present, grants for the direct reform of regular undergraduate educational personnel development programs are not allowed. Since 90 percent of all teachers and other personnel are prepared

in re[illegible] undergraduate programs, the Council believes that the direction of resources to the development of strong programs for training undergraduates will better enable the Bureau of Educational Personnel Development to "improve the quality of teaching," one of the two primary purposes of the Education Professions Development Act.

II. The Council notes with approval that the proposed amendments to EPDA extend the authority of Part D, but allow the language of Part C to lapse. The restrictive language in Part C does not allow the funding of local school districts, give a role to States, provide a direction of resources to the need of increasing the educational achievement of the disadvantaged children, or allow the payment of actual training costs. The removal of these restrictions and utilization of the broader language in Part D will allow the Bureau to more efficiently allocate its resources to meet national priorities.

The Council urges prompt action to extend and increase the authorization for Part D. At anticipated 1971 funding levels, the Bureau is utilizing virtually all of the $90 million authorization for Part D. In order to allow for increased expenditures in FY 1972, it is imperative that action be taken this year to extend the Act and to provide a substantial increase in the authorization level of Part D.

The Council strongly supports four additional perfecting amendments to Title V.

- Amendment to Part B.2 to increase the amount of State grant funds alloted for administrative costs, from three percent to five percent or $20,000 whichever is higher.
- Amendment to Part B.2 to eliminate the ceiling (one-third of total) on amounts expended by the States for the attraction and training of teacher aides.
- Amendment to Part D, Section 531(a) to make Indian schools eligible recipients of EPDA funds.

- dments to Parts B.2 and D to allow the payment of aries to student tutors participating in youth tutoring youth programs.

The Council would like to draw attention to the importance of these amendments and to the necessity for securing action on them this year. Only in the case of prompt action will there be adequate time for the development of effective programs and for planning and budgeting efforts in advance of Fiscal Year 1972.

Dr. MARLAND. It was my pleasure to meet with this advisory council this past week. And it is an extremely impressive body of citizens.

Let me finish, Mr. Chairman, by returning to the national institute of education, again emphasizing that the basic characteristics of the proposed national institute—its distinct identity, its stature, its flexibility—create the potential for bold national leadership toward superior educational research and development. We are shaking off the customs of traditional Government agencies as we construct this new instrument for the improvement of learning.

Great care is needed if we are to create a new agency that can begin to fulfill its potential for leadership and excellence. For this reason, we have proposed that the NIE begin operation in fiscal year 1973. The coming fiscal year should be devoted to thorough planning.

We join with the sponsors of S. 434 and S. 659 in looking to the day when a new national agency provides a focus in educational research efforts and urge early enactment of S. 434 as legislation which promises to establish a vigorous and flexible national institute of education.

Senator PELL. Thank you very much, Mr. Secretary and Mr. Commissioner. And I would like to thank you particularly for such detailed, specific testimony. Many of your points are very well taken, will be helpful to us in executive session, and I would think could be included in the final synthesis legislation which we trust will emerge from this subcommittee.

Others of your thoughts relate to the traditional institutional differences between the executive and legislative branches of Government; for instance, your suggestion that such amounts may be authorized as are necessary goes against the grain of this committee and most committees of the Congress. We like to be a little more specific as to the amounts authorized. However this is perfectly natural from your viewpoint since you wish maximum discretion in doing what we both seek to achieve as a goal.

One point, however, I would like to touch on here is that you appear to want the equivalent of what we are proposing in the form of an education division of HEW. However, you really want to do it administratively, and we want to set it up by law.

From past experience, this committee tends to believe that in order to insure the carrying out of its wishes it is a good precaution to put a legislative framework around our ideas. I am directing counsel to prepare a memorandum for the record which will analyze the differences on the testimony, and can assure you that each point will be substantially considered by the subcommittee in its executive sessions into which we hope to go early next month.

I would also hope that the administration would submit any additional materials backing up the position.

In your behalf, I wrote Senator McGee who is chairman of the Committee on Post Office and Civil Service and asked him the position of his committee on blanket exemptions of agencies from civil service laws as you propose. Mr. McGee indicated his opposition to the exemptions you asked for. Therefore, at this time, we cannot accept your proposal as is.

I would without objection put Senator McGee's letter in the record.

(The letter of Senator McGee follows.)

UNITED STATES SENATE,
COMMITTEE ON POST OFFICE AND CIVIL SERVICE,
Washington, D.C., May 6, 1971.

Hon. CLAIBORNE PELL,
U.S. Senate, Washington, D.C.

DEAR CLAI: Thank you for your letter of April 30 concerning S. 434 and S. 1062.

Legislation to exempt permanent agencies in the Executive Branch is generally not favored by the Committee on Post Office and Civil Service. Although we recognize that civil service laws, rules and regulations, practices and procedures present a complication in administration, experience has shown that the advantages of the civil service system outweigh the disadvantages. Intelligence and security agencies are exempted from these laws for obvious reasons, but agencies which employ a considerable number of people on a permanent basis to carry out administrative and ministerial functions of the government are not.

Kind regards.

Sincerely,

GALE MCGEE, *Chairman.*

Senator PELL. I would advise you to work with staff on some modified language that would meet both the objections and objectives.

Finally, before getting into any specific questions, I hope you understand the reason for our proposal. I look forward to the day when we will have a separate Cabinet-level Department of Education. I realize this runs completely counter to the administration's proposals to merge all the executive departments into four massive departments. If the administration's reorganization plans prevail, obviously this idea of a separate Department of Education will flounder.

I would think that within a very few months, we would be able to determine whether the proposed organization is going to prevail or not and then adjust our legislation. If it takes too long, maybe we can just leave it as it is presently in 659, and it would be spun off if the opportunity ever arose in the future.

Before getting to any specific questions, I would like to defer to my colleague Senator Dominick who is here for whatever questions he has.

AUTHORIZATIONS

Senator DOMINICK. I thank the chairman and I have listened with great interest to the testimony by the Secretary and by the Commissioner of Education, Commissioner Marland. And I have got to say to begin with that ever since I have been in Congress, I have been sharply opposed to open ended authorization and even though I have been a cosponsor of the NIE and the Foundation bills, to the extent that they are open ended, I think we are making a great mistake. It is part of the backdoor spending that we have had problems with for years.

And without having any legislative determination of what is needed, it is very difficult for the Appropriation Committee to take this on the fact. What they are doing, then, is acting both as an appropriation committee and a legislative committee. And I think it never reveals to the public what we are in fact thinking in terms of spending.

So there has been kind of a rule as I think the chairman will agree every time this has come up, I have opposed it. And up to date, we have been successful in getting some kind of overall limita-

tion put on. I do not really think this would be a problem, Mr. Secretary, really.

I think just for the way you said here on the growth of the NIE, you could put in overall limitations which would be sufficient so that you could justify your budget request before the appropriation within that limitation if we have a 2 or 3 year bill.

Secretary RICHARDSON. I was going to say I am sure we could work out an appropriate ceiling, but I was going to comment on the rather ironical circumstance that in the interval between my previous service in HEW and the present, the BOB/OMB and congressional positions have completely reversed themselves. When I was in HEW before, we were always proposing appropriation ceilings as we regarded them at the time in order that the Congress would not be in a position to appropriate more money than we contemplated as desirable for the legislation. And usually at the direction of BOB, we fought against open-ended authorizations of such sums as may be necessary.

And the Congress in that period tended to argue that we could not see clearly enough ahead what might be needed and why tie it down. This was a restrictive approach to the dynamic process, et cetera. And now OMB likes the such sums language, which in effect gives the Congress a blank check. However, I am sure we can work with the committee in determining an appropriate projected level.

STRUCTURES AND FUNCTIONS

Senator DOMINICK. Giving Congress a blank check, if I may say so, can be rather an extraordinary measure to put it bluntly. Particularly with the mood of the Congresses that I have seen in the last 11 years. And you get totally outside any reasonable authorization as far as I can see.

And furthermore, the American public never knows how much is being authorized for specific programs. And that is the real problem as I see it.

A few other questions if I may. How do you see the difference in the functions and structure of NIE from the Foundation?

Secretary RICHARDSON. This is an important question to try to respond to as clearly as possible. And I appreciate your raising it, Senator Dominick.

The basic distinction between the two, the most fundamental way of putting it, is that the National Institute of Education would be devoted toward the development of new knowledge relevant to education as a whole. It would be in the truest sense an agency directed toward research.

The Foundation, whose role would be limited to higher education, would be an instrument for innovation and reform, but it would not be confined to or would not emphasize new knowledge. It is designed to enable an institution that seeks the opportunity to develop a new type of program, responding to what it believed to be a need within its own area, to carry this program out.

It might be a program in the field, for example, of cooperative education which has been tested and shown to be effective where it has been used, but which we believe is an approach to higher education that needs to be applied on a wider scale. And we visualize the

Foundation as being in a position to assist an institution that wanted to do this to take that kind of a step.

There is, we think, from the point of view of the colleges and universities, moreover, some advantage in having an institution they can go to that is focused in its responsibility on higher education.

Senator DOMINICK. Well, NIE then would embark on research not only in connection with the educational quality of higher education, but also of the elementary and secondary, is that correct?

Secretary RICHARDSON. Yes.

STUDY OF FINANCING OF ELEMENTARY AND SECONDARY EDUCATION

Senator DOMINICK. We have had, and correct me if I am wrong, but it is my recollection that Senator Mondale and I for one of the few times we have joined together in a bill put together a provision in one of them in which we were going to have research on financing of elementary and secondary education. That bill, as I remember, went into law. What has been done on it if anything and what would happen to it under this approach?

Secretary RICHARDSON. Well, there is a commission on the financing of elementary and secondary schools.

That commission has been established and has been working under the chairmanship of Mr. Neal McElroy. Concurrently, the President had proposed a White House Commission or an executive branch commission on school finance. And the resolution of that was with the addition of a couple of members, the two bodies were made into one single entity which will report on the statutory due date to the Congress.

I believe that is March of next year, is that right?

Dr. MARLAND. The President's Commission is to report in March of 1972. The mandate of the Council is April of 1972, within 30 days of each other.

Secretary RICHARDSON. This body is now and has been hard at work, but their role as we conceive it and understand it does not embrace research in methods of education or the cognitive process or reading or things of that nature. It is studying only the financial problems of support of elementary and secondary education.

Senator DOMINICK. Would these functions be transferred, then, to NIE as you see them?

Secretary RICHARDSON. The Commission would go out of business, I understand, when it finished its present work and submits its report next year.

Senator DOMINICK. Yes, but the point I am making is that, let us assume that we get a report from them upon which some new ideas will come forth, and we wanted to continue this. As you and I know, everybody here in this room knows, one of the problems that we have in the educational field at the moment is funding, not only of public schools, but of private schools. And what can we do about it?

Assuming that they take up, as I understand, the private schools, one-tenth of the total load of the education of the people in the country, it would seem to me to be fairly important that we build into any consideration that we have of financing what we are going

to do about this particular problem. And would that be envisaged as part of the role of NIE?

Secretary RICHARDSON. Yes, it certainly would be within the scope of its authority. And I am sure that it would be one of the areas of very high priority that the advisory board and the director would want to pick up. And insofar as the financing commission points to areas in which new knowledge or experimentation seems needed, I am sure that the NIE would want to pursue those opportunities.

EXCESS PAPERWORK

Senator DOMINICK. Mr. Secretary, at a briefing which I received, there was a report made that in the Office of Education alone, there were some 10,000 applications for grants for one type of program or another and that a great many very skilled technicians are simply shuffling through papers down there to determine whether these grants meet congressional requirements and the regulations that have been established.

What effect would the adoption of the administration proposals have on that backlog of paper shuffling?

Secretary RICHARDSON. I think the main thing that it would do, and I would like to ask the Commissioner and Dr. Silberman if they would want to supplement my answer, is that it would, by increasing the prestige of educational research, also help to establish more widely accepted standards of quality in educational research. This might in itself shake out some of these applications.

Beyond that, though, the NIE as a more highly visible and prestigious entity responsible for educational research would also be in a position to adapt to education research the procedures that have been successfully applied in medical research, drawing on the community of scholars qualified to comment on and appraise applications for research in a particular area, use such individuals for review on an advisory basis.

This is the system that the National Institutes of Health have had to use. Of course, they get thousands of applications per year for research in cancer and heart disease and so on. And the system they use of peer review of these applications has been the only way in which, one, a larger part of the burden of review has been shifted from Federal employees, and, two, Federal employees have been able to avoid the position of unilateral responsibility of assessing the quality of an application in a technical and scientific area.

EFFECT OF SPECIAL REVENUE SHARING

Senator DOMINICK. In fact, would it not be true that if we got the special educational revenue sharing through, a great portion of this load would be eliminated from OE and would go back into the State agencies?

Secretary RICHARDSON. The special revenue sharing in education would eliminate a large volume of work in going through the paper generated by over 30 separate formula grant programs that would be folded into the special revenue-sharing program.

And, of course, that would in turn free people in the Office of Education so as to enable them to provide assistance to State and local people in taking advantage of educational research and development. Office of Education people could become disseminators, cross-pollinators, in effect, bringing to one school system information about the successful experimentation carried out by another.

I assume the 10,000 figure included all granted applications and that the special revenue-sharing program would reduce a lot of these. It would still leave in the NIE the responsibility for reviewing applications for research funds. And my first answer was directed to that process.

Would you like to comment further?

Dr. MARLAND. I would like to make a brief comment, Mr. Secretary.

Returning for a moment if I may to the question Senator Dominick asked on the Commission on Finance, I think the record should show that the Commission prescribed by Congress did require that two additional individuals be appointed to the original commission created by the President's direction. Those two individuals have now been established and have accepted appointment to the Joint Commission, the first being the Deputy Commissioner of Education for School Systems, and the second being the Director of the U.S. Mint, in compliance with the terms of that law.

As for the processing of papers and the adequacy of resources to do that well, I do, indeed, see NIE still having a very substantial task to perform in the review of proposals. However, I think that the very fact that NIE will be targeting research activities toward areas of very high priority to a greater degree than the present program may decrease the proportion of nonsolicited proposals that do now come to us for research support.

Second, I would endorse the Secretary's comment that the increased quality, increased prestige, of this agency will give us an opportunity in general to screen out what may be viewed as either irrelevant or low-quality proposals without engaging the extended labor that we now feel obliged to afford them.

Senator DOMINICK. Mr. Chairman, I do not want to take too long, but I have just a couple of other questions which I feel may be helpful.

Do you anticipate that a substantial portion or even a major portion of the present researchers in OE would be transferred into NIE?

Dr. MARLAND. I lost the first part of that, Senator.

Senator DOMINICK. Do you anticipate that a substantial portion or even a major portion of the researchers who are now operating under OE would be transferred into NIE, talking in terms of personnel?

Dr. MARLAND. The short answer to that question is that no, we do not see substantial numbers of researchers transferred to NIE from OE.

I think that the directors should be substantially free to gather his own staff. There would clearly be a nucleus of competent people from the Office of Education available to him, but I think that the discretion in that regard should reside in the new director, realizing that very likely there will be important people in OE whom he would wish to have.

OVERLAP OF FUNCTIONS

Senator DOMINICK. As a supporter of NIE and a cosponsor of the bil, what is then going to be the overlap of functions between the researchers in OE and the researchers in NIE?

Dr. MARLAND. It should be pointed out, Senator Dominick, that at this time virtually all of the research being conducted by the Office of Education is done by contract where the researchers as such are external to the Office of Education. And therefore, there will not be individuals in OE in any significant number viewed as researchers to be moved to NIE.

I would add that the ability of NIE to recruit such people does look promising, but they would not be recruited from the Office of Education. As for duplicating effort, the kind of activities in OE which we plead be sustained through the continuation of the Cooperative Research Act are not research activities as such in terms of the scope implied for NIE. They would be internal evaluation activities, policy-making surveys, activities of that kind which do legitimately fall under the Cooperative Research Act. I expect that some of the staff now working on strictly research management would turn to work in some of these other areas.

DISSEMINATION

Senator DOMINICK. Now, you have a proposal as I understand it that the dissemination of information will remain within OE and not be put into NIE. What is the reasoning behind that?

Dr. MARLAND. We see the NIE as having many markets for its dissemination, but we see the Office of Education as being one of its principal markets, if you will, or resources for dissemination.

Our logic in that, Senator Dominick, resides in the fact that the Office of Education is at the center of a vast network of governmental, political, and administrative structures which open through the entire nation down to and including classrooms. We feel this agency, the Office of Education, should have a lively, mutually supportive two-way flow with NIE, first of all, to put before NIE and its board and its director the great needs as we see them, not to prescribe or dictate to them but to say, "Here are some of the great problems we face, please view them affirmatively." When they have acted upon such a need and have discovered promising solutions, back into our network these solutions should flow.

And, indeed, much that the Secretary has implied in referring to the technical capacities of the Office of Education to go out and oversee the delivery and the installation of new practices would in my judgment be the emerging new role where the Office of Education does begin to exercise true leadership in the delivery system out of NIE.

We do not see NIE as having the lines of communication as complex and large as they are for delivering their product. And we do not want to burden a research and development agency with the great cost of implimentation. There would certainly be other agencies besides OE, however, that would share in the delivery of this product.

Secretary RICHARDSON. May I just add one word to this, Mr. Chairman and Senator Dominick?

I might say, first of all, that what the commissioner has said is fully consistent with my own view. And what I am saying is only in supplementation of it on one small point.

We both assume that scholars working within NIE or carrying out research supported by NIE would publish the results in professional journals and disseminate these results in that sense to other scholars and interested people. The role that the Commissioner was referring to that belongs, we think, in the Office of Eductaion attaches to the results of research that point to a new way of doing things that is well enough demonstrated and potentially effective enough so that it ought to be made known to the heads of all State departments of education and all school superintendents in the school systems of the Nation.

And that role of trying to assure that the opportunity to adopt this new method or approach is available to school administrators is one that we see the Office of Education as increasingly performing to the extent that the personnel of the Office of Eductaion have their time and energies free from the sheer tending of paper.

Senator DOMINICK. If, as and when, then, the NIE goes into effect, I would presume that contracts for research which are presently being conducted under OE would be reevaluated by NIE to see which ones would be continued and which ones would not. Is this correct?

Dr. MARLAND. This is correct, Senator Dominick. And I would even take a step further and say that in this very year, at this time, under the leadership of Dr. Harry Silberman who is with me this morning, we are already initiating a stern scrutiny of present commitments so that perhaps a good bit of such action will have been accomplished before the creation of NIE.

Nonetheless, NIE would be in a position, then, to scrutinize further any present research commitments to insure that they are, indeed, suitable to NIE's goals and purposes.

EFFECT OF SPECIAL REVENUE SHARING

Senator DOMINICK. Can I then look at the broad picture as far as I can see at the moment? What you are saying is that if you can get the special educational revenue sharing program through that you will release the expertise of a number of people in OE from shuffling papers so that they can be of actual assistance in program techniques and evaluation in the field and at the same time NIE would continue the research on innovative ideas either by evaluation of contracts that are now there or by initiating new ones and by cross-fertilization, if you want to put it that way, as we do in the health field, of getting in new ideas from the field for evaluation so that the three things would be working together, OE in trying to get the techniques and programs out, revenue sharing to let the States do a lot more of the specific needs for their area, and NIE in the research area?

Dr. MARLAND. This is true.

Senator DOMINICK. Is that a broad picture?

Dr. MARLAND. This is a very precise description, Senator Dominick, of what we would hope the new leadership role of the Office of Education will become, both with the advantages of special revenue sharing and the freedom implicit in the NIE role.

RELATIONSHIP OF REGIONAL LABORATORIES

Senator DOMINICK. Just a couple more. What would be the relationship of NIE to the regional labs and the R. & D. centers, the Foundation for Higher Education, NSF, and NIH, and the other research groups?

Dr. MARLAND. Senator Dominick, I would like to introduce Dr. Harry Silberman, presently the Associate Commissioner for Research and Development in the Office of Education who is taking an active leadership role in planning NIE, and have him comment on these issues as they are now emerging, still realizing that planning has only begun.

Dr. SILBERMAN. Senator Dominick, we are planning to transfer the regional laboratories to NIE. In preparation for that transfer, we are attempting to develop an institutional support policy that would enable the NIE to actually pursue programs which have fixed terminal dates and are capable of being carefully monitored by the NIE management.

In connection with the latter part of your question, we expect to have interchanges of personnel and resources between the NIE and other agencies such as the NSF, OEO, and so on.

VOCATIONAL RESEARCH

Senator DOMINICK. There have been proposals, talking now about the higher education function, that courses be set up in the secondary education level designed to show the importance of job orientation, if you want to put it that way, either in the public or private sector, but largely in the private sector, and at least strongly urging if doing no more than that, that people take 2 years off from high school before they decide whether or not they want to go into higher education.

Obviously, this not only envisages, but urges, a concentration of effort in the vocational educational field. What research and support would be received on this type of program out of NIE, that has not been put into effect through OE at the persent time.

Commissioner MARLAND. Mr. Chairman, Senator Dominick, the suggestion as I hear you is a reformed model for higher education broadly described. This could provide a typical example of the way NIE and the Foundation for Higher Education would relate to each other. It would be a very suitable topic for NIE to take on as, first, a research theme to discover new ways to make career education, to make higher education, responsive to the needs of this country.

And it would then be very suitable for the Foundation to pick up this theme, gather the products of research as emanating from NIE and set about funding of promising programs throughout the country within the scope of the Foundation's authority to install improvements and encourage institutions to modify themselves.

Senator DOMINICK. Do you anticipate, then, that you would have more support for the vocational effort we have been trying to put forth under NIE than you would have under the present setup?

Dr. MARLAND. I do, indeed. In fact, the initiative of the current

Commissioner of Education is giving maximum attention to the subject of career education. We are now engaged in the development of three new experimental models for installing carreer education in the elementary and secondary and community college spectrum throughout the country. These three models—one an in-school model, one an industry-related model, and one a home-based model for those individuals who may for a variety of reasons have left conventional institutions of learning—will be developed throughout this coming year; hopefully some parts of them will be in a position for testing and demonstration in the field within a year.

I feel that this is one of the highest and most crucial priorities of the Office of Education: to make our secondary schools, particularly at this time in history, meaningful to the young people who are there. For fully half of their graduates are, indeed, not finding rewards at the end of those 12 years of schooling that have significance for their lives.

One of the ways to turn this about is to make career education important, desirable, meaningful, attractive, and of high prestige in our society and to make sure that all elegance does not reside in the bachelor's degree with a liberal arts curriculum.

Senator DOMINICK. Would we need more legislation in order to accomplish those goals in the event that your programs that you have just outlined should seem more fruitful for the educational process than what we now have?

Dr. MARLAND. At this time, Senator, I feel we have ample legislation, both in the NIE and in the cooperative research authority now administered in the Office of Education. We have pooled our research funds in vocational and technical education under the total thrust of OE research, bringing together staff from the vocational education and from research arm of OE, to work together on the Office of Education's major new thrust in research and development this year: The career education models.

I do think the authority is there, sir. However, it would be my hope to return to Congress after a time and with the support of the administration to seek new funds to implement this program nationally.

Senator DOMINICK. Thank you, Mr. Chairman.

Senator PELL. Thank you.

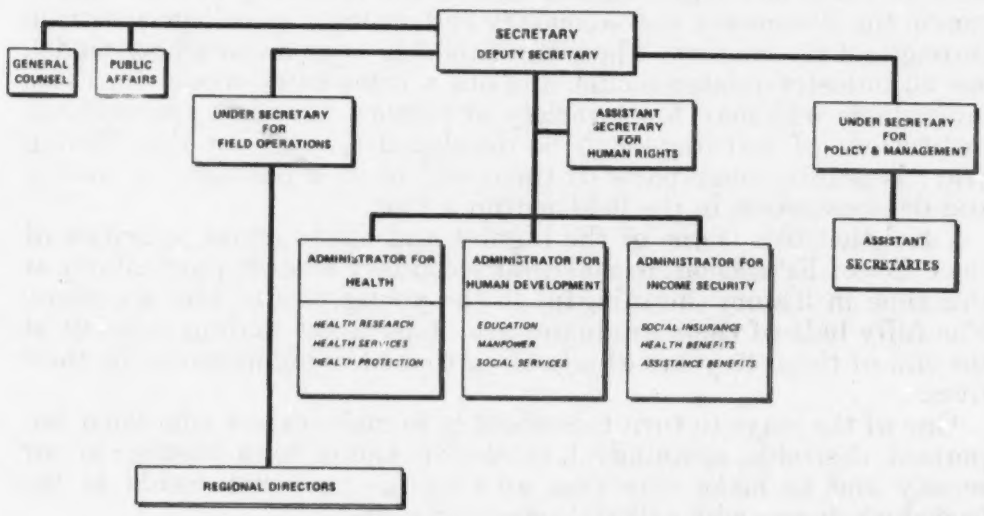
Returning for a moment to the organizational structure, my long-term objective, as you know, is that the Commissioner of Education would eventually be in a position where he would be reporting directly to the President as the Secretary of Education. I do not see this happening in the next short period of time. So that would mean he would be promoted from being two away as he is now to being one away.

The long-term project of the administration or short-term project is this reorganization which does exactly the opposite. And when you look at the table of organization which I ask unanimous consent be inserted in the record at this point, one sees that the chairman of education reports to the Administrator for Human Development who in turn reports to the Secretary of HEW who in turn reports to the President.

(The table of organization follows:)

PROPOSED

DEPARTMENT OF HUMAN RESOURCES



Senator PELL. So maybe the synthesis here will be that nothing happens and he stays in his present position. I would hope that he would move up however.

The basic difference between the two approaches, except for that and funding requirements, are all questions, it would seem to me, of detailed administration. As you try to cut through brambles and underbrush here, what else do you see as the fundamental differences between the subcommittee's bill and your approach?

Secretary RICHARDSON. Mr. Chairman——

Senator PELL. Of a fundamental nature.

Secretary RICHARDSON (continuing). I think you have accurately stated the situation. There really is involved a sort of built-in institutional bias in all the comments that we have made. And it is sort of like the issue we were discussing earlier. It involves appropriations levels, for instance, as such sums may be necessary.

The executive branch is once again, as we constantly do in testifying on various bills before various committees, taking the position that we object to having too detailed provisions in legislation governing the entire structure of any proposed new governmental entity. This is a position that we take year in and year out because of the experience within the executive branch which shows that statutory blueprints for internal organization can be hard to live with; that we are continually accountable to the Congress anyway, both the authorizing committees and the appropriation committees, for what we do within these structures. The Congress has the opportunity to intervene, and it is undesirable, therefore, on balance, for legislation to be so detailed that we feel straitjacketed by it or have to come back and continually seek to get adjustments in it.

And much of what we have said here today really is a reflection in one way or another of this basic attitude on the part of the executive branch.

Senator PELL. Mr. Secretary, either you or Commissioner Marland—I forget which—pointed out the necessity of finding men of stature to head the Institute and the Foundation. And this is a very real need.

I know in a somewhat similar organization, the Endowment for the Humanities, the administration has searched for a year for a man of very real stature, and it is hard to find men outside of Government who will come in.

With regard to the Teacher Corps, I understand that you prefer now that it go to this new sort of voluntary, whatever it is called, agency and leave the Office of Education. Is that correct?

Dr. MARLAND. Yes, I support that position, sir.

Senator PELL. Thank you.

Secretary RICHARDSON. I think it should be stated that this was a matter in which the point of view of the Commissioner was weighted in and processed within the administration. And I think he certainly supports that because it is the administration position.

I think on the other hand, in fairness to his own point of view, that looking at it from the perspective of the Office of Education, as distinguished from the perspective that has been reflected in the proposal to create a new volunteer agency, the conclusion might be different.

Senator PELL. Thank you.

Now, with regard to research, when private industry performs research for the Government which has paid for that research, as I understand it, the use of that research belongs to the Government. Would this be the case with research performed for the National Institute of Education?

Secretary RICHARDSON. Yes. I am not expert on the patent provisions and so on, but generally speaking, the conclusion you state is right.

Dr. MARLAND. I would like to amplify that if I may, Mr. Chairman and Mr. Secretary.

We have in my judgment over the past year developed some innovations in the area of copyrights. So much research is performed under public banner and, therefore, available to the entire marketplace. Particularly for publications, books, materials, instructional devices and so on, if these are cast upon the public domain without any constraints, responsible producers, publishers, manufacturers, and others tend to be discouraged from engaging themselves deeply in the marketing and production of those devices.

Therefore, we have developed a system whereby the Government is protected and yet a given compentent producer can acquire rights to our research and development materials for periods of time sufficient to protect himself. The royalties therefrom deriving are shared by the developer and the Federal Government, giving some degree of exclusivity to encouraging the entrepreneur. So, indeed, we can get the materials marketed and delivered rather than having them sit on the research shelves with very high promise, but no distribution.

This system is now beginning to work. We have a good number of different contracts surrounding such materials that have come out of our labs and centers. And we see this as a good solution protecting the Government and furthering private enterprise in the distribution of good materials.

Senator PELL. Would these royalties go into the general treasury or into a trust fund?

Dr. MARLAND. I will have to get help on that one.

Senator PELL. It may be submitted for the record.

Commissioner MARLAND. We will submit it for the record, sir.

(The information subsequently supplied follows:)

WHERE ROYALTIES GO

Royalties returning to the Federal government go into the general fund of the Treasury.

Senator PELL. Now, another question is in regard to the protections you have built into the Institute, the Foundation, to keep politics out of the decisions. As you know, we have sought hard in the legislation which established the Endowment for the Humanities and the Arts to insulate it from the ebb and flow of politics.

One of the ideas of having a strong board is to have an insulation between administrations, be it Democratic or Republican, and the actions of the Institute and Foundation, which I thought was your view when we started out on this legislation. But now I see a weakening of the role of the board.

Am I correct in that?

Dr. MARLAND. No, sir; not from my viewpoint. And my testimony should show and I hope it does show emphatically that the roles of both of those advisory boards will be tremendously important. I think we are dealing here with the question of structure of management.

Is it feasible, for example, for an instrument of Government, tax supported, and closely related to other agencies, to be free standing in Government affairs without the responsibility ultimately to report to a cabinet member; namely, the Secretary? We feel that the Secretary should encourage, the Commissioner should encourage, the utmost in the way of freedom and autonomy within those boards to guide the policies, unincumbered by political arrangements, to tell us where this Nation should be going both in its higher education revolution and in its elementary and secondary reform.

Now, given that, however, we feel that if, indeed, the Secretary of HEW is to be held accountable—and he must be in my judgment—and if the Commissioner is delegated this task, he also must be held accountable—that there cannot be absolute autonomy in these instruments of Government. Although under S. 659 the agencies would still report to the Commissioner, it would be very difficult for him to be held accountable for the actions of a governing board.

I would hold that the Secretary and the Commissioner would depart from the recommendations of the boards for policies and procedures at their peril. Both the Secretary and I have reiterated the importance of appointing individuals of the higher prominence and integrity, untouched by political shifts, to develop these policies and procedures.

Having worked with such instruments in the past at a lower level of government, I feel very confident that the ultimate conditions of responsibility can be invested in established government and still maintain the virtual freedom of these advisory bodies to perform high service.

Senator PELL. To cut through those words, as I understand it, you would rather that the Board was more advisory than operating; is that correct?

Secretary RICHARDSON. May I add a word, Mr. Chairman?

You recall that when the legislation was originally proposed the National Foundation would have been a separate agency entirely outside of the Department of HEW. The National Institute of Education, on the other hand, has always been conceived as a part of HEW with an advisory rather than governing board. And my view was, and I think the Commissioner's, in our first discussions when he was shortly to come on board in HEW, was the same, that if we were proposing to establish major responsibility for innovative program support in postsecondary education in a separate agency, that agency should have close ties with the Office of Education. In the same way, we felt from the outset that there should be assured some direct interrelationship so that the areas of research identified by Office of Education people in their work with States and local communities could have a high claim on the priorities of the NIE and conversely so that the results of research sponsored by the NIE could be fed into the processes by which the Office of Education would disseminate results to State and local school systems.

So the question then was how do you accomplish this and with what kind of interrelationship. And the conclusion was, in effect, that the head of the NIE, Director of the NIE, should be independent of the Office in the sense that the Director would not be taking orders from the Commissioner day to day, but still related to him as the Foundation would be. In effect, the Commissioner would be the senior among a group of three people, the heads of the Foundation and the Institute and himself, all within HEW.

And given that structure, we thought that the Foundation board should have a somewhat different role than it would have as the governing body for an institution not having this relationship to the Commissioner and the Foundation.

Senator PELL. I think I follow, but my understanding was that the Institute and the Foundation would be established so that in the event of a secretary or commissioner without great imagination or an innovative approach, the new agencies would be able to support innovation.

And while I have great respect for you and Dr. Marland the time might come when there might be in those jobs men for whom one does not have such respect. And I personally believe that the agencies should be a spot more independent than I detect in the present table of organization.

I know I thought enough of your original proposal to put it in our legislation. We proposed to bring them all in to one department, admittedly a different approach from yours. But having brought them in, we then proceeded to give them as much independence as we could, very like the National Science Foundation. I think the more advisory you make the boards, the lower the caliber of men you are going to be able to find will accepted appointment.

I would hope that as we work together working up this legislation, you might go a little bit back toward your original direction and split

the difference somewhere between where you were a year ago and where you are today, which is about where my own thinking would be.

Secretary RICHARDSON. We would be glad to work with you on this, Mr. Chairman.

Senator PELL. Thank you.

A couple of very little specific points. In your testimony, Mr. Secretary, you objected to the fact that we make it a statutory responsibility that the Directors of the National Institute of Education-National Foundation for Higher Education report to you through the Commissioner, yet this is in a sense just what you are advocating now; is it not?

Secretary RICHARDSON. No, I would not object to their reporting to me through the Commissioner. The only problem is not their relationship to me, it is to assure both on the one hand their genuine independence in the sense of the integrity of their role on the one side and yet a sufficient relationship to the Commissioner so that what they do in the areas of their emphasis and so on would properly factor in the areas of priority and emphasis which the Commissioner as chief education officer of the United States believes to be important.

For my part, I would expect to have my primary contact with the heads of these institutions through the Commissioner, although there would undoubtedly be situations where we would meet together or where they might want to simply talk to me about what they were doing and what they hoped to accomplish.

Dr. MARLAND. I would find that perfectly compatible with the Commissioner role, Mr. Chairman.

Senator PELL. Thank you.

I was delighted to note that the Secretary thought the authorization in S. 659 was low. And I am sure that we can compromise our differences there very easily.

Secretary RICHARDSON. I am sure.

Senator PELL. In connection with title III of ESEA, the demonstration projects, some of them have been terribly successful, how do we get these demonstration projects going under the Institute?

Secretary RICHARDSON. The Office of Education would continue to administer title III as a demonstration program. I think we could expect to see the NIE producing valid study program models of which title III could support the demonstration. NIE should look closely at what has been developed under title III, to see what might be built on it through research and development. The gradation between research, experimentation, demonstration, is obviously a continuum.

Let me ask Commissioner Marland to supplement this.

Dr. MARLAND. I think there is a further factor in this which the committee should hear, Mr. Chairman. That is that the present intent of the administration is to move the substantial part of title III that part administered by the States, into special revenue sharing, giving the States and local districts what they already have in the way of authority over those funds, but increasing the efficiency and freedom in getting that money and authority to them.

However, the very kind of thing which I think you are implying as to the demonstrations, the breakthroughs, that follow research, which can be supported under title III, should continue to rest in the Office of Education, under the authority of the Cooperative Research Act. And we can use the title III mode as a national instrument for advancing demonstrations.

Senator PELL. Thank you.

Thank you very much.

REORGANIZATION AND GENERAL REVENUE SHARING

Senator DOMINICK. I have just one more question. It is a tough question. Maybe I ought to address it to Commissioner Marland instead of the Secretary.

If by any happenstance—and I hope this does not happen—the educational special revenue sharing does not pass and we are left with the present is not the proposed reorganization we have got here going to be very sharply handicapped?

Dr. MARLAND. The reorganization dealing with National Institute for Education?

Senator DOMINICK. I am talking about NIE, the Foundation, the whole reorganization of education within HEW.

Dr. MARLAND. If indeed that misadventure does fall upon us and we we do not find special revenue sharing passing this year, we would still be able to manage. Indeed, the Secretary noted earlier and as Senator Dominick noted earlier, there is a vast and steadily increasing morass of paper work to be handled. We would simply have to continue to handle it, Senator Dominick.

If NIE should pass, there would be, as noted earlier, a removal of those functions having to do with research and development program grant management from the Office of Education focused more sharply within NIE. But there would still be, failing the passage of special revenue sharing, a continuing very large paper managing responsibility in the Office.

We could manage, however, if we have to. We would hope that in time, if it should not pass this year, special revenue sharing or something like it will pass.

Senator PELL. Thank you very much, indeed, gentlemen, for being with us.

Secretary RICHARDSON. Thank you very much, Mr. Chairman.

(The information subsequently supplied follows:)

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Differences Between S. 1062 & S. 659

	S. 1062 (Javits)	S. 659 (Pell)
1) Location of the Foundation	Sec. 2 "There is established in the Department of Health, Education, & Welfare a National Foundation for Higher Education."	Sec. 401: "There will be, within the Department of Health, Education & Welfare, an Education Division which shall be composed of the Office of Education, the National Foundation for Higher Education, and the National Institute for Education and shall be headed by the Commissioner of Education."
2) Authority to set policy	In Mr. Javits' Bill, the Board is given the authority to advise the Secretary and the Director with regard to general policy. (Sec. 4(a)(1))	Sec. 403(a)(1) "The Foundation...shall be subject to the general regulations of the Commissioner promulgated for its management." Sec. 403(b)(3) "Subject to such general regulations of the Commissioner promulgated for the management of the Foundation the Board shall (A) establish policies for the Foundation..."
3) Authority to Award Grants	Sec. 5(a) "The Secretary is authorized to make grants or contracts with ..."	Sec. 403(b)(3): "The Board shall have the primary responsibility for the powers, duties and authorities vested in the Foundation under this section and is authorized to delegate any of such powers, duties and authorities as it may deem appropriate to the Director, or other officers, or permanent employees of the Foundation. Sec. 403(d): "The Foundation is authorized to make grants to ..."

	S. 1062 (Javits)	S. 659 (Pell)
4) Purpose of the Act	Sec. 3. The purposes of the Foundation are-- (1) to encourage excellence, innovation, and reform in postsecondary education; (2) to provide assistance for the design and establishment of innovative structures for providing postsecondary education and innovative modes of teaching and learning therein; (3) to expand the ways and patterns of acquiring postsecondary education and to open opportunities for such education to individuals of all ages and circumstances; (4) to strengthen the autonomy, individuality, and sense of mission of postsecondary educational institutions, and to support programs which are distinctive or of special value to American society; and (5) to encourage postsecondary educational institutions to develop policies, programs, and practices responsive to social needs, and to provide an organization concerned with the rationalization of public policies toward postsecondary education.	Sec. 403(a)(2): "It shall be the purpose of the Foundation-- (1) to provide a source of funds to encourage excellence, innovation, and reform in higher education; (2) to strengthen postsecondary educational institutions or courses of instruction that play a uniquely valuable role in American higher education or that are faced with special difficulties; and (3) to provide an organization concerned with the development of national policy in higher education.
5) Contents and Submission of the Annual Report	Sec. 4.(a)(2): prepare an annual report to the Secretary on the current status and needs of postsecondary education in the United States, which the Secretary shall transmit to the President with such recommendations as he may make.	Sec. 403.(b)(3)(C): "submit an annual report to the President on the activities of the Foundation and the status of higher education in the United States, which (i) shall include such recommendations and comments as the Board may deem appropriate, and (ii) shall be submitted to the Congress as a part of the Commissioner's annual

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Differences Cont'd

	S. 1062 (Javits)	S. 659 (Pell)
6) Appropriation for the Foundation	Mr. Javits Bill does not specify an appropriation level.	Sec. 403.(e): "There is authorized to be appropriated, without fiscal year limitations, $200,000,000, in the aggregate for the period beginning July 1, 1972, and ending June 30, 1976, to carry out the functions of the Foundation. Sums so appropriated shall, notwithstanding any other provision of law, unless enacted in express limitation of this subsection, remain available for the purposes of this section until expended.
7) Number of Board Members	Sec. 4(b): "The Board shall consist of the Director, ex officio, and eighteen members..."	Sec. 403(b)(1): "The Board shall consist of fifteen members appointed by the President, by and with the consent of the Senate, the Director and such other ex officio members who are officers of the United States as the President may designate."
8) Term of office for Board members	Sec. 4.(b) "The members of the Board shall be appointed for terms of three years; except that (1) any member appointed to fill a vacancy occurring prior to the expiration of the term for which his predecessor was appointed shall be appointed for the remainder of such term, and (2) the terms of office of the members first taking office shall begin upon enactment of this Act, and shall expire as designated at the time of appointment, six at the end of three years, six at the end of two years, and six at the end of the first year.	Sec. 403.(b)(2): "The term of office of members of the Board (other than ex officio members) shall be six years, except that (A) any member appointed to fill a vacancy shall serve only such portion of a term as shall not have been expired at the time of such appointment, and (B) in the case of initial members, five shall serve for terms of four years and five for terms of two years. Any person, whose term of office is subject to this paragraph, who has been a member of the Board for six consecutive years shall thereafter be ineligible for appointment to the Board during the two-year period following the expiration of such sixth year.

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Areas Included in S. 659 That Are Not In S. 1062

	S. 1062	S. 659
1) Deputy Director		Sec. 403(c)(2):"There shall be a Deputy Director of the Foundation (referred to in this section as the 'Deputy Director') who shall be appointed by the President, by and with the advice and consent of the Senate, and shall serve at the pleasure of the President. The Deputy Director shall be compensated at the rate provided for level V of the Executive Schedule under section 5316 of title 5, United States Code, and shall exercise such powers as the Director may prescribe. The Deputy Director shall serve as Director during the absence or disability of the Director or in the event of a vacancy in the Office of Director.
2) Quorum for Board Meetings		Sec. 403(b)(1): "Eight members (excluding ex officio members) shall constitute a quorum.
3) Specification of Board Sessions		Sec. 403(b)(3)(B): "meet at the call of the Chairman of the Board, except that it shall meet (i) at least one time during each fiscal year, or (ii) whenever one-third of the members request a meeting in writing, in which event one-third of the members (excluding ex officio members) shall constitute a quorum;"

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Areas Included in S.1062 That Are Not Included In S.659

	S. 1062	S. 659
1) Qualification of Board Members	Sec. 4(b):"members who shall be broadly representative of the general public as well as the education community."	
2) Fellowships	Sec 6: The Secretary is authorized, where appropriate and necessary to carry out the purposes of this Act, to award fellowships and to pay to fellowship holders stipends (including allowances for subsistence and other expenses for themselves and their dependents) for stated periods of time.	
3) General Authority	Sec. 7: In carrying out this Act the Secretary shall have the authority-- (1) to enter into contracts without performance or other bonds, and without regard to section 3709 of the Revised Statutes (41 U.S.C. 5); (2) to make advance, progress, and other payments without regard to the provisions of section 3648 of the Revised Statutes (31 U.S.C. 529); (3) to receive money and other property donated, bequeathed, or devised to the Foundation with or without a condition or restriction, including a condition that the Foundation use other funds for the purposes of the gift; and to use, sell, or otherwise dispose of such property for the purposes of this Act; (4) to publish or arrange for the publication of information without regard to the provisions of section 501 of title 44, United States Code; (5) to accept and utilize the services of voluntary and uncompensated personnel, notwithstanding the provisions of section	

	S. 1062	S. 659
	3679(b) of the Revised Statutes (31 U.S.C. 665(b)), and to provide transportation and subsistence as authorized by section 5703 of title 5, United States Code, for persons serving without compensation; and (6) to arrange with and reimburse the heads of other Federal agencies for the performance of any activity which the Foundation is authorized to conduct.	
4) Miscellaneous Provisions	Sec. 8(a): The Secretary may appoint and compensate without regard to the provisions of title 5, United States Code, governing appointments in the competitive service and chapter 51 and subchapter III of chapter 53 of such title, relating to classification and general schedule rates, such technical and professional personnel as he deems necessary to accomplish the functions of the Foundation. (b) Funds available under this Act shall be available for transfer to any other Federal department or agency (including constituent agencies of the Department of Health, Education, and Welfare) for use (in accordance with an interagency agreement) by such agency (alone or in combination with funds of that agency) for purposes for which such transferred funds could be otherwise expended by the Secretary under this Act, and the Secretary is likewise authorized to accept and expend funds of any other Federal agency for use under this Act. (c) All laborers and mechanics employed by contractors or subcontractors on all construction projects assisted under this Act shall be paid wages at rates not less than	

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	S. 1062	S. 659
	those prevailing on similar construction in the locality as determined by the Secretary of Labor in accordance with the Davis-Bacon Act, as amended (40 U.S.C. 276a--276a--5). The Secretary of Labor shall have with respect to the labor standards specified in this section the authority and functions set forth in Reorganization Plan Numbered 14 of 1950 (15 F.R. 3176; 50 U.S.C. 133z-15) and section 2 of the Act of June 13, 1934, as amended (40 U.S.C. 276(c)).	
5) Joint Funding	Sec. 9: "Pursuant to regulations prescribed by the President, where funds are advanced by the Foundation and one or more other Federal agencies (including any other part of the Department of Health, Education, and Welfare) for any activity assisted under this Act, any one Federal agency may be designated to act for all in administering the funds advanced. In such cases, any such agency may waive any technical grant or contract requirement (as defined by such regulations) which is inconsistent with the similar requirements of the administering agency or which the administering agency does not impose.	
6) Specification of Instits. Eligible for Grants	Sec. 5.(a): "The Secretary is authorized to make grants to or contracts with any public or private agency, organization, or institution, any combination thereof, or any individual, in order to achieve the purposes of the Foundation, except that no grant may be made to a private agency, organization, or institution other than a nonprofit one.	

	S. 1062	S. 659
7) Specification of Rates of Reimbursement of Board	Sec. 4(b)(2) "Members of the Board who are not regular full-time employees of the United States shall, while serving on the business of the Board, be entitled to receive compensation at rates to be determined by the Secretary, but not exceeding the per diem equivalent for GS-18 for each day so engaged, including travel-time, and, while so serving away from their homes or regular places of business, may be allowed travel expenses, including per diem in lieu of subsistence, as authorized by section 5703 of title 5, United States Code for persons in the Government service employed intermittently."	

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Areas of Agreement Between S. 1062 and S. 659

	S. 1062	S. 659
Appointment of the Director	Sec. 2: "The President shall appoint, with the advice and consent of the Senate, a Director of the Foundation."	Sec. 403(c)(1): "The Director of the Foundation...shall be appointed by the President, by and with the advice of the Senate, and shall serve at the pleasure of the President."
Appointment of the Chairman of the Board	Sec. 4(b)(2): "One of the members shall be designated by the President as Chairman."	Sec. 403(b)(1): "The Chairman of the Board shall be designated by the President from among its members."
Availability of Appropriations	Sec. 11: "Funds appropriated to carry out this Act shall remain available until expended."	Sec. 403(e): "Sums so appropriated shall, notwithstanding any other provision of law, unless enacted in express limitation of this subsection, remain available for the purposes of this section until expended.

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Differences Between S. 434 and S. 659

	S. 434 (Prouty)	S. 659 (Pell)
(1) Location of the NIE	Sec. 3(a) - Establishes NIE in DHEW.	Sec. 401*- Establishes NIE in a Division of Education in DHEW.
(2) Authority to set policy	Sec. 3,4,5 and 7 - Authorizes Secretary to carry out NIE's functions.	Sec. 404(b)(3) - Gives the National Council on Educational Research the primary responsibility for powers of the Institute. Permits the Council to delegate these to the Director or other permanent employees of the Institute.
(3) Scope of Authority	No provision - inherent powers of the Executive Branch are protected.	Sec. 404(a)(1) - Gives the Institute only such authority as Sec. 404 specifies, subject to management regulations promulgated by the Commissioner.
(4) Rank of Top Officials	Sec. 3(b) - Ranks the Director at a level V.	Sec. (c)(1) - Ranks the Director at a level IV. Sec. (c)(2) - Provides for a level IV Deputy Director, presidentially appointed with Senate advice and consent. Sec. 404(d) - Provides for three GS-18 Assistant Directors.

* Section numbers of this bill refer to sections of the General Education Provisions Act, which Title III amends.

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	S. 434 (Prouty)	S. 659 (Pe)
(5) Employment Authority	Sec. 5 - Permits the appointment and compensation of professional and technical personnel without regard to competitive, eligibility, and pay rate requirements of the civil service laws.	Sec. 404(E)(2) - Permits such appointment and compensation only with regard to temporary technical and professional personnel.
(6) Council Membership	Sec. 6(b) - Authorizes the appointment of 15 members without regard to the civil service laws.	Sec. 404(b)(1) - Authorizes the appointment (with the advice and consent of the Senate) of 15 members plus such ex officio members who are U.S. officials as the President wishes.
(7) Council Functions	Sec. 6(a) - Authorizes the Council to advise on the status of educational research and present recommendations for strengthening it and improving dissemination methods, advise on NIE programs and policy, conduct studies, and prepare an annual report to the Secretary and President.	Sec. 404(b)(3) - Vests in the Council primary responsibility for the powers, duties and authorities of the Institute.
(8) Council Terms	Sec. 6(b) - Provides for three year terms for Council members.	Sec. 404(b)(2) - Provides for three year terms but makes a person ineligible for 2 years after having served for 6 consecutive years.
(9) Time of Appropriations Authorized	Sec. 8 - Authorizes appropriations for NIE from FY 1973 onward, without limitation.	Sec. 404(e) - Authorizes appropriations for NIE from FY 1973 through FY 1976.
(10) Amount of Appropriations Authorized	Sec. 8 - Authorizes the appropriation of such sums as may be necessary.	Sec. 404(e) - Authorizes the appropriation of $200,000,000 in the aggregate for FY 1972-76.

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Provisions Contained in S. 659 and not in S. 434

	S. 659 (Pell)
(1) Internal Organization	Sec. 404(d)(1) specifies the following divisions within the Institute: (A) a Division of Institute programs to identify educational problems and opportunities and manage comprehensive R&D programs directed toward them. (B) a Division of Education Studies to conduct studies on the state of education in the U.S., evaluate education policies, and assist in planning and evaluating educational R&D programs. (C) a Division of Research and Development to manage programs designed to improve education policies and techniques and strengthen the scientific and technological foundations of education, and to carry out programs to improve educational R&D systems.
(2) Repealer of the Cooperative Research Act	Sec. 404(b)(3) repeals sections 2 and 3 of the Cooperative Research Act, effective FY 73, leaving only research facilities construction authority.

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Provisions Contained in S. 434 and not in S. 659

	S. 434 (Prouty)
(1) Joint Funding and Fund Transfer Authority	Sec. 7(d) provides that funds available under the Act may be available for transfer to another Federal agency for the purposes of NIE, and that the Secretary may accept funds of another Federal agency for use under the Act.
(2) Gift Accepting Authority	Sec. 7(c) permits the Secretary to accept gifts and voluntary services on behalf of NIE.
(3) Provision for Council Staff	Sec. 6(d) authorizes the Council to hire and compensate staff without regard to certain civil service authorities. It also authorizes the Council to enter into contracts. Sec. 6(c) directs the Secretary to provide the Council such professional, clerical, and other assistance as necessary to carry out its functions.
(4) Payments	Sec. 7(b) provides that payments under the Act may be made in installments, in advance, by reimbursement, with necessary adjustments.
(5) Use of other Federal Agencies	Sec. 7(a) authorizes the Secretary to utilize the services and facilities of any Federal, public, or private nonprofit agency, in accordance with agreement.
(6) Davis-Bacon Act	Sec. 7(e) requires payment of laborers and mechanics employed on construction projects assisted under the Act in accordance with the Davis-Bacon Act.

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THE SECRETARY OF HEALTH, EDUCATION, AND WELFARE
WASHINGTON, D. C. 20201

MAY 21 1971

Honorable Claiborne Pell
United States Senate
Washington, D.C. 20510

Dear Senator Pell:

On March 4 I appeared before the Subcommittee on Education to testify on behalf of the National Foundation for Higher Education Act of 1971. I would like to take this opportunity to reaffirm my personal interest in this proposal.

The mission of the National Foundation will be to stimulate new directions in post-secondary education. The term "post-secondary" education is especially important, for it indicates that the Foundation will be concerned with the entire range of programs and institutions which provide education beyond high school.

I have been asked why I believe the Foundation will succeed in this mission. There are four principal answers.

First, the time is right. After several decades of rapid growth and several years of conflict and turmoil, post-secondary education is alive with ferment and new ideas. Reports from a number of educational groups such as the Carnegie Commission, the Assembly on University Goals and Governance, the Scranton Commission, and the Newman Task Force have outlined possibilities for creative changes which were not even being discussed five years ago. In my visits to different campuses over the past year, I have been deeply impressed with the interest expressed to me by students and educational officials in experimenting with new approaches to learning, and new types of institutions and programs. Administrators wish to focus the missions of their institutions, introduce new cost-saving methods, enter consortia arrangements, and provide new programs to new clienteles such as older women, workingmen, and minority students. Faculties wish to rearrange departmental structures and experiment with internships, cooperative study arrangements, and other new educational formats. Students wish to meet degree requirements outside traditional institutional settings. Boards of trustees

wish to introduce experiments in televised and computer-assisted instruction. The National Foundation can make the difference, in many of these cases, as to whether these new ideas are nurtured and encouraged into being, or whether they will die for lack of interest and support.

Second, the approach is right. We have proposed a foundation form of organization because it is perfectly suited to accomplish the goal of encouraging innovations in post-secondary education without dictating the nature of these innovations. (The National Science Foundation and the National Foundation on the Arts and the Humanities have already demonstrated the success of the foundation concept.) We know that this can be done, for the new Foundation will have the flexibility and the prestige to attract an outstanding Board and a high-caliber staff capable of selecting for support those ideas which are in the best interests of the Nation.

Third, the design is right. The Foundation will have a strong Board to establish policies and programs for the Foundation which are in the best interests of the Nation and the community of post-secondary institutions. It will be established within the Department of Health, Education, and Welfare in order to insure that its programs are carefully coordinated with other educational programs in the Department.

Fourth, the Foundation has the support of the educational community. On March 31, the Subcommittee on Education heard testimony in favor of the Foundation from representatives of the American Association of Junior Colleges, the American Association of State Colleges and Universities, the American Council on Education, the Association of American Universities, the National Association of State Universities and Land Grant Colleges, and the National Council of Independent Colleges and Universities. Dr. Clark Kerr, Chairman of the Carnegie Commission on Higher Education, has also written the President of his support. Copies of the testimony from the Associations, the letter from Dr. Kerr, and my own testimony before your Subcommittee are enclosed for your information.

I would ask, therefore, that you give serious consideration to this Bill along with our other proposals for higher education. I will be glad to provide whatever assistance you need.

With kindest regards,

Sincerely,

Elliot L. Richardson
Secretary

Enclosures

STATEMENT BY HON. ELLIOT L. RICHARDSON, SECRETARY OF HEALTH, EDUCATION, AND WELFARE, BEFORE THE SUBCOMMITTEE ON EDUCATION, COMMITTEE ON LABOR AND PUBLIC WELFARE, UNITED STATES SENATE, THURSDAY, MARCH 4, 1971

Mr. Chairman and Members of the Committee, I am pleased to be here today to testify on the President's proposal to establish a National Foundation for Higher Education. This proposal has been introduced as S. 1062 by Senator Javits, ranking minority member of the Labor and Public Welfare Committee, and co-sponsored by Senators Prouty, Beall, Dominick, Griffin, Schweiker, and Scott.

Our student aid proposals which I testified on yesterday are directed at the highest Administration priority in higher education, the need to equalize opportunities for attending college. Our proposal for a National Foundation is directed at the second clear need—to assure that these opportunities will be meaningful ones. The mission of the Foundation is reform—and not just any reform, not just change for the sake of change, but new orientation, programs, and innovative structures which will substantially enhance the capacity of higher education to serve the needs of all our citizens.

While our proposal is based upon the legislation we submitted last year, it has been improved in major ways. Since last year, we have benefited from the thinking of leaders in higher education. The Commissioner of Education and I have consulted with the educational associations, and we have taken into account the views expressed last year and this by members of Congress and their staffs. The result is a proposal which many have helped design and for which I am personally responsible—and believe in.

We have not only listened, but we have tried to incorporate into our conception of the National Foundation those ideas which would advance the purposes I have stated. We have weighed and pondered the diagnoses of what is wrong with higher education which have been made by such groups as the Carnegie Commission, the Assembly on University Goals and Governance sponsored by the American Academy of Sciences, the Scranton Commission, and the Newman Task Force. As a result, I am confident that the proposal before you addresses itself to the right problems in higher education and deals with them in the right way.

These problems have many sources, yet surely a major one is the sheer and unparalleled growth of higher education in the last two decades. Twenty years ago less than a quarter of our young people went to college; today over half do. Twenty years ago most of our post-secondary institutions served a select and relatively homogeneous student population. Today they serve students from all kinds of economic and social backgrounds and a wide range of academic abilities and interests. Twenty years ago more institutions were relatively small, and the balance between public and private institutions was about even. Today, a quarter of our students attend institutions where enrollments are over 20,000, and large public multi-campus systems dominate the field.

This swift growth had to occur if we were to keep faith with the expanding demand for higher education. Yet this rapid growth left a number of problems in its wake which might have been avoided had there been a chance to proceed more cautiously, to experiment, to assess what worked and discard what did not. With some notable exceptions, higher education kept doing what it knew best, namely, what it had been doing all along. The structures and methods of years standing simply were extended and expanded to a larger universe. Now the problems created during these two decades are all around us.

Academic departments and disciplines designed for advanced training and research have been extended throughout undergraduate education. Modes of teaching suited for students who have been raised to enjoy and excell in academic pursuits have been extended to students from very different social backgrounds. Requirements and practices which were designed for the selective few persist—yet today, less than half of the students who enter college ever graduate.

The expansion of research and graduate education, too, was largely accomplished by extending traditional departments and disciplines into institutions where they had not previously existed. Departments were expanded to enroll more students, often without consideration as to whether a market existed for the skills the department provided. The congruence of lines of research with problems of society has been often a matter of luck rather than intention.

In the structure and administration of post-secondary institutions, the same phenomenon can be seen. Many have grown enormously, without adequate examination of their mission, how they were changing, and their competence

and resources for doing more and different things. Under pressure of financial need, institutions have taken on outside activities which are unrelated to their central purposes and which other agencies can better perform. Even the ordinary processes of administration have generally expanded along traditional lines. The lack of sophistication in planning, programming, costing, and operating even in some of our most prestigious universities is distressing.

In turn, these outmoded forms and practices have been reinforced by equally outmoded habits and practices outside the institutions. Going to college has become a now-or-never proposition immediately following high school rather than an experience to be undertaken when individiuals are eager and ready to acquire a higher education. Career ladders are so encumbered with requirements for certificates and credentials that doing time in school has become nearly the only avenue to advancement. Accrediting bodies have come to protect the professional views of guilds more aggressively than the changing needs and interests of consumers. And not the least of the problems is that we have continued to perpetuate modes of financing higher education without understanding their impact or experimenting with new financing methods. State and federal governments alike have been so concerned with finding revenues for an expanding system that questions about how to reward quality and performance, as well as provide financial stability, have been shunted aside.

Now this is a formidable list of problems, and I have no means exhausted them all. All of these are problems defined from a traditional conception of what higher education is all about. But patterns of work and leisure are changing so rapidly, the demand for advanced skills is rising so fast, surely higher education will be called upon in the coming decade to perform tasks never before even attempted. The worker, the housewife—individuals of all ages and circumstances—also represent "problems" for—and opportunities—to higher education.

I do not want to suggest that the National Foundation will solve or even address each and every one of these problems. Other programs of HEW and other agencies will make major contributions. But the National Foundation will be involved in a particular way. If we can agree upon the need for Federal leadership to facilitate basic reform in higher education, then I believe we can agree that the National Foundation is the right instrument for exerting this leadership.

We have adopted the Foundation form of organization and administration because it seems so perfectly adapted to the things we want to do—to innovate, to seed and stimulate, to sponsor and encourage. A foundation is not an institution which deals with all clients in an even-handed way, but an institution designed from the start to be selective, and given the flexibility to attract for varying periods of time the highest order of staff and counsel. The National Foundation will have this capability. It will not be an organization for operating programs or carrying on large and continuing financial transactions but a grant-making organization. It will be free of responsibility for operating any existing programs now conducted by H.E.W.

The Foundation will be located within the Department of Health, Education, and Welfare in the same way as other agencies of the Department such as the Office of Education. This is a major change from last year's proposal which established the Foundation as an independent agency in the Executive Branch reporting directly to the President. It is a location which we believe will retain the advantages of independent action and add to these the benefits of full-coordination with other major educational programs.

The Director of the Foundation will have close working relationships with the Commissioner of Education and the Director of the proposed National Institute on Education. Since this Administration has made it clear that the Commissioner of Education is the chief education officer, I intend to ask the Director of the Foundation to report to me through him.

I also intend to seek maximum coordination between the Foundation and other agencies outside H.E.W. which transact considerable business with post-secondary institutions. The Foundation will have my backing to share information and stimulate jointly-supported projects with other agencies. And we intend to establish, within the Executive Branch as a whole, a mechanism through which the Director of the Foundation can routinely do business with the leaders of other agencies.

Communication with the world outside the Federal government will be fostered by an advisory board of public members representing both the educa-

tional community and the general public. We want a strong board. Hence we have provided for its appointment by the President as a way of recruiting top people from education and other walks of life. In addition, the Board's advice will reach to all important matters of policy and all important projects and programs. There is enough experience in higher education to be sure that a strong board can serve important purposes; rightly operated it will strengthen the hand of its executive officer, and that is what we intend.

Among all the key elements of the Foundation, the Director is the most important. We want someone who is dynamic, one who has fresh and progressive views about higher education. To recruit such a person, the bill provides a number of incentives. He is to be a Presidential appointee, confirmed by the Senate. He will have an exciting program to develop and administer, and a strong Board to help him formulate policies and programs.

These are powerful incentives, but he needs others. Thus the bill includes a very important provision to give him the tools he needs and to enable the Foundation to carry out its mission. The bill exempts the professional and technical staff from the requirements of civil service laws and regulations regarding appointments, tenure, and classification of personnel. This is not an exemption for the sake of exemption. Rather, it recognizes the unique characteristics and mission of the Foundation, a recognition which Congress has previously accorded to other governmental foundations. Existing civil service rules, designed for the settled operations of diverse governmental operating activities, would severely constrain the Foundation from pulling together—often quickly and for varying lengths of time—teams of skilled and experienced people. The image of freshness and new starts that the exemption would convey to the individuals we want to attract should also not be underrated. The exemption could make the crucial margin of difference between assembling a staff of the first or the second order.

I am confident that with these key features I have mentioned the Foundation can be the vehicle for bringing a bold new emphasis to Federal higher education policy. The President's budget requests $100 million for the first year of operation of the Foundation. This is a substantial sum. But we are dealing with a large and very important system, and are seeking much more than piecemeal reforms here and there in existing institutions.

The Foundation will bring substantial new elements of diversity to higher education by supporting exemplary programs in a wide range of areas. Excellence and innovation in higher education has for too long been associated with one activity—academic research. Those institutions which are excellent in this activity should continue to be so, and other institutions should be encouraged to join them. But we also need institutions which are excellent in training individuals for particular careers and professions, excellent in providing motivation as well as knowledge, excellent in educating particular groups, excellent in equipping people with the attitudes and skills required to serve others.

Excellence in all these areas will entail not just strengthening of existing programs but the development of new ones based on new sequences and modes of education. The high school graduate today who wants to enter a profession such as the law, must undertake three or four years of general education followed by three years of formal training, and may never see the inside of a law office during this whole period. Women have no institutions seriously devoted to experimenting with sequences and courses of study related to their special needs and capabilities. Minorities other than Blacks have no programs to speak of which are devoted to the study and enrichment of their particular cultures. We need institutions and programs devoted to all these needs—and others. We need wholly unstructured educational programs for those who use freedom well and can learn by experience, and highly structured, disciplined programs for others. We need colleges with broad-based programs and colleges with narrow missions, colleges of three years and five years as well as four years and two years. Nothing short of such diversity will meet the range of contemporary needs. The Foundation can encourage this diversity.

We believe, too, that the Foundation should seek to make higher education more responsive to public needs.

One such need is the efficient use of public resources, and the Foundation can do much in this area. It can support evaluations and transitions to new kinds of administrative structures and procedures, new uses of faculties and facilities, and experimental modes of financing higher education. But it can go beyond this as well, and direct attention to the more general problem of accountability. It can support evaluations of what kind of educational programs are needed by our

fast-moving society, where the distortions and imbalances are, and can encourage new programs in needed areas.

The Foundation should, thirdly, encourage new ways of going to college. The Carnegie Commission recently issued a report entitled "Less Time, More Options" which suggested the kinds of things which could be done to break the lockstep pattern and rigid sequences of college education. The Foundation can support these steps. And it can also establish programs and institutions which can provide higher education within the home, the neighborhood center, and the work place. As the President said in his message on higher education, Great Britain and Japan have already made impressive strides in developing open universities based on televised courses and innovative tutorial and examining arrangements. Our citizens are no less deserving.

Mr. Chairman, I thank you for allowing me the time to elaborate on the reasons why we feel the Foundation is so necessary. I urge the speedy enactment of the President's proposal.

THE NATIONAL INSTITUTE OF EDUCATION, DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE, WASHINGTON, D.C.

In March 1970, the President called for the creation of a National Institute of Education as a "focus for educational research and experimentation in the United States." Pointing to the pressing need for reform and revitalization in American education, the President declared, "As a first step toward reform, we need a coherent approach to research and experimentation. Local schools need an objective national body to evaluate new departures in teachings that are being conducted here and abroad and a means of disseminating information about projects that show promise."

Our system of educational research and development has produced a number of important breakthroughs effecting the state of education. And yet research and development in education has never received enough attention to make it the full partner for progress our schools need so poignantly. In comparison to health research for example, it has commanded meager resources and recruited but a small community of researchers.

—Since 1959, the Nation has spent less than $1 billion on educational research—and $14 billion on health research.

—Today research and development receives barely three percent of the education dollar—and 4.6 percent of the health dollar.

—In 1968, the number of manyears devoted to research and development came to 5,390 in education—and 59,500 in health.

—The number of researchers working on education is only four or five thousand—and 30,000 receive support from the National Institutes of Health.

Insufficient resources and personnel have not been the only hindrances to a vigorous educational research and development effort. Education researchers have traditionally been associated with psychology, sociology, and the like—few have been drawn from a range of other disciplines now understood to have particular relevance to education—physiology, chemistry, computer sciences, statistics, etc. Education research has been concentrated too heavily on a few university campuses—most of it has been conducted in some 200 such institutions. Very little has emerged from other kinds of institutions.

Finally, education research has lacked the leadership of its own national agency with high visibility and favored institutional status. The creation of a National Institute of Education would place leadership in just that kind of agency.

The Institute would have power to carry on a broad range of research and development activities, including most of those now carried out in the Office of Education's National Center for Educational Research and Development. The new agency would be placed within the Department of HEW as an entity separate from the Office of Education. Although responsibility for it would be delegated to the Commissioner of Education for coordination purposes, the Institute's distinct organizational identity would permit it special visibility and flexibility.

The Institute would be led by an Executive level V director, to be appointed by the President and confirmed by the Senate. A National Advisory Council on Educational Research and Development, also Presidentially appointed, would bring together prominent representatives of education, research, science, business, and the public to advise the Director on Institute policy.

The Director would have special authority to hire and compensate staff exempt from civil service regulations. This would permit the Institute to evolve the kind of special staffing patterns other outstanding research and development agencies such as National Science Foundation and the National Institutes of Health have found so successful in attracting top researchers. For example, this civil service exemption will allow distinguished scholars and educators whose permanent career commitments are to universities or school systems to serve at the Institute on a short-term basis.

Most of the activities now vested in National Center for Educational Research and Development would be the complete responsibility of the Institute. The NIE would take responsibility for basic research and development, research and development centers and regional education laboratories, researcher training, and experimental schools. In addition to these activities, the NIE would conduct a small amount of in-house research. And the new agency would devote more resources to exploring radically new approaches to education's critical problems. The Office of Education would probably retain responsibility for education policy research relating to OE programs, statistical gathering, some demonstration projects, and a share of dissemination activities serving both agencies.

An increase in funds for educational research and development would accompany establishment of the NIE. $90 million is now spent under the Cooperative Research Act. In FY 1973, the first year of the Institute's full operation, the agency's budget is expected to begin at $150 million rising to about $250 million in five years.

In conclusion, the NIE will have special qualities enabling it to exert leadership for a more vigorous and effective educational research and development system. Its high level directorship will allow it particularly distinguished leadership. Its personnel authority and separation from the Office of Education will allow the Institute flexibility in evolving patterns of staffing and operation suited to a successful research and development agency. And its visibility as a new and distinct agency will help it to draw national attention to itself and, in the process, to progress in educational research.

Undoubtedly the present organization of research is capable of gradual, quite progress. But creation of a National Institute of Education will result in a giant step forward, and a major impetus for far-reaching improvements in the capacity of research and development to find better methods to educate Americans.

CARNEGIE COMMISSION ON HIGHER EDUCATION,
Berkeley, Calif., April 5, 1971.

The PRESIDENT,
The White House,
Washington, D.C.

DEAR MR. PRESIDENT: I wish to indicate my strong support for your proposal for a National Foundation for Higher Education. As you know, the Carnegie Commission proposed a similar Foundation in its first report, *Quality and Equality*, and suggested further tasks for that Foundation in the revision of *Quality and Equality* and also in its recent report, *From Isolation to Mainstream*. The Foundation can have significant influence in encouraging the type of reform so greatly needed in higher education. The growing interest in developing more effective options at the postsecondary education level make this a particularly opportune time for the establishment of this type of Foundation.

The Administration's new proposal for a National Foundation avoids the major cause of concern over last year's proposal—the mixing of responsibility for continuing programs with responsibility for innovative and experimental programs. The only existing HEW administered program that would seem to fit appropriately within the general mission of the National Foundation is the Developing Institutions Program.

In reviewing the bill to establish the National Foundation (S. 1062), I noted the emphasis on creating new institutions. It is possible that new types of institutions will be needed to achieve some of the necessary reforms. Although it is by no means the only reason for doing so, this emphasis on new institutions makes it particularly desirable to build into the Foundation a continuing mechanism for working with state planning agencies. Even the most nationally oriented institutions have some impact on the educational resources of the state in which they are located. And, since the Foundation provides experimental

funds only, the state may eventually be called upon to provide some of the funding for the new institution.

It is partly because of this that we recommend in our revised recommendations to *Quality and Equality* that there be a division within the Foundation which would make grants to states and regions to plan for the effective growth of the broad range of postsecondary education.

We also recommended in our report, *From Isolation to Mainstream*, issued in February 1971, that a special subdivision be created in the National Foundation for the development of black colleges and universities to give particular attention to their problems in this period of transition.

Some further thoughts on the general role and possible functions of the National Foundation are included in the attached note which I prepared for a forthcoming issue of *Change* magazine.

It is hoped that the National Foundation for Higher Education will soon become a reality.

Best wishes,

CLARK KERR.

STATEMENT OF HIGHER EDUCATION ASSOCIATIONS BEFORE THE SUBCOMMITTEE ON EDUCATION, COMMITTEE ON LABOR AND PUBLIC WELFARE, U.S. SENATE, MARCH 31, 1971

American Association of Junior Colleges
American Association of State Colleges and Universities
American Council on Education
Association of American Colleges
Association of American Universities
National Association of State Universities and Land-Grant Colleges
National Council of Independent Colleges and Universities
Joseph P. Cosand, President, Junior College District of St. Louis (Chairman)
Alan C. Rankin, President, Indiana State University, Terre Haute, Indiana
Edgar F. Shannon, Jr., President, University of Virginia, Charlottesville, Virginia
James M. Hester, President, New York University, New York, N.Y.
Donald C. Kleckner, President, Elmhurst College, Elmhurst, Illinois
Herman R. Branson, President, Lincoln University, Lincoln University, Pennsylvania
William S. Hayes, President, Alice Lloyd College, Pippa Passes, Kentucky

THE HIGHER EDUCATION FOUNDATION

We support the Administration's proposal to establish a National Foundation for Higher Education because we believe that innovation and experimentation in higher education are urgently needed, and because we are convinced that only support by the Federal government will make possible the range of innovation that we consider desirable.

In our judgment the five purposes of the Foundation as stated in Section 3 of H.R. 5192 are clear, important and attainable. The kinds of activities which the Foundation is authorized to support by Section 5(a) of the bill are practical and of high priority in adjusting higher education to new needs and opportunities. The authority in Section 5(b) to make studies in the field of post-secondary education, including studies related to post-secondary education finance, organization and management, are in our judgment an integral part of the activities of the Foundation, particularly because it must be able to assess critically the innovative efforts which it funds. Any bill which would state the purposes and activities in the general terms stated in H.R. 5192 would in our opinion be satisfactory.

We see no conflict or overlapping between the proposed Foundation and the proposed Institute for Education. The Institute will concentrate on research relating to education, concentrating but not confined to the pre-school, elementary and secondary levels. The Foundation will concentrate on innovation and implementation at the post-secondary level. The Institute will be heavily engaged in research on such matters as the learning process, motivation, family and cultural influences upon learning, curricula and so forth. The Institute would not be heavily engaged in supporting or evaluating innovative efforts in higher education, as would the Foundation. Since both organizations are related to education, there will be a border area where the legitimate interests of the two organizations should and will converge. Reasonable administrative judgment on the

part of the Directors of the two organizations, together with use of authority to transfer funds, would resolve any problems that may arise.

We wish to commend the Secretary for modifying his proposal for the Foundation so that operating functions are removed from the Foundation. We advocated this removal, and now find the statement of objectives and the activities entirely acceptable.

Since the Foundation is a new concept, it is our earnest hope that the proposal will be discussed intensively with a view to arriving at a proposal which will become law.

As contrasted with the statement of purposes and activities, we see a need for further discussion and modification of the portions of the bill which spell out the relative authority and responsibility of the Secretary, the Director of the Foundation and the Board of the Foundaiton. Two separable but related problems are involved here—the degree of independence which the Foundation should have, and how the independence of institutions of higher education is to be preserved when the Federal government can to some degree decide the direction and nature of change in higher education.

We consider it to be of the utmost importance that the Foundation be able to act with a high degree of independence. By this we do not mean that the Foundation should be another branch of government. It should be broadly responsive to the policies of the President. However, it should not be the machinery for administering to higher education prescriptions decided upon by government. The Department of Health, Education and Welfare and other agencies of the Federal government should be a source of ideas for the Foundation to consider, but it should not have executive authority to tell the Foundation which kinds of innovation should or should not be tried. In this connection, we were pleased to note that in his testimony before this Committee on March 18, Secretary Richardson was sensitive to this problem. He said:

"I think it important to emphasize that we visualize the Foundation as operating under a strong higher-education Foundation board and a strong director. . . . it is not, I can confidently say, a relationship under which we would expect the Commissioner to tell the Director what to do but rather a relationship designed . . . to try to make sure that the pieces fit together in a complementary way." Moreover, the Commissioner of Education expressed these views in testimony before this Committee on March 18: "The Director of the Foundation would not be a handmaiden, if you will, of a Commissioner; he would not be a person subordinate to the Commissioner in the sense of taking direction. I would see the roles as very compatible, collegial and mutually supportive."

However, we have some reservations as to the adequacy with which these concepts are stated in the Administration's bill. For example, it states (Section 2) that the Director of the Foundation, "shall perform such duties in carrying out this Act as are prescribed by the Secretary of Health, Education and Welfare." This conveys a tone of subordination rather than independence.

Without suggesting that the Foundation for Higher Education be outside the Department of HEW, we see in the National Science Foundation some structural principles and some internal arrangements which deserve careful consideration. This consideration is indicated because the functions of the proposed National Foundation for Higher Education and the National Science Foundation are broadly analogous. Both would provide governmental funds to institutions—one for research and one for higher education. The innovative as contrasted with the research function of the Higher Education Foundation is stronger, but this is not a critical difference. Both would provide governmental funds to areas of activity that must be protected against the imposition of central authority. Yet both must have a set of broad purposes which will inevitably influence the actions of individuals and institutions.

One might say that science, as contrasted with higher education, is not beset by deep philosophical differences and involved in political decisions. However, science on the national scene is in fact as deeply involved as is higher education in fundamental and controversial questions relating to the purposes of the entire undertaking and the proper role of the Federal government. One need only reflect on the deep disagreements as to the responsibilities of the National Science Foundation for the solution of social problems to realize the close parallels between the way in which science and higher education become politically involved. Incidentally, it is worth noting that the National Science Foundation has retained the respect of all parties concerned, and that it has not been

politically dominated in a partisan sense, in large part because its structure and distribution of authority have been worked out with great care.

In the light of this background, let us look briefly at the structure and distribution of authority proposed in H.R. 5192. It is simple. The President appoints the Director, who performs duties prescribed by the Secretary of HEW. (Section 2). A Higher Education Foundation Board advises the Secretary and the Director on matters of general policy, and prepares an annual report to the Secretary. (Section 4). The President designates one of the members of the Board as chairman. (Section 4). The Secretary is empowered to make grants or contracts to carry out the puposes of the Act.

Proposals for modification

Recalling the dual objective of giving the Foundation an adequate degree of independence and of protecting the independence of institutions of higher education—objectives which we share with the Secretary—the bill as written does not in our judgment present an optimum solution.

1. *Authority of the Board.*—As a central means of assuring an adequate degree of independence, we suggest that the Foundation (as is true of the National Science Board) be given unambiguous authority to set the policies and priorities of the Foundation for Higher Education, after consultation with the Secretary. H.R. 5192 does not clearly state who sets the policies and priorities of the Foundation but this authority is not given to the board. In fact, the Board has only two functions, as stated in Section 4. It advises the Secretary and the Director with respect to matters of general policy, and it prepare an annual report to the Secretary.

We believe that an annual report should be prepared by the Board, but that it should be sent to the Secretary for transmission to the President, and for submission to the Congress. We also believe, as in the case under the National Science Foundation, that the act should specifically empower the Board to make in its annual report such recommendations as it deems timely and appropriate.

This degree of independence of the Foundation does not relieve the Office of Education of authority and responsibility for innovation. The activities of the Foundation would simply demonstrate for the Office of Education, as well as for others, which experiments and innovative modes of higher education are productive and ready for large-scale application.

It is important to recognize that not all innovations work, and that all experiments do not succeed. One of the values of a Foundation is that it, to a greater degree than a standard operating arm of government, is designed to take chances on untried ventures and to lose some bets without being accused of incompetence, poor judgment or wastefulness.

2. *Composition of the Board.*—In our judgment, the composition of the Board is an extremely important matter H.R. 5192, Section 4(b) requires only that the members be broadly representative of the general public as well as the education community. We believe that this is highly desirable, but that twenty years of experience with the National Science Foundation have demonstrated that additional factors are important. For one thing, the members should be eminent in the field of higher education and public affairs. We do not want this Board to be a haven for mediocrity. The members should be selected solely on the basis of established records of distinguished service as the National Science Foundation Act provides. Finally, they should be so selected as to reflect views of leaders in all areas of the Nation and all major elements of higher education. We stress the need for broad representation on the Board.

In the selection process we believe that the President should be requested—again following the lead of the National Science Foundation Act—to consider recommendations of the National Association of State Universities and Land-Grant Colleges, the Association of American Universities, the Association of American Colleges, the Association of State Colleges and Universities and other educational organizations.

3. *Chairman of the Board.*—To emphasize the independence of the Board, we believe that it should elect its own chairman, as is the case with the National Science Board, rather than to have the chairman appointed by the President.

4. *Director of the Foundation.*—While we agree that the President should appoint the Director of the Foundation as provided in Section 2 of H.R. 5192, we believe that this authority should be greater and more explicit than the bill provides. As in the case of the National Science Foundation, we believe that the

Director should exercise all of the authority granted to the Foundation (including authority delegated by the Board) and that all of his actions should be final and binding upon the Foundation. Under H.R. 5192 as written, the Secretary alone is authorized to make grants or contracts. While he would undoubtedly delegate this authority to the Director, the ultimate authority (including authority to set conditions under which the delegation would be withdrawn) would remain with the Secretary. We suggest that failure to lodge authority to make grants and contracts in the Director, together with the requirement that the Director carry out such duties as the Secretary prescribes, reduce the independence of the Foundation to such a low level that it will be difficult to attain the goals which we share with the Secretary.

Incidentally, we wish to point out that the National Science Foundation has devised a system for making grants and contracts which has the full confidence of the higher education community. It is based upon a concept often missing in governmental operations—wide and open participation and involvement by the groups concerned with decisions, and avoidance of predetermined answers. A National Foundation for Higher Education free to adopt the principles and procedures for contracts which have made the National Science Foundation such a conspicuous success would be welcomed by higher education.

Finally, the Director should be required in exercising his executive functions to consult with the Board to ensure that the programs which he formulates are in conformity with the policies set by the Board.

5. *Place of the Foundation in the Department.*—We do not have a precise formula for stating the place of the Foundation in the Department, and the relationships between the Foundation, the Secretary and the Commissioner. Some of the suggestions made above relate to this question, but they do not provide a complete answer.

We suggest that the Foundation be considered as an element of the Department with a collegial relationship with the Secretary, as the Secretary and the Commissioner have proposed. We also suggest that the Commissioner of Education be a non-voting member of the Board of the Foundation in order to ensure a close working relationship between the Department and the Foundation. (We suggest a non-voting status not to reduce the status of the Commissioner, but to retain his freedom of action in adopting or rejecting ideas put forward by the Board.) Finally, we suggest that the budget proposed for the Foundation be presented by the Secretary to the President in a single lump sum for contracts, plus another sum for administrative expenses. For reasons stated above, we believe that the Foundation should be empowered to make grants and contracts and to do so under terms and conditions set by the Foundation. Finally, we note that Presidential appointment of the Director and the Board are means of ensuring the proper degree of responsiveness to the general policies of the administration in power.

Consideration of suggestions of this sort should lead to a reasonable resolution of this thorny problem.

Conclusion

Our proposals are made with the intention of establishing the principles, structure and relationships which will attract the best people, enhance confidence in the independence of the Foundation, protect the independence of colleges and universities while encouraging them to be responsive to needs for change, lead to the formulation of superior programs, and enhance the quality of administration. We do not make these proposals dogmatically or with the feeling that we know the ultimate answer to all of the problems, but with concern that the existing proposal needs modification in the general direction which we suggest.

In conclusion, we wish to emphasize our belief that innovation and general institutional support are related. General support is needed if productive changes are to be widely adopted. Poverty can, and often does, inhibit change. On the other hand, specific funds for innovation and experimentation are necessary to show what will and will not work.

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ON THE PROPOSED

NATIONAL FOUNDATION FOR HIGHER EDUCATION

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Harvard University

May 18, 1971

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Introduction

Higher education has come to occupy an important place in American life. In terms of size alone it has grown from enrolling about 4 per cent of the 18-21 year old population in 1900 to about 15 per cent in 1940 and 38 per cent in 1960. (1) By 1969 there were nearly 8,000,000 students in over 2,500 institutions of higher education. (2)

The greatest growth not only in size but in diversity has occurred since the Second World War and especially in the early sixties. This has been true in the great expansion of graduate programs and academic research facilities and in the remarkable rate at which community colleges have been founded. Some of this growth has been stimulated and made possible by the federal government. For example, while the total income of all institutions of higher education in 1946-47 was one billion dollars, federal aid alone to higher education in 1972 is estimated at six billion dollars. (3) But on the whole it appears that the federal role, rather than being one of initiation, has been one of response--response to either a sense of national need or of local demand. This has been true with the G.I. Bill, the National Defense Education Act of 1958, and in the construction of educational facilities.

One concomitant of this growth by response, however, has been the lack of either long-range planning or of coordination among current activities at the federal level. This has been clear for some time. In 1947 the Office of Education was a fairly insignificant unit within the Federal Security Agency; its Higher Education Division had a permanent staff of twelve.

The $1.5 billion in veterans' higher education benefits were administered by the Veterans Administration. (4) Twenty-five years later, although it has been given responsibility for NDEA and other programs, the Office of Education still administers less than one-quarter of federal higher education funds; nearly half of all such funds are not administered by either it or its present parent Department of Health, Education, and Welfare. This can be seen in the following table.

FEDERAL OUTLAYS FOR HIGHER EDUCATION BY AGENCY AND PROGRAM
(in millions of dollars)

Agency and Program	1970 actual	1972 estimate
Defense:		
Academic research	219	209
Other	278	311
Subtotal, Department of Defense	497	520
Health, Education, and Welfare:		
Office of Education:		
Student assistance	610	800
Construction of facilities	437	201
Institutional and personnel development	220	308
Subtotal, Office of Education	1,267	1,309
Other Health, Education, and Welfare:		
Academic research-health services	586	677
Fellowships and traineeships-health professions	280	281
NIH facilities construction	139	147
Social and rehabilitation research and training	51	49
Social security (student benefits)	502	594
Other	152	268
Subtotal, other HEW	1,710	2,016
Housing and Urban Development:		
College housing	196	46
Other	1	10
Veterans Administration: Readjustment benefits	665	1,260
National Science Foundation	360	363
Other	447	449
Total, higher education	5,142	6,047

(Table I-10, Office of Management and Budget, Special Analyses, Budget of the United States, 1972, Special Analysis I, Federal Education Programs, January 1971, p. 126.)

Lack of planning and coordination have also characterized the great growth in higher education. Only recently has the higher education community begun to realize that it is just that: a system of national proportions whose components interact with each other in important ways. Graduate students from one state attend university in another and work in a third; admissions standards and fees at private institutions affect attendance at public ones; research facilities in one region affect the quality and opportunities of students and faculty in another.

The implications of these interactions were not of much concern as the system burgeoned seemingly without limitation or question. The combination of social unrest, political protest, and economic difficulties in the last half of the sixties, however, led to widespread questioning of purposes and practices. Financial constraints in particular, as they began to force choices to be made between different alternatives, have illuminated the range of problems, the subtlety of the mechanisms at work, and how much has been taken for granted.

This situation may by now have had the effect of "unfreezing" the system so that it is open to more carefully thought out change. Yet individuals, institutions, states do not have the ability by themselves to plan or coordinate these changes on a national basis. The National Foundation for Higher Education is intended to help redress the problems of unplanned growth in both federal higher education programs and in the postsecondary educational system at large.

Footnotes

1. Rivlin, Alice M., The Role of the Federal Government in Financing Higher Education, The Brookings Institution, Washington, D.C., 1961, p. 3.

2. National Center for Educational Statistics, Digest of Educational Statistics 1970, pp. 62, 85.

3. Russell, James Earl, Federal Activities in Higher Education after the Second World War, King's Crown Press, New York, 1951, p. 68; cf., Table following.

4. Russell, pp. 170-1, 202 ff.

The Carnegie Commission Proposal

Reacting to the rapidly changing conditions of higher education in the last half of the sixties, the Carnegie Foundation for the Advancement of Teaching in early 1967 created with a $5 million, five-year grant the Carnegie Commission on Higher Education. The 15-member Commission was to examine the relationship between higher education and American society, sponsoring detailed studies of various aspects of the relationship and issuing occasional special reports on urgent problems that required early action.

Under the chairmanship of Clark Kerr, the initial Commission members were:

RALPH M. BESSE
Chairman of the Board
The Cleveland Electric
Illuminating Company

JOSEPH P. COSAND
President, The Junior College
District of St. Louis

WILLIAM FRIDAY
President, U. of No. Carolina

DAVID D. HENRY
Pres., U. of Illinois

THEODORE M. HESBURGH, C.S.C.
Pres., U. of Notre Dame

CARL KAYSEN
Director, Institute for
Advanced Study at Princeton

James A. Perkins
Pres., Cornell University

KATHERINE E. McBRIDE
President
Bryn Mawr College

CLIFTON W. PHALEN
Chairman of the Exec. Com.
Marine Midland Banks

NATHAN M. PUSEY
President, Harvard U.

DAVID RIESMAN
Professor of Social Sciences
Harvard University

THE HONORABLE
WILLIAM W. SCRANTON

NORTON SIMON
Hunt Food and Industries, Inc.

ROY E. LARSON
Chairman of the Executive
Committee, Time, Inc.

Roy Larson resigned in mid-1968 and subsequently five other members were appointed:

ERIC ASHBY
The Master, Clare College
Cambridge, England

KENNETH KENNISTON
Professor of Psychology
School of Medecine, Yale U.

THE HONORABLE PATRICIA ROBERTS HARRIS
Partner, Strasser, Speigelberg, Fried, Frank, and Kampelman, Attorneys, Washington, D.C.

KENNETH TOLLETT
Dean of the Law School
Texas Southern University

STANLEY J. HEYWOOD
Pres., Eastern Montana College

In December 1968 the Commission issued its first report, "Quality and Equality: New Levels of Federal Responsibility for Higher Education." Examining the nation's needs for higher education, higher education's potential to meet those needs, the federal concern with higher education, possible forms of federal support, and various federal aid proposals, the final recommendation of the report was that there be created a National Foundation for the Development of Higher Education.

The rationale for this proposal was that

> Research and graduate instruction in the nation's universities have been greatly strengtheded over the past two decades, in large part because of substantial research support by the federal government. Parallel gains of this magnitude have not been made in other areas of higher education, such as undergraduate curriculum development, instructional techniques, utilization of resources, and new program areas.
>
> The Commission believes that the federal government can play an extremely valuable role in encouraging developmental programs in higher education by providing initial funds for such undertakings. The continuing rise in the costs of higher education makes it particularly important to develop existing facilities to their greatest potential and to try out new methods and techniques in order to improve operational efficiency and quality. But many institutions find that they do not have a margin of funds for such undertakings.

The Foundation, therefore, was

> ...to provide encouragement, advice, review, and financial support for institutional programs designed to provide new directions in curricula, strengthening of essential areas that have fallen behind or that have never been adequately developed because of inadequate funding, and development of programs to improve educational processes and techniques.

This Foundation would be organized along the lines of the National Science Foundation but would develop higher education programs that would in a relatively short period of time be turned over to other federal agencies, mainly the Office of Education, for their operation. The funding level of the Foundation would be $100 million in 1970-71 rising to $200 million in 1976-77. By the latter date, however, additional funding for the newly divested programs and for some that now exist--those providing aid to developing institutions, for library support, and for international studies--was estimated to be about $800 million annually.

In its June 1970 "Revised Recommendation," while deleting reference to the Foundation's developing operating programs, $600 million was the Commission's new estimated federal expenditure for special programs in 1976-77 (the figure was reduced due to a different treatment of inflationary components). In addition the job of helping states and regions plan for post-sedondary education was added to the Foundation's work. In February 1971 the Commission recommended in its report "From Isolation to Mainstream" that there be a division for black colleges and universities within the Foundation.

The Moynihan Proposal

The Carnegie Commission proposal was published just after the 1968 National elections. During 1969 and early 1970 the Nixon Administration, newly in office, was to develop its major policy stances and legislative proposals. Trying to apply general principles to policy-making and have programs follow therefrom, higher education policy was formulated in the same mold as the initiatives in revenue sharing and the negative income tax. In the latter an income stretegy was designed intended to limit the amount of direction coming out of Washington. Revenues would be provided to the people needing them and the determination of their uses would be left to the recipients.

This approach to higher education policy was expressed as early as March 22, 1969, when the President stated

> For there is a second issue, of far greater concern to me, and, as I believe, to the Congress, to the American people generally, and the faculties and students of American colleges and universities especially. That is the preservation of the integrity, the independence and the creativity of our institutions of higher learning.
>
> * * *
>
> The first thing to do at such moments is to reassert first principles. The federal government cannot, should not--must not--enforce such principles. That is fundamentally the task and the responsibility of the university community. But any may state what these principles are, for they are as widely understood as they are cherished.
>
> First, that universities and colleges are places of excellence in which men are judged by achievement and merit in defined areas. The independence and competence of the faculty, the commitment, and equally the competence of the student body, are matters not to be compromised.
>
> * * *
>
> Students today point to many wrongs which must be made right:
>
> **We have seen a depersonalization of the educational experience. Our institutions must reshape themselves lest this turns to total alienation.

**Student unrest does not exist in a vacuum but reflects a deep and growing social unrest affecting much of our world today. Self-righteous indignation by society will solve none of this. We must resolve the internal contradictions of our communities.

**There must be university reform including new experimentation with curricula such as ethnic studies, student involvement in the decision making process and a new emphasis in faculty teaching.

The specifics of policy and legislation were to be worked out over the following year by a "study group" on higher education in the Executive Branch. Under the chairmanship of Edward Morgan, Deputy Assistant to the President for Domestic Affairs, it included on and off about a dozen of the Administration's top domestic social policy and planning figures, including Cabinet members. The various outcomes resulted from a coalescence of divergent views and philosophies. In this fashion Daniel Patrick Moynihan, who as Counsellor to the President had responsibility for higher education policy and attended a number of the group's sessions, originated the idea of the Foundation and through spirited advocacy won acceptance of it.

Moynihan had known of the Carnegie Commission's proposal, but not of its details. His concept was based very much on the model of the National Science Foundation, as was the earlier proposal. The emphasis, however, was on quality being the paramount criterion for awarding grants. In this manner the most prestigious institutions, especially the private ones, would qualify for aid in amounts and forms which would not be available in any program of proportional distribution to all institutions or of a categorical nature. The need was seen as critical in that the whole academic system would suffer if its leading institutions ran into difficulty, as was being predicted.

At the same time, those institutions at the farthest end of the academic procession--principally the black colleges--would receive some support so that the bottom of the system would not fall out either. In addition the Foundation would become the mechanism by which federal relations with higher education could be more coherently designed.

These purposes were stated in the President's Message on Higher Education of March 19, 1970, which contained the Foundation proposal. Having been written under Moynihan's direction, the Message gave the principal purposes as being:

--To provide a source of funds for the support of excellence, new ideas and reform in higher education, which could be given out on the basis of the qulaity of the institutions and programs concerned.

--To strengthen colleges and universities or courses of instruction that play a uniquely valuable role in American higher education or that are faced with special difficulties.

--To provide an organization concerned, on the highest level, with the development of national policy in higher education.

The proposal had been introduced in the Message by explaining the premises upon which it rested in this way:

One of the unique achievements of American higher education in the past century has been the standard of excellence that its leading institutions have set. The most serious threat posed by the present fiscal plight of higher education is the possible loss of that excellence.

But the crisis in higher education at this time is more than simply one of finances. It has to do with the uses to which the resources of higher education are put, as well as to the amount of those resources, and it is past time the Federal Government acknowledged its own responsibility for bringing about, through the forms of support it has given and the conditions of that support, a serious distortion of the activities of our centers of academic excellence.

For three decades now the Federal Government has been hiring universities to do work it wanted done. In far the greatest

measure, this work has been in the national interest, and the Nation is in the debt of those universities that have so brilliantly performed. But the time has come for the Federal Government to help academic communities to pursue excellence and reform in fields of their own choosing as well, and by means of their own choice.

* * *

Outside of science, however, there is no substantial Federal source for assistance for an institution wishing to experiment or reform. There is a heightened need in American higher education for some source for such support.

To meet this need, I have proposed the creation by Congress of a National Foundation for Higher Education....

This first federal proposal for a National Foundation provided that:

The National Foundation for Higher Education would be organized with a semiautonomous Board and Director appointed by the President. It would make grants to individual institutions, to States and communities, and to public and private agencies. Its grants would emphasize innovative programs and would be limited to 5 years each.

A number of small, categorical programs presently located in the Department of Health, Education, and Welfare--would be transferred to the Foundation. In addition to the more than $50 million now being spent in those programs, $150 million would be requested for the Foundation in fiscal 1972. Beginning with this $200 million budget, this Foundation would have the capacity to make a major impact on American higher education.

The legislation embodying the proposal also provided that the Foundation's Director would be at Executive Level II, the rank of the Director of the National Science Foundation, which would be higher than the Executive Level V rank of the Commissioner of Education.

Moynihan expected the proposal to be greeted with enthusiasm by the leaders of the academic community as an obvious way to obtain the funds they kept saying they required. Instead there was little response. As he put it in an October 1970

speech at the Annual Meeting of the American Council on Education,

One would like to report that the response of higher education was positive with respect at least to this proposal, but I fear this was not the case either. Here and there approval was expressed. Here and there suspicion. But on balance there was no response. Quite serious efforts by the President, members of the Cabinet, and of the White House staff to explain the proposal and to elicit either support or some counter-proposal came to nothing. Time after time such discussion would begin on a fairly high--and appropriate--level of general principles and within moments degernerate into a competitive and barely dignified clamor over this little categorical program or that.

Had we thought categorical aid had distorted the relations of the higher education community to the Federal government before the program was announced, we were utterly convinced of the fact in the aftermath. Corrupted would not be too strong a term. No one seemed able to think of the whole subject. Few, even, seemed able to think of the interests of a single whole institution. A major Presidential initiative which, right or wrong, was at very least the product of some thought and some analysis was greeted by silence on the part of precisely those institutions that are presumably devoted to thought and analysis.

Congressional Reaction

Legislation was introduced in the Ninety-First Congress which included the Foundation proposal. S.3636 was sponsored by Senator Jacob K. Javits (R., N.Y.); H.R.16621 and later H.R.18849 were sponsored by Rep. Albert H. Quie (R., Minn.). In the Senate, however, no hearings were held; in the House, although hearings were held, no action was taken. Moynihan commented in his ACE speech that

> Had there existed a powerful "higher education lobby" which willy nilly would push through great increases in existing programs, the sequence of events might be more explicable. (It is worth noting that in the course of five years the elementary and secondary school interests have created such a lobby in Washington.) But there was no such lobby, and the result was predictable. Congress did nothing. The current newsletter of the American Council on Education reports that the chairman of the Subcommittee on Education had given up efforts to assemble a committee quorem to draft a comprehensive higher education bill. "She said," the report continues, "she saw no chance of passing a higher education bill at this time because of concern over campus unrest."

The hearings which were held in the House were before the Committee on Education and Labor's Special Subcommittee on Education, chaired by Representative Edith Green. (Cf., "Higher Education Amendments of 1969," Hearings, April-July 1970, pp. 1142 ff. The then Secretary of Health, Education, and Welfare, Robert H. Finch, made the presentation on the Foundation for the Administration stating that the bill

> proposes the creation of a broad structure which would have the authority to support almost any program of merit, rather than the kind of Federal assistance, usual in the past, which has tended to focus on such narrow areas as the building of libraries and science centers.

He added that

> Prior to the President's message of March 19, there has been little official acknowledgment of the major role which the Federal Government has played in maintaining the status quo. In the past, the Federal Government has taken the position that it knew what was best for the Nation's colleges and universities, and then has proceeded to create programs with stringent guidelines to administer the granting of whatever moneys were available.

A primary purpose of the Foundation is that it will be an gency with significant resources where colleges and universities ay go to find support for new and interesting ideas. We be- ieve this will have the effect of releasing institutional resources therwise needed to support those programs. In effect, this ction will assist institutions in meeting their budget obli- ations as most colleges and universities are currently unable o find funds to operate or establish innovative programs.

We anticipate that the Foundation will probably wish to ontinue funding certain established programs, including fellow- hips and aid to international education. In addition the oundation may also fund community service programs, cooperative rrangements between institutions, curriculum development plans, nd will particularly assist institutions engaged in the high ost efforts of serving the disadvantaged. Authority to fund rograms specifically authorized in the 1965 bill, but never unded, will be transferred to the Foundation.

It is planned that the Foundation will not fund programs or longer than 5 years. If, after that period, there remains mple justification for the continuance of a certain program r project, that specific item would be spun-off from the Foun- ation and, with congressional approval, be lodged in the ppropriate agency; in most cases the Office of Education. ere, again, the thrust is to keep the Foundation from being addled with continuing programs which will drain its resources nd prevent it from fulfilling its primary mission--the pursuit f excellence and innovation in higher education.

The reaction in the committee was mixed. Representative

dith Green (D., Ore.) responded by saying,

May I say first of all, that I do like some of the approaches sed in the administration's bill. I certainly like the start, t ending the fragmentation of education programs and if we can et the Foundation to move in that direction, I will be in favor f it.

Representative John Brademas (D., Ind.) commented, however, that

Finally, I am very concerned about the proposed foundation hat you suggest which would seem to me to put the Congress of he United States right out of business and just give all of the ower to the Secretary and the Commissioner of Education for ou to decide what you think is best for American higher educa- ion, and I must say that I don't think you have at all made our case for killing off a wide variety of programs that have on great support in the higher education community in the nited States.

Secretary Finch replied,

As I said, I think our precedent here is the National Science oundation. They come to Congress every year with their budget...

The HEW Proposal

Moynihan was to leave the White House in December 1970 to return to Harvard University. Before leaving, however, as an outgrowth of the ACE speech, he arranged a series of meetings between college and university presidents and the new Secretary of Health, Education, and Welfare, Elliot L. Richardson. Richardson, in turn, was reportedly surprised by what he considered the traditional attitudes of the educators. He was soon bolstered in this opinion by the submission of a draft of the "Report on Higher Education" (released in March 1971) of the Newman Task Force, which had been appointed by his predecessor Robert Finch. As he stated in his forward to the Report,

> Few people realize how welcome to a Secretary of the Department of Health, Education, and Welfare are fresh insights into problems and social trends affecting education. Without them no Secretary can adequately perform his role of public leadership nor make intelligent choices about priorities among programs within the Department. Yet unfortunately fresh ideas are all too difficult to come by.
>
> I am luckier than most Secretaries in this regard because my predecessor, Robert Finch, inspired an unusual amount of creative activity within and outside the Department. This report is one of his legacies.
>
> The report is an unusual document. It is provocative without being irresponsible; unconventional without making a fetish of being so; blunt and critical, yet clearly written by individuals who are higher education "insiders" deeply committed to their profession. If my own reading is a guide, it will offer many others insights which will become recognizable in terms of their own experience.

Becoming convinced in this manner that something should be done for and about higher education, Richardson took on the task of developing and promoting the Foundation proposal. Believing that the Newman Report and other recent publications (notably those of the Carnegie Commission on Higher Education

and the Assembly on University Goals and Governance of the American Academy of Arts and Sciences) gave sufficient background for planning purposes, the decision was made not to do the intensive preparation for the Foundation that had gone into the draft full-time, six-month study by Roger Levien of the RAND Corporation for the proposed National Institute of Education. The planning responsibility was therefore delegated on a part-time basis to one of Richardson's assistants, Russ Edgerton, who had been a member of the Newman Task Force. He in turn was largely assisted by Dr. Martin Kramer, from the office of the HEW Assistant Secretary for Planning and Evaluation. Kramer had also served in the Newman group.

At the same time, Sidney P. Marland, Jr., had been appointed Commissioner of Education. Even before confirmation of his appointment, he was brought into the Richardson discussions with the higher education representatives. Independently he took on as a part-time consultant to plan for the Foundation William B. Cannon, a vice president at the University of Chicago, without knowing that Cannon had also served on the Newman committee.

As a result of these interactions and appointments, the concept of the Foundation was fundamentally changed away from a means for supporting excellence and toward a mechanism for encouraging innovation and reform throughout the whole academic system. It would be a grant-making agency, operating no programs of its own, with initial "no-year" funding of $100 million. It would have a Presidentially-appointed Board and Director,

but they would report through the Commissioner of Education to the Secretary of Health, Education, and Welfare. Legislation was introduced into Congress to this effect (H.R.5192, S.1062).

Insofar as the HEW concept of the Foundation derives from the President's Message, the premises stated there apply to it as well. Secretary Richardson has re-stated them himself, however, in his March 1971 testimony before the Congressional education subcommittees. He said that

> These problems (in higher education) have many sources, yet surely a major one is the sheer and unparalleled growth of higher education in the last two decades. Twenty years ago less than a quarter of our young people went to college; today over half do....
>
> This swift growth had to occur if we were to keep faith with the expanding demand for higher education. Yet this rapid growth left a number of problems in its wake which might have been avoided had there been a chance to proceed more cautiously, to experiment, to assess what worked and discard what did not. With some notable exceptions, higher education kept doing what it knew best, namely, what it had been doing all along. The structures and methods of years standing simply were extended and expanded to a larger universe. Now the problems created during these two decades are all around us.
>
> * * *
>
> I do not want to suggest that the National Foundation will solve or even address each and every one of these problems. Other programs of HEW and other agencies will make major contributions. But the National Foundation will be involved in a particular way. If we can agree upon the need for Federal leadership to facilitate basic reform in higher education, then I believe we can agree that the National Foundation is the right instrument for exerting this leadership.

As presented in the 1971 legislation, the purposes of the Foundation proposed by HEW would be:

(1) To encourage excellence, innovation, and reform in postsecondary education;

(2) To provide assistance for the design and establishment of innovative structures for providing postsecondary education and innovative modes of teaching and learning therein;

(3) To expand the ways and patterns of acquiring post-secondary education and to open opportunities for such education to individuals of all ages and circumstances;

(4) To strengthen the autonomy, individuality, and sense of mission of postsecondary educational institutions, and to support programs which are distinctive or of special value to American society; and

(5) To encourage postsecondary educational institutions to develop policies, programs, and practices responsive to social needs, and to provide an organization concerned with the rationalization of public policies toward postsecondary education.

It should be noted that, while the higher education associations support the concept of a Foundation, they have been highly critical of the Newman Report which has so strongly infused the HEW proposal. The criticism was contained in the April 27, 1971, "A Critique of the Report on Higher Education" by the "Secretariat," which is comprised of the executive officers of 14 major higher education associations. Their major objection seems to be that the Newman Report was immoderate in its presentation. They said that

The document restates familiar criticisms. It is replete with internal contradictions, and ignores the existence of a vast number of recommendations that respond specifically and directly to the issues it raises, while merely alluding to a few recommendations in its footnotes and text.

* * *

It is really a "non-report"--too long and pejorative as a briefing memo, too short as a scholarly examination. To the informed reader it is provoking rather than provocative. To the uninformed it presents a distorted and misleading description of the problem and possibilities for solution.

* * *

Higher education has been assailed for a long time with general talk about the weaknesses that prevent it from doing a better job. What it requires is not more exposure of weaknesses, but more explication of specific programs based on a sound perception of needs and testing programs for cost-effectiveness.

Apparently the associations adhere to the premises upon which all of the proposals are based, but naturally enough would like the Foundation to be guided by the tone and temperament which characterize their own operations. Their major objection to the Moynihan proposal, insofar as any objections were raised, had been the inclusion of operating programs. There was in addition the generalized fear of federal control, which may have in part been assuaged merely by the process of being consulted more in formulating the HEW proposal. Their criticism of the Newman Report and of certain key elements of the HEW proposal while supporting the idea of a National Foundation in fact suggests that they prefer the Moynihan proposal. Indeed they stated in their testimony that "any bill which would state the purposes and activities in the general terms states in H.R.5192 (S.1062) would in our opinion be satisfactory."

Congressional Attitudes

The situation in Congress had changed from that of the preceeding year because in summer 1971 all existing higher education legislation would come up for renewal. On the Senate side the Foundation notion, considered non-controversial and perhaps a good idea, was included in the major Democratic higher education package (S.659) submitted by Senator Claiborne Pell (D., R.I.), chairman of the Subcommittee on Education of the Senate Committee on Labor and Public Welfare. The bill provides, however, that the Foundation be part of an Education Division within the Department of Health, Education, and Welfare. The Division would also include the proposed National Institute of Education and the Office of Education. The Commissioner of Education would be moved up to Executive Level III, while the Directors of the Institute and the Foundation would be at Executive Level IV.

In this bill the Foundation Board would have the authority to establish policies for the Foundation and would submit an annual report to the President on Foundation activities and on the status of higher education in the United States. The Foundation would also have authority to make grants to institutions of higher education (including combinations of such institutions). Its purposes would be those of the Moynihan proposal, while its activities would encompass all three proposals.

In the House no mention was made of Foundation in the omnibus Democratice higher education bill (H.R.7248) submitted by Rep. Edith Green (D., Ore.), chairman of the Special Subcommittee on Education of the House Committee on Education and Labor. In late March 1971 Mrs. Green told the Administration that she was opposed to the Foundation. Her change in attitude from the previous

year stems apparently from two causes. First, having sponsored a year-long study of Office of Education grant-making procedures, she was appalled at what had been found. She was therefore opposed to proliferating the bureaucracy, especially as with the National Institute of Education and perhaps with the Foundation if it would remove the "brains from the body." Second, believing that any qualified student should be able to obtain postsecondary education and that any job can be worth of dignity (so that there might even be a "philosopher-plumber"), she was concerned that the Foundation would concentrate too much power in too few hands, which could stifle diversity of educational opportunity.

Mrs. Green's solution to these problems is to provide massive direct federal aid to higher education institutions on a formula basis, and to authorize the Comptroller General to "review, audit and evaluate Federal education programs." Title VIII of her "Higher Education Act of 1971" states that "the Congress hereby finds and declares that an emergency condition has arisen which threatens the continued ability of many institutions of higher education to provide the education necessary to enable our citizens to make their full contribution to the Nation's economic and cultural development. It is therefore the purpose of this title to meet this critical need through general assistance from the Federal Government...."

Basically each higher education institution would be eligible to receive $100 for each lower division student, $150 for each upper division student, and $200 per graduate student. The amount actually appropriated would be distributed proportionately. Mrs. Green has, however, also given some thought to the idea of establishing a National Advisory Council on Higher Education.

Representative John Brademas (D., Ind.) remains critical of the Foundation, but for somewhat different reasons. After hearing the Richardson testimony, he said,

A third principal weakness, as I see it, of your proposal is with respect to the Foundation for Higher Education. Now as you know, in another subcommittee we are considering President Nixon's proposed National Institute for Education, which I regard as a splendid initiative on the part of the President and I commend him warmly for it. It seems to me to hold out great promise of reform and change for good in American education at every level. But I think that your Foundation has been put together so sloppily that it is intellectually very difficult to defend.

A year ago your predecessor, in this room, described the Foundation as a general purpose program and wanted to use it as an effort to kill off so-called categorical grants programs. Today it has a different shape and size and description, although I confess having heard you today I am still not clear on exactly what it is you are trying to do with it. But if you are trying to use it as an instrument for innovation and experimentation in higher education, then it is not clear its association with the dimensions of the National Institute of Education as outlined by your own counsel.

What you are doing is moving in precisely the opposite direction that the Nixon Administration has been moving in, namely, you are proliferating the Office of bureaucracy (sic) in the Office of Education. Because now you are going to have a higher education section of the Office of Education spending money, you are going to have a higher education division of the National Institute of Education engaged in research, and you are going to have a Foundation for Higher Education. You will have three animals.

If we are logical, we ought to have a Foundation for Child Development, a Foundation for Vocational Technical Education. I remember very well Mrs. Green's putting Clark Kerr a year ago the question--I believe I am correct--If you had a dollar to spend on higher education or a dollar to spend on child development? (sic) Mr. Kerr, who was concerned with higher education, saying he would put it in child development. Yet you single out higher education as uniquely suited to a Foundation.

I should have thought vocational technical education might have an equally pressing demand. So, in all three respects, Mr. Secretary, I greet your proposals with minimum high regard.

The Secretary later responded to a similar question:

...We believe we are at a period in the history of higher education in which there is particular need to encourage reform and in which the only effective means of doing this which is available to the Federal Government is to provide funds to institutions, new or old, that are willing to undertake them and come forward with significant individual proposals that could serve as examples to other institutions.
(Source: uncorrected transcript of Hearings, March 18, 1971)

Role in Government

The design of the Foundation requires a careful balancing of purposes and interests. The importance of this is evidenced by the change of location in Government between the Moynihan and HEW proposals. In the former version the Foundation was to be an independent agency like the National Science Foundation, but which would also have taken over some existing Office of Education operating programs. In the HEW version the Foundation is located within HEW and will not operate any programs of its own. The Carnegie Commission proposal relies on the NSF model, but in a recent unpublished paper representing the views of the Commission though not endorsed by it, Clark Kerr suggests that the Foundation might be located in HEW.

As Secretary Richardson described the changes in his statements to the House and Senate education subcommittees in March 1971,

> The Foundation will be located within the Department of Health, Education, and Welfare in the same way as other agencies of the Department such as the Office of Education. This is a major change from last year's proposal which established the Foundation as an independent agency in the Executive Branch reporting directly to the President. It is a location which we believe will retain the advantages of independent action and add to these the benefits of full-coordination with other major educational programs.

He went on to explain that

> The Director of the Foundation will have close working relationships with the Commissioner of Education and the Director of the proposed National Institute of Education. Since this Administration has made it clear that the Commissioner of Education is the chief education officer, I intend to ask the Director of the Foundation to report to me through him.

I also intend to seek maximum coordination between the Foundation and other agencies outside H.E.W. which transact considerable business with post-secondary institutions. The Foundation will have my backing to share information and stimulate jointly-supported projects with other agencies. And we intend to establish, within the Executive Branch as a whole, a mechanism through which the Director of the Foundation can routinely do business with the leaders of other agencies.

Commissioner Marland stated in his testimony that

> In addition, the Foundation hopefully would work towards the development of a national policy for higher education, including an examination of the federal government's impact on policy formulation and institutional behavior.

The changes that went into the HEW proposal appear to be in accordance with current Administration priorities and practices. The change to the HEW location, for example, was based in part on the need to conform with the principles of the proposed Executive Reorganization. As stated in "The Case for Executive Reorganization," these principles are that

> I. Whenever possible, the executive branch should be organized around major purposes of Government--both at the inter- and intra-departmental levels. This will allow for clearer lines of authority and responsibility....
>
> II. Each department's mission should be defined broadly enough to allow the department to set policy and resolve conflicts concerning a wide range of issues. This will minimize the need for inter-agency coordination and reduce the number of issues which surface at the Presidential level for resolution.
>
> III. Similar and interdependent programs should be brought together whenever possible so that there is a single organizational location for a given social or economic objective. Officials who are addressing common problems should work together in a single chain of command. This will bring together in one place the relevant information, resources, and authority needed to set intelligent priorities in a given area.

IV. The number of agency heads directly accountable to the President should be reduced in order to increase meaningful contact between the President and the major line officials of his administration.

A complication which may arise, however, is that of planning the location of the Foundation in accordance with the principles of the Reorganization if the Reorganization Plan is not passed. While the principles may in principle be sound ones, rejection of Reorganization can be seen at least partially as a rejection of the principles upon which it is based. More generally it would mean that other considerations were given more weight. Such a determination would undermine this rationale for locating the Foundation within HEW.

Another reason for the proposed HEW location is to strengthen the position of the Commissioner of Education. Without emphasizing any sense of pessimism, however, the Office of Education has been subjected to repeated overhauls in the past several years and has proved nearly unmanageable. To provide it with the leadership desired by the present Administration must be considered a worthy goal. Yet the future of the Foundation in its proposed HEW location is tied heavily not only to this perhaps unattainable goal but to its having been set by a specific Administration as well. Any change in Administration could not help but lead to a sense of uncertainty within the Foundation about its future import. This is the sort of uncertainty that causes undesired turnover in personnel. An independent agency clearly would be freer from these effects.

Finally it may be argued that the HEW location can protect the Foundation from political pressures because they would be warded off by the Commissioner and the Secretary. The counter-argument, which has been made by the higher education associations and will be dealt with more in relation to the National Foundation Board and Director, is that independence from political pressure is best achieved through legislative provision for that independence.

In terms of the potential efficacy in policy-making by different mechanisms, the Foundation in either location is likely to have more effect than an Advisory Council or Commission, mainly because it will have funds of its own by which it can create programs that represent its policy preferences. While the National Science Foundation has never greatly affected Government-wide policy-making, it was created to do so but did not by choice of its first director.

Located within a department--either HEW or a Department of Education, the Foundation is likely to have less effect on policy than if there were a Presidential advisor with staff on the model of the Science to the President and the Office of Science and Technology in the Executive Office of the President, both augmented by the Federal Council on Science and Technology and the President's Sciency Advisory Committee. Although the advisor's influence will vary with the President's confidence and interest, there at least exists a direct line to the Chief Executive.

The Director of the Foundation in the HEW proposal, however, would report through at least one intervening layer in a

Department of Education and two layers in HEW, while the appointment of an Assistant Secretary for Education would either add another layer or serve to confuse the relationships. No matter the interest and determination of the Secretary or Commissioner this structure implies a process of selection from among Foundation proposals and recommendations.

It may be argued that the advantage of the HEW location for policy-making is that it provides for a Cabinet-level spokesman for the Foundation's concerns. This, however, is a very uncertain advantage. Policy generally is not made by the Cabinet itself. So the question then becomes one of the relative advantages of the Secretary versus those of the Director of an independent agency. The weight on the side of the Secretary is that he presumably can take more initiative and call upon more support from his broader constituencies for any measure which he considers to be of major consequence. This must be balanced, on the other hand, by the fact that the Secretary's political position, which gives him his broader constituencies, may also require trading off the effort needed for support of a higher education measure for that of a measure in another area. The Director of an independent agency, while probably not having the capability of taking major policy initiatives, is not only able but expected to be continually attentive to the concerns of his agency at the intermediate and lower policy levels. He would moreover be in a position to take initiatives at any level when it is politically or otherwise not possible for the Secretary to do so, while a Foundation reporting to the Secretary would be more constrained from taking such actions.

The Foundation may have some impact on coordination among federal higher education programs, if only because this has not taken place in the higher education sphere before. If a Coordinating Council were formed, as the Secretary suggested, it might include representatives from the Foundation, the Office of Education, the proposed National Institute of Education, the National Institutes of Health, the Department of Commerce, and others. The Foundation would, however, be only one voice among many--and the Director at Executive V might even be a junior one, so that its capabilities in this domain are likely to rest precipitously much on the personal stature and skill of the Director.

The Coordinating Council must also to some extent come into conflict with the Federal Council on Science and Technology. This means that both within the Coordinating Council (from at least NSF and NIH) and between Coordinating Council and FCST there will have to be accomodations made with the scientific research establishment, the disproportionate growth and influence of which was an important impetus for the creation of the Foundation.

In addition the Federal Interagency Committee on Education is widely accepted as having had little or no impact on program coordination even under an Assistant Secretary for Education. As a model for a Coordinating Council, it offers little reason to expect much efficacy; as an existing entity, it is one more potentially competing or at least conflicting body. Reliance on the Commissioner of Education to mediate such conflicts, when his role has traditionally been most closely linked to

primary and secondary education, cannot be looked upon with much confidence by the higher education community.

It appears, therefore, that some but not a great deal of headway can be predicted in federal higher education policy-making and program coordination due to the existence of a National Foundation, but with more to be expected from an independent agency than from one located in HEW. This outcome in part reflects what is understood to be the fear of the higher education community of too much federal control. But just as the disparate interests of that community have acted against the formation of coherent federal policy in the past, there is little reason to fear too much federal control in the future.

This sense of achieving only as much reform as is politically possible will most likely also infuse what is presumably the major function of the Foundation--program origination. If, for example, one criterion of the Foundation's success is how widely accepted are its reforms, then the programs it proposes to fund will have to be very close to those that are already being considered or are near to being considered for adoption. If this were the main criterion, then it would be expected that the Foundation would be dominated by the higher education associations which have traditionally attempted to reach a consensus among their members before advocating or supporting any policy or program. It is just this sort of consensus and even-handedness, however, that all the proposals for the Foundation are meant to avoid.

This means both that different criteria of success must be considered and that the Foundation cannot simply be reactive to proposals from the field. The Foundation must make choices, which is in fact program origination, and it must plan its programs in light of its criteria for success. Lack of appreciation for this paradox has led Kerr, for example, in a recent paper to state that "the Foundation should respond rather than initiate; facilitate others to act rather than act itself; and encourage and influence reform and experimentation rather than direct such activities." In order not to cut off a large source of its support and credibility in the higher education community, the Foundation may have to provide for a sizeable portion of its funds to go for these "popular" activities.

In the context of this acceptance, two other criteria and types of programs seem reasonable. One is the difficult but challenging area of planning and beginning programs that are intended to have widespread effect only in 1985, 1990 or 2000. The other is the perhabs equally challenging area of planning and completely funding programs intended to have large-scale impact quite soon. Among these might be off-campus operations such as a national university without walls. This type of program could have much popular support so that it and the first type might together in a sense underwrite the second as an activity for the Foundation and as a basis for judging its effectiveness.

Observing that the Foundation must be political in this sense of supporting those programs which are currently valued

by the higher education community is not, however, meant to downgrade the importance of this responsiveness in that relationship. The Foundation would rather be intended to bring the level of response down to a more selective attitude, targeted toward various types of individuals, institutions, or programs.

The Moynihan proposal in good measure embodies this approach as a program of nearly purely institutional support. The institutions receiving funds would set their own priorities as to how the funds would be spent. Or to put it another way the Foundation would accept the priorities recommended by the recipients. The Carnegie Commission proposal is somewhat more restricted in this respect because it suggests more antecedent choices on the part of the Foundation as to what types of programs to fund. The HEW model, while suggesting a wider range of potential recipients than the others, is more open to the effects of the paradox noted above that to have any program coherence at all will require making even more choices.

Whether the Foundation should be a testing ground for the development of new higher education programs which would be turned over to the Office of Education for operation on a large scale remains an open question. It is explicitly included in the Carnegie Commission proposal; it is accepted by the higher education associations as a feature of the HEW concept (they stated in their Congressional testimony that "the activities of the Foundation would simply demonstrate for the Office of Education, as well as for others, which experiments and innovative modes of higher education are productive

and ready for large-scale application"); and was included by Secretary Finch in his testimony as an intended feature of the Moynihan proposal.

Transfer to and operation of large-scale programs by the Office of Education may lead to new orthodoxies and rigidities. It may result in blunting of the aims of the programs by administrative inefficiencies. But it is also a logical way to develop new higher education programs and provides the type of planning and testing that have been absent until now. In this regard there need be no conflict with the proposed National Institute of Education. Any research which the NIE may do in postsecondary areas can be highly useful in contributing to informed choices among program alternatives within the Foundation. This would be especially reasonable if the NIE grows to its projected tenth-year billion dollar level and the Foundation maintains a fairly stable and much lower level of funding. A close working relationship between NIE and National Foundation staff in this respect makes sense without suggesting any unnecessary overlap of functions.

This relationship could occur with presumably equal facility whether the two agencies were co-equal under the Commissioner of Education or the Foundation were an independent agency. However, the two agencies are not in fact co-equal because of the Foundation's policy and coordination functions, so that the parallelism implied by having them both report to the Commissioner does not really hold.

Program

While the National Foundation may contribute to policy-making and program coordination and serve as a capstone for higher education generally, its reason for being is primarily expressed in its program activities. Nevertheless, in planning for the Foundation there has been a lack of desire for going very far in the direction of specifying which programs should be funded and at what level. One reason given for this in relation to the HEW proposal has been that intensive efforts have already gone into the work of the Carnegie Commission on Higher Education, the Assembly on University Goals and Governance of the American Academy of Arts and Sciences, and the Newman Task Force. There has also been a desire not to tie the hands of the National Foundation Board and Director before they are appointed.

Yet there has been some pulling together of various possible program activities. The HEW proposal, as embodied in the 1971 bill, empowers the Foundation to assist, among others, the following activities:

1. The creation of institutions and programs involving new paths to career and professional training, and new combinations of academic and experiential learning.

2. The establishment of institutions and programs based on the technology of communications.

3. The carrying out in postsecondary educational institutions of changes in internal structure and operations designed to clarify institutional priorities and purposes.

4. The design and introduction of cost-effective methods of instruction and operation.

5. The introduction of institutional reforms designed to expand individual opportunities for entering and reentering institutions and pursuing programs of study tailored to individual needs.

6. The introduction of reforms in graduate education, in the structure of academic professions, and in the recruitment and retention of faculties.

7. The creation of new institutions and programs for examining and awarding credentials to individuals, and the introduction of reforms in current institutional practices related thereto.

8. The development or revitalization of educational training programs of national importance.

This may be as good a general list as can be developed without going into detail. It was specifically endorsed by the higher education associations, which stated that "the kinds of activities which the Foundation is authorized to support by...the bill are practical and of high priority in adjusting higher education to new needs and opportunities." Kerr, in kind, in his paper "Federal Policy for Academic Reform" suggests that the following sorts of activities might be funded initially:

--Plans by groups of colleges to develop regional liberal arts centers for the purpose of increasing quality, scope, and diversity of undergraduate education, of stimulating more economical and effective use of administrative and teaching personnel, and of sharing library and computer facilities.

--Application by cities or school districts for the purpose of improving counseling for postsecondary education.

--Development of programs designed to reduce the length of time required to secure Bachelor of Arts degrees, including experimentation with three-year curricula for the B.A. degree, credit by examination, and credit for various types of service activities.

--Experiments with "open universities" along the lines of the Open University in England.

--Experimentation with the possibility of accrediting high schools to provide certain lower division college work.

--Developing programs which effectively combine work experience with college education.

--Extension of programs permitting simultaneous enrollment of students in clusters of institutions permitting each institution to specialize but providing a wide range of options for the individual.

--Experimenting with programs designed to develop a closer partnership between industry and education for the supply of certain occupational education.

Thus there are clearly many program opportunities amenable to funding but the extent of further planning required for the Foundation and by the potential recipients is not clear. The British Open University, for example, was a decade in the planning. Nevertheless there has been a considerable amount of self-study in American higher education recently and a fairly rapid gearing up by the Foundation and by academia does not seem an unrealizeable notion.

Structure

It is suggested here that the internal organization of the Foundation might be as depicted in the accompanying diagram. This structure is designed to contain as little hierarchy as possible in order to maximize the responsiveness of the staff to their constituencies. It is, however, extended horizontally to give it a substance which augments and sustains its program activities. Yet with six divisions, each under an Assistant Director of the Foundation, it is within the normal "span of control" of the Director. A strong Planning and Evaluation Section under a single Deputy Director is suggested. The various components of the Foundation will be described in succeeding sections.

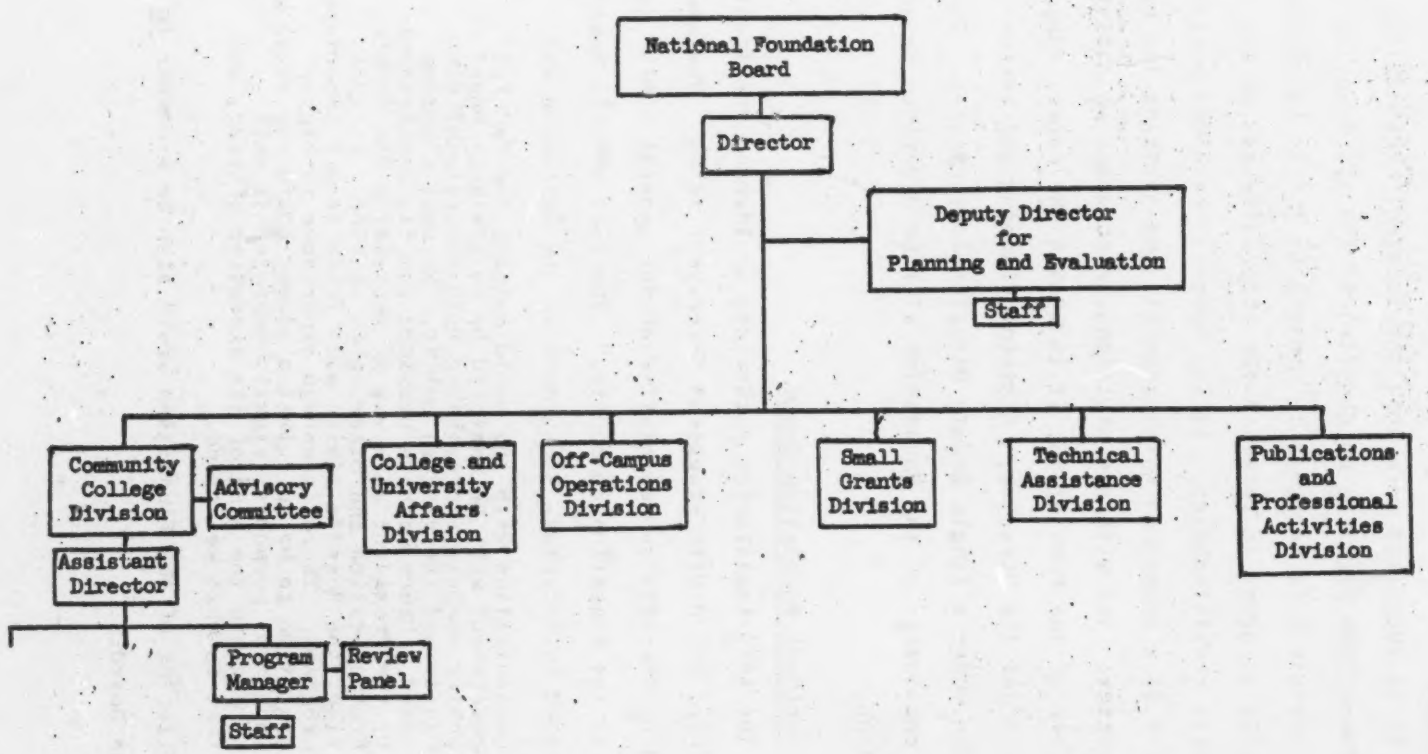
National Foundation Board

The 1971 legislation authorizes an 18-man, Presidentially-appointed Board with staggered three-year terms. The members would be "broadly representative of the general public as well as the education community." The role of this Board was described by Secretary Richardson in the following way.

> Communication with the world outside the Federal government will be fostered by an advisory board of public members representing both educational community and the general public. We want a strong board. Hence we have provided for its appointment by the President as a way of recruiting top people from education and other walks of life. In addition, the Board's advice will reach to all important programs. There is enough experience in higher education to be sure that a strong board can serve important purposes; rightly operated it will strengthen the hand of its executive officer, and that is what we intend.

The Director of the Foundation would also be a member ex officio of the Board.

A NATIONAL FOUNDATION FOR HIGHER EDUCATION



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The HEW concept of the Board, however, is one of the aspects of the Foundation which the higher education associations now criticize most. With regard to the Board's authority the associations (including the American Association of Junior Colleges, the American Association of State Colleges and Universities, the American Council on Education, the Association of American Universities, the National Association of State Universities and Land Grant Colleges, and the National Council of Independent Colleges and Universities) testified that

> As a central means of assuring an adequate degree of independence, we suggest that the Foundation (as is true of the National Science Board) be given unambiguous authority to set the policies and priorities of the Foundation for Higher Education, after consultation with the Secretary. S.1062 does not clearly state who sets the policies and priorities of the Foundation but this authority is not given to the Board. In fact, the Board has only two functions, as stated in Section 4. It advises the Secretary and the Director with respect to matters of general policy, and it prepares an annual report to the Secretary.

In relation to the composition of the Board they added that

> In our judgment, the composition of the Board is an extremely important matter. S.1062, Section 4(b) requires only that the members be broadly representative of the general public as well as the education community. We believe that this is highly desirable, but that twenty years of experience with the National Science Foundation have demonstrated that additional factors are important. For one thing, the members should be eminent in the field of higher education and public affairs. We do not want this Board to be a haven for mediocrity....

In addition "to emphasize the independence of the Board" it should elect its own chairman.

The National Science Foundation model which the associations use was the one used by Moynihan and by the Carnegie Commission. Since the Moynihan concept is aimed at general

institutional aid, it would be logical that there would be considerable representation of the Board of college and university presidents. On the part of the Carnegie Commission their own membership might represent the ideal.

As an active body, an 18-member Board may prove to be too large--fifteen is a more workable number as found in organization studies, but the Board may decide to break down into panels or task forces to concentrate on various aspects of policy or of the Foundation's activities. It is expected that the Board would draw on the work of the Planning and Evaluation Section suggested here. If the Board does break down into panels, it might meet only quarterly. If it operates as a whole, it might meet bi-monthly or more frequently.

Director

The Director will be the pivotal person in the Foundation in shaping its spirit and activities. The 1971 bill merely states that he shall be appointed by the President and "shall perform such duties in carrying out this Act as are prescribed by the Secretary of Health, Education, and Welfare." The Director is also likely to have duties incumbent upon him merely because he and the Foundation exist. He becomes a spokesman for higher education to the Government and to the public; he in turn will represent Government interest in higher education to the higher education community and to the general public; and in part he will represent the public interest in higher education to the Government. Mastering this interplay without appearing completely ineffectual to all concerned will

require a person of firm conviction in the purposes of the Foundation.

The Director will of course administer the Foundation. As an agency devoted to change, the Foundation will require a Director who can create an organizational climate of personal responsibility and creative joint action. As a demonstration agency, the Foundation will require a Director who can attract talented staff capable of taking new ideas and the results of research and bringing them to fruition with a sense of responsibility for their actions and responsiveness to the clients they are serving. To the extent that such individuals may tend to question authority and administrative detail, the Director should be able to live with and utilize such attitudes. Since he will also be called upon to interact with other parts of the federal Government, it might be helpful if he already had some familiarity with how it works.

To maintain the confidence of his constituencies, to effectively interact with other parts of Government, and to be able to deal with questioning of authority by his staff, however, the Director must be given some authority to begin with. As the higher education associations succinctly put it, "We believe that this authority should be greater and more explicit than the bill provides. As in the case of the National Science Foundation, we believe that the Director should exercise all of the authority granted to the Foundation (including authority delegated by the Board) and that all of his actions should be final and binding upon the Foundation....We suggest that failure to lodge authority to make grants and contracts in the Director,

together with the requirement that the Director carry out such duties as the Secretary prescribes, reduce the independence of the Foundation to such a low level that it will be difficult to attain the goals which we share with the Secretary." The language which they suggest had in fact been that of the 1970 Administration bill embodying the Moynihan proposal. That bill also placed the Director at level II of the Executive Schedule, the level of the Director of the National Science Foundation.

Deputy Director for Planning and Evaluation

One of the key elements of the success of the National Foundation is likely to be its ability to plan and evaluate its activities. The importance of these functions is emphasized by suggesting that a Deputy Director with a separate staff of trained professionals have primary responsibility in this area. In most agencies the Deputy Director's main job is to act in the absence of the Director. Here it is suggested instead that the Deputy Director take on this specific function and thereby free the Director so that he may interact more freely with the Foundation's constituencies, the other agencies and parts of Government, and the public.

This emphasis on intra-agency planning and evaluation is not meant to exclude or discourage evaluation of its activities by other groups--including the National Foundation Board and any panels it may create, the Congress and its investigatory organs, and the Office of Management and Budget. It may on the contrary prove to generate great interest in having outsiders evaluate its programs. Probably nothing in fact could encourage more an attempt to achieve the most efficient use of funds, the most imaginative programs, and the most effective projects--and the desire to have everyone know it--than a built-in, self-conscious, and well-trained planning and evaluation unit.

A professional staff of this kind would be in an excellent position to act as the link between the National Institute of Education and the Foundation's program staff.

Program Areas

While a number of program activities were noted earlier for possible funding by the Foundation, that still leaves the important question for planning purposes of how these activities should be administered. It is suggested here that there simply be three program divisions:

1. the Community College Division
2. the College and University Affairs Division
3. the Off-Campus Operations Division.

Although no grouping of program activities can be completely mutually exclusive, this grouping seems to represent the major areas into which the activities fall. It has the advantage of making clear just what the Foundation is doing.

This arrangement may also prove to be a simple means for expressing and evaluating the Foundation's priorities. For example, rather than simply dividing all program funds equally among the three divisions, for which there could be good justification, the Board and Director might decide to allocate fifty per cent of all program funds to the Off-Campus Operations Division for the first five years or to make some other distribution.

The fear has been expressed that the Foundation may fall prey to political pressures, particularly from the various interest groups and associations in higher education. This could be a reason for creating program divisions along some sort of "activities" lines simply to reduce the targets for political pressure. This argument, however, obscures the point made earlier that the Foundation itself cannot serve its purposes

if it does not have the confidence of the higher education community. One element expressed in all the recent recommendations for higher education reform is that the community colleges must be made to be considered a legitimate and full-fledged component of higher education. This belief can be given substance by institutionalizing a place for community colleges in the Foundation. Furthermore, it is taken for granted that additional sets of priorities will also be asserted within the various program and non-program divisions.

By way of example of what organization around activities might look like, Kerr has suggested one such breakdown. There would be six divisions:

1. Planning division (assigned responsibility for reviewing applications for planning grants for post-secondary education and working with states and other appropriate agencies for the purpose of creating more effective postsecondary educational planning)

2. Black Colleges division (assigned responsibility for reviewing applications from black colleges and working with them toward development and implementation of their transition and expansion proposals)

3. Off-campus education (assigned responsibility for reviewing applications for grants in the area of development of external degree programs, credit by examination, the use of video-cassettes for instruction centers away from the campus, and better articulation with educational programs in industry and military.

4. Institutional and inter-institutional structure (assigned responsibility for reviewing applications and working with programs for the establishment of new institutions, development of open universities, regional liberal arts centers, mergers of small institutions, inter-institutional contracting arrangements, and multiple enrollment by students)

5. Educational processes (assigned responsibility for reviewing applications for compensatory educational programs, use of technology at the higher education levels, experiments in class size)

6. Curricular reform (assigned responsibility for reviewing applications and working with institutions developing programs of three-year curricula for the B.A. degree, developing Master of Philosophy programs and Doctor of Arts programs, experimenting with a shift in emphasis in lower division, developing new approaches to vocational education)

Administratively, the Foundation is designed to try to avoid building up too large a bureaucracy in handling its programs. On the other hand the kind of effective program operation and review procedures which are called for require adequate staffing. To provide for this, each program division would be headed by an Assistant Director of the Foundation. He would have an Advisory Committee composed of individuals experienced in the areas of the division's programs and perhaps leavened with others with more diverse interests. The Advisory Committee would help develop priorities and guidelines for the programs in the division, provide oversight of the programs, and generally contribute a wider perspective for the administration of the division.

Under the Assistant Director would be a single layer of Program Managers. In a division there might be three or four programs, some of which would have multiple activities. Each program or activity would have its own review panel of appropriately knowledgeable people to make grant decisions. Program managers would be assisted by enough other staff to be able to monitor their grantees. They could also call upon the staff of the Technical Assistance Division for consultation and to render aid to the clients if so desired.

Non-Program Areas

Every effort should be made to extend the impact of the Foundation's programs and purposes as widely and as efficiently as possible. To this end three non-program divisions are suggested. These are: the Small Grants Division, the Technical Assistance Division, and the Publications and Professional activities Division. Each of these divisions not only has merit in its own right, but is intended to complement the others and the Foundation as a whole. Suggested funding for each of these three divisions is five per cent of the total Foundation authorization.

Small Grants Division

The Small Grants Division could be an exciting part of the Foundation. It would take a shotgun approach to reform, but with careful aim in certain directions. There would be a $25,000 maximum for any grant made through this division. This should be enough to fund, for example, one professional plus some support staff for one year. Grant decisions would be made rapidly--perhaps even within a couple weeks. In this manner any number of projects could become more than just a thought for students, faculty, administrators, or others. A grant could pay for an Ombudsman; it could support the initial year of an urban relations office or of a minority recruitment office on campus; it could make possible the planning of a store-front learning center in the community.

Such a grant might also pay for computer time to try a new accounting system or for the equipment to set up a technology-based educational program. Clearly guidelines would have to be developed, but they might be

(a) need--in terms of amount of change required or desired (both rather subjective measures) or in terms of resources; these grants might at least in part be directed toward the "developing institutions."

(b) innovativeness--this could also in part be a simple testing-ground for some of the programs that the Foundation might fund on a larger scale in the future.

(c) opportunity for experimentation--a few grants for the same purpose to different institutions can be followed in their outcomes. While this is getting over into the area of the proposed National Institute of Education, it seems justified if done on a small scale for specific program development purposes.

With the proposed funding level for the Foundation at $100 million, 5% or $5 million might be allocated for small grants. With a maximum of $25,000 per grant, then, if all the funds were expended, there would be a minimum of 200 such awards in any one year, though a single grant might be expended over more than a year's time. The services of the Technical Assistance staff might also be made available to the grantees. They could be called upon also to advise on the feasibility of particular proposals.

Administration of the Division would rest with an Assistant Director for Small Grants under whom there would be a

small staff. Guidelines and award decisions would be contributed to and made by a Review Panel as in the program divisions.

Technical Assistance Division

One service which the Foundation can provide not only to its own projects but to higher education in general is that of technical assistance. At almost every stage of the adoption of change at a particular institution, in the diffusion of change among institutions, and in off-campus operations, information of a technical nature plays an important role.

To provide for the breadth and depth of knowledge required, the Foundation will be obliged to retain a considerable staff of professionals experienced in higher education. These might include communications and educational technologists, organizational design personnel, financial and other management experts, legal counsel, individuals experienced in relations with federal and state governments, urban affairs specialists, and so on.

If involvement of the Technical Assistance staff is likely to be heavy, a nominal fee might be charged to represent commitment on the client's part. While this might be considered a service of the Foundation on behalf of higher education in general, the Foundation might want to concentrate its technical assistance efforts on the "developing institutions," community colleges, and others which are less likely to have specialists in related areas on campus or to have uncommitted funds which could be used to purchase such expertise.

With Foundation funding at the proposed $100 million level, 5% or $5 million might support a staff of 100 full-time pro-

fessional staff with extensive back-up assistance and considerable allowance for travel. In line with the model of the county agricultural agent the Foundation might establish regional offices so that the experts can become more familiar with area problems, distances travelled can be reduced, and potential clients can more conveniently come in to discuss their problems.

While the Technical Assistance staff can also provide an added check on the quality of performance under grants of the program divisions and the Small Grants Division, they would primarily be intended there and in general as non-threatening agents of change.

Publications and Professional Activities Division

The Publications and Professional Activities Division can be one of the most important parts of the Foundation. Publications in this case is meant to include the whole range of communications, information transfer, and dissemination activities. It is intended to greatly amplify the impact of the Foundation. There are many ways by which this may be done. For example,

(1) On the model of the Carnegie Commission the Foundation could support a standard line of high quality higher education books--including sponsored and reprinted works. It should be clear here that the joining of the publications program with other professional activities is intended to help inspire the type of output that can come from, for example, a first-rate university press. With careful development having such books on a person's bookshelf may come to symbolize a commitment to

excellence and change in higher education. If the Foundation retains a dedication to openness to new ideas, then this should also help to belay the rise of any new orthodoxies in higher education.

(2) To represent its purposes and commitment the Foundation might support a new journal, which could be called Innovation and Reform. If it came out as a monthly, this would permit featured articles, reports of program evaluations, discussion of policy, reports on symposia, and the like. It might even include debates on current "hot" topics. This, then, would be of the nature of a professional journal, but without the reporting of specific research results.

(3) The Foundation could publish a bulletin. It might be of the quality of The Chronicle of Higher Education but with a different format and a different focus. It would concentrate more on activities of the Foundation itself--projects being supported, new ideas that have come in, more reports of evaluations, changes in policy. To facilitate two-way communication it could be a forum for lively exchanges of correspondence. It might also have a Question and Answer section; to the extent that the questions are technically oriented, and this might be encouraged, the experts in the Technical Assistance Division could be called upon to provide the answers.

(4) Relying again on the Technical Assistance Division, a series of "how to" pamphlets might be put out on different innovations and reforms. Should someone want to find out the elements of installing a management information system in a

college, this can tell how to begin. If a community wants to think about able television for a local educational project, they can be sent the appropriate booklet.

(5) In connection with the Professional Activities there could also be published the proceedings of seminars, conferences, and symposia which are sponsored by the Foundation.

There are any number of professional activities which might be sponsored to help the Foundation itself to be as lively, attractive, creative, and informed an institution as it can be. Among these could be the following.

(1) A Center for Advanced Study in Higher Education. This component could have the option of taking on different activities, formats, or purposes, which supplement those of existing regional laboratories and research centers in higher education. It could develop curricula for the departments of higher education being created on many campuses. It could be a small group of senior academic fellows who try to develop theories of higher education; perhaps joined by some junior fellows. It might bring Foundation and/or non-Foundation technical experts together with administrators, legislators, and others to work intensively on solving specific problems. It could be the group that most seriously tries to take the results of research in higher education and apply them to the programs of the Foundation. It might be the really "far-out" group that tries to imagine the innovations required twenty or thirty years hence. It could be a group that studies public policy toward higher education. Any of these activities could provide an exciting stimulus to the rest of the Foundation.

(2) Conferences, seminars, and symposia could be sponsored at the Foundation and around the country on topics related to areas of interest to the Foundation or to the higher education community. This could be one format by which the Director and the Board could have contact with and obtain information from many sources. As noted above, the proceedings of some of these sessions might be published by the Foundation.

(3) The Foundation might consider supporting training programs similar to those run by the American Council on Education and others for college and university presidents, deans, and other administrators. Opinion is mixed as to the value of these programs, but they could be a legitimate professional concern of the Foundation.

(4) College students and others could be taken on for varying periods of time as interns in the various parts of the Foundation.

(5) In conjunction with the Publications programs and other Foundation activities there could be professional staff who visit around the country to keep informed of what people in higher education are thinking and doing, and to inform them of the Foundation's activities.

Staffing

Professional staff for the Foundation would be exempt from Civil Service requirements. As an agency with new purposes, it appear logical that a minimum of personnel would be taken on from existing governmental agencies.

Funding

The currently proposed initial funding level of the Foundation is $100 million. On this basis the following general distribution of funds is suggested:

For all administration and staff other than the staff of the Technical Assistance Division	5%
For the Community College, College and University Affairs, and Off-Campus Operations Divisions	80
For the Small Grants Division	5
For the Technical Assistance Division	5
For the Publications and Professional Activities Division	5
Total	100%

Funds appropriated for the Foundation would remain available until expended.

It is difficult to say what the funding level of the Foundation should be, though the $100 million to $200 million/year level seems about right in order to have some impact on the higher education system, to give the Foundation some standing within Government, and yet to escape the more intense political pressures which might be generated by the availability of considerably larger sums of money. Perhaps the appropriate funding level can only be determined once the Foundation is created and applications are received and programs planned in detail. Consultation throughout the academic community before then, however, could be used to arrive at both a total amount and the distribution of funds among Foundation program areas.

Conclusion

All three proposals for a National Foundation derive from almost precisely the same premises, namely,

--that higher education is now in a period of difficulty and need for change;

--that just as the Federal Government has supported higher education in the past it should do so in the future, though in different ways; and

--that the current Federal structure does not include the appropriate mechanism for providing the type of support now required.

The purposes of the three proposals, however, are quite different in emphasis. The Carnegie Commission proposal concentrates on developing programs and institutions that apply for and are adjudged to need strengthening. The Moynihan proposal principally aims at giving institutional aid to the prestigious private colleges and universities, though some aid would go to black colleges and others, and at creating a policy center in Government for higher education. The HEW proposal would support efforts at innovation and reform throughout postsecondary education.

A simple structure is suggested here which could embody the substance of any of the Foundation proposals. It includes three program divisions (the Community College Division, the College and University Affairs Division, and the Off-Campus Operations Division), three non-program divisions (the Small Grants Division, the Technical Assistance Division, and the

Publications and Professional Activities Division), and a single Deputy Director for Planning and Evaluation with staff.

The Foundation's program origination and program development functions suggest a natural working relationship with the proposed National Institute of Education, without any unnecessary overlap of activities. The Foundation's policy-making and program coordination functions, however, set it apart from the NIE in its role in Government. It is concluded that the Foundation would be better able to fulfill these latter functions if it were an independent agency similar to the National Science Foundation rather than a subordinate part of the Department of Health, Education, and Welfare.

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1. Mr. William B. Cannon, Vice President for Programs and Projects, University of Chicago.

2. Dr. Donald E. Crawford, Special Assistant to the Executive Deputy Commissioner, U.S. Office of Education.

3. Mr. Russell Edgerton, Assistant to the Secretary, U.S. Department of Health, Education, and Welfare.

4. Mr. Nicholas Edis, Education Specialist, Office of Senator Harrison A. Williams, Jr., (D., N.J.), Chairman, Committee on Labor and Public Welfare, U.S. Senate.

5. Mr. Emerson Eliot, Deputy Director, Education and Labor Branch, Office of Management and Budget, Executive Office of the President.

6. Representative Edith Green (D., Ore.), Chairman, Special Subcommittee on Education, Committee on Education and Labor, U.S. House of Representatives.

7. Mr. Richard Hastings, Legislative Assistant, Office of the Commissioner, U.S. Office of Education.

8. Mr. Harry Hogan, Counsel, Special Subcommittee on Education, Committee on Education and Labor, U.S. House of Representatives.

9. Dr. Martin Kramer, Higher Education Specialist, Office of the Assistant Secretary for Planning and Evaluation, U.S. Department of Health, Education, and Welfare.

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11. Mr. Bernard Martin, Chief Examiner for Education, Education and Labor Branch, Office of Management and Budget, Executive Office of the President.

12. Dr. Marie Martin, Special Assistant for Community Colleges to the Associate Commissioner for Higher Education, U.S. Office of Education.

13. Mr. Edward Morgan, Deputy Assistant to the President for Domestic Affairs.

14. Mr. Jack Morse, Director, Federal Relations Office, American Council on Education.

15. Dr. Daniel P. Moynihan, Professor of Education and Urban Politics, Harvard University.

16. Mr. Richard Nathan, Assistant Director for Human Resources Programs, Office of Management and Budget, Executive Office of the President.

17. Dr. Harold Orlans, Program on Technology and Society, Harvard University.

18. Mr. Michael Timpane, Head, Education Section, Office of the Assistant Secretary for Planning and Evaluation, U.S. Department of Health, Education, and Welfare.

19. Mr. Stephen Wexler, Counsel, Subcommittee on Education, Committee on Labor and Public Welfare, U.S. Senate.

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APR 29 '71

April 27, 1971

Senator Robert O. Packwood
United States Senate
Washington, D.C. 20510

Dear Senator Packwood:

I am sorry to have delayed answering your letter of March 29 which arrived just as I had returned from an educational tour in eastern Europe. As I am sure you would recognize, my desk has been more than full since my return.

I greatly appreciate your co-sponsoring the legislation which would establish a National Institute of Education. I am in agreement on practically all phases of the bill, and if there is any way that my committee on National Policy for Teacher Education of the National Association of Schools and Colleges of Education in Land Grant Colleges and State Universities can be of assistance to you in the passage of the measure, you may be sure of our cooperation. We have a small budget which permits our assembling the committee in Washington on matters of important legislation.

I would hope that the bill might be amended so that the President does not appoint the director of the Institute. One reason for the difficulties within the United States Office of Education has been the political vulnerability of the Commissioner of Education. I think it is entirely reasonable and desirable for the President to appoint the National Advisory Council on Educational Research and Development. That Council could provide the political buffer between the National Institute of Education and the federal executive. I think it might strengthen the Council to have the Secretary of H.E.W. or an Under-Secretary of his designation serve on the Council. Boards or councils of this nature can operate most effectively in pursuing desirable professional policy if they have the right to appoint the director as their executive officer, establish his compensation, and hold him accountable for the performance of his office in accordance with the policies established.

In the long run, the Commissioner of Education will remain as a political appointee to carry our federal policy in the operating and funding programs of the Federal Government. The removal of the Institute director from political appointment would not impair the appropriate development of federal educational policies.

I sincerely hope that I may have an opportunity to discuss this with you sometime when I am in Washington or when you are in Oregon.

Very cordially yours,

Keith Goldhammer

Keith Goldhammer
Dean

KG:kek

NATIONAL EDUCATION ASSOCIATION
REACTION TO PROPOSAL TO ESTABLISH A NATIONAL INSTITUTE OF EDUCATION:
PRELIMINARY PLAN FOR PROPOSED INSTITUTE - RAND CORPORATION

After careful consideration of the Rand proposal for establishment of a National Institute of Education and other plans to reorganize the executive branch of government, particularly HEW, we are more than ever convinced that elevation of education to Cabinet status headed by a Secretary is imperative. With minor reworking of extant proposals, the OE and NIE could be integrated into such a department and work effectively as parallel operating arms.

* * *

The Rand proposal

In general terms, the Rand proposal for a National Institute of Education is a good, logical construct for approaching the totality of educational research and development. This document outlines a program for creation, development, and implementation of a National Institute of Education as proposed by President Nixon in March 1970.

It is perhaps appropriate to caution that this Presidential proposal might be a diversion from the real needs of education, such as massive federal support for the operating expenses of the nation's public school system, and as such should rank very low on the scale of national--and educational--priorities. Furthermore, because this proposal is concerned with overall organizational structure of NIE, it may seem premature to raise questions about proposed specific activities and programs such as who is going to research what and how. But inasmuch as the program of NIE will determine its structure, attention should be called to aspects of its program.

* * *

Structure

The whole NIE concept is incorporated into the federal government at too low a level and is in danger of getting lost in the HEW bureaucracy. The establishment of NIE would vastly increase federal responsibilities in education and makes the creation of a separate Cabinet-level post for Secretary of Education more than ever necessary. One arrangement might be for the Director of NIE to have a position equal to that of the Commissioner and to report directly to the Secretary of Education, while the Commissioner of Education (with whatever change of title might be necessary) would retain authority over OE and would also report to the Secretary. There would thus be under the Secretary two executives of equal status, one responsible for federal R&D activities in education and the other responsible for operational federal programs in education.

However, if the Rand proposal were implemented as written, with its provision for several super grade top level personnel positions, the NIE would totally overshadow OE. There is no suggestion in the report that OE be equally upgraded. Under the proposal, NIE will clearly have the leadership role, with OE being merely a disburser of funds under formula grants and a gatherer of statistics.

There is a good case made in the Rand proposal for a single institute charged with the major R&D role in education at the federal level, with maximum emphasis on development and implementation of education R&D projects by institutions of higher education, state departments, local education agencies, and other nonprofit agencies with funding from the NIE.

Another major fault in the proposal is that the plan of organization calls for altogether too many advisory groups. While a National Advisory Council is clearly necessary and desirable, the attachment of a subsidiary advisory group to virtually every major unit within NIE adds up to an excessive number of persons

serving in an advisory capacity. This would inevitably result in some overlapping, with the same persons serving on more than one advisory group. It would also be very costly, and the meeting expenses of bringing these advisory groups together would consume a considerable part of NIE's rather slender resources. Some other alternatives for obtaining input should be explored so as to reduce the total number of advisory groups.

With regard to membership on the National Advisory Council:

a. Some members of the Council should be designated specifically as representatives of professional organizations. A Council member who serves as the representative of a group occupies a different position from one appointed as an individual. Such representation would provide an important avenue of communication between NIE and the education community. This should be specified in the section on Council membership.

b. Federal officials representing other agencies should not be members of the Council, as recommended under the section on membership. Such officials have primary responsibility to their own agencies, and their concerns might interfere with developing the NIE program in the best interests of education R&D. The sole criterion for the selection of Council members should be suitable knowledge and expertise in education, either in regard to what to research or how to research it.

Additionally, there would seem to be major problems of finance with an NIE. A considerable disparity exists between what NIE might do under the proposed program and organization and what it is likely to be able to do with the available resources. In light of the proposed budget and timetable, all the elaborate description of program and activities in the other chapters is somewhat misleading. For the first year, at any rate, there would probably be little if any new program.

The plan proposes transfer, by FY 1973, of the present R&D functions of OE to the NIE, with accompanying budget transfer of $130 million and a request for an additional $25 million for a total $155 million for FY 1973 for NIE. Most of the $130 million coming from OE is already committed, leaving only the $25 million additional for developing the whole NIE administration and staff and initiating its program. By 1982, according to the plan, NIE's budget would be $1.13 billion, rising sharply after FY 1977 which calls for $380 million. Again, this might be a device to hold down expenditures for education at this time--with rosey promises for the future, under some other President.

Another budgetary question is raised by the transfer of the present OE R&D Centers and Regional Educational Laboratories to NIE: What is to happen to the budgets of these institutions when they are transferred to NIE management? Are they to be continued at present strength? If so, continuing to maintain the present educational research establishment will absorb a sizable portion of NIE's resources for several years, further inhibiting the development of new programs. All in all, it seems that if NIE is to become anything like the institution described in the proposal, more funds would have to be devoted to it at the outset than are presently being considered.

* * *

Rationale, activities, programs

A major problem in considering the goals and functions of NIE is the fundamental difference between educational research and the agricultural and medical research models on which the proposed NIE is based. In medicine or agriculture, general agreement exists about the purposes and applications of research, and results, when obtained, are usually decisive. In education, purposes are controversial and results are rarely dramatic. Medicine and

agriculture are examples of applied science in which most of the research is based on laboratory and clinical studies. It would be misleading to suggest that a National Institute of Education could be set up on the same basis as the National Institute of Health and achieve the same kind of dramatic results.

It is appropriate to mention here the distinction between "basic" research and "action" research. The largest part of educational research at present is of the "action" type and must therefore take place in the classroom. The proposed NIE, if it is established, should take as its province "basic" research--experimental studies of the essentials of teaching and learning. It should do concentrated research in new areas, not simply regroup and restudy old subjects of research. This emphasis is not obvious in the Rand proposal.

Another need which is overlooked in the Rand report is dissemination to bridge the gap between research findings and implementation. A systematic means of transmitting whatever data may be found should be incorporated into the proposal as an integral function of NIE's program.

Another problem in connection with these broad topics is the relationship between research and action programs in the same area and the practical question of the relationship of NIE projects with existing OE programs. A number of the research projects suggested overlap, and potentially conflict, with OE programs already in existence. For example, NIE's proposed task force on education of the disadvantaged overlaps with OE's Title I program in the same area; the demonstration projects mentioned at various points throughout the proposal would overlap with OE's Title III demonstration projects. This means that two federal agencies would be working with state and local agencies on the same problem, and a great deal of confusion and duplication of effort could result unless NIE and OE each had clearly defined, separate spheres of action. It is not evident from the proposal how these problems would be resolved, and it would help to have at least

some guidelines indicating the appropriate boundary between NIE and OE activities.

Furthermore, the areas of investigation described in connection with improving the educational system are rather far removed from research design in the usual sense of the term. They are more in the nature of demonstration projects that could involve major problems in financing. It seems doubtful whether the NIE budget would be able to undertake work of this type.

Several consequences follow from this fundamental difference which have implications for the proposal. One is the need to reduce the problems of education to be researched to terms in which they are researchable and to distinguish R&D activities from action programs and demonstration projects. Many of the areas of NIE activity outlined in the proposal are so broad that they overlap both types of program, and the research concept and the demonstration concept are mingled together throughout the report. Such broad topics are quite reasonable as areas of education within which research might be conducted, but they are too broad to serve as a satisfactory definition of research fields, and they extend beyond the limits of what is manageable research activity.

In principle, the use of task forces to deal with specific, major educational problems is a good organizational approach that avoids the pitfalls of institutionalization. However, the examples of problems selected are not researchable in the form in which they are presented here. Improving the education of the disadvantaged, and improving the quality of education, are too broad to serve as effective targets for research, and the activities suggested in connection with these goals go beyond research to include a variety of action programs and other operations, as well as public values and policy. There needs to be some narrowing down if the projected NIE activities are to represent a practicable research program.

Another consequence is the need for input into the educational research process to be oriented to the practioner and user. The proposal, on the contrary, is oriented chiefly toward the producers and the research institutions, colleges

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and universities, as the primary source of input. Very little is said about the role of teachers and administrators, school districts, and teacher organizations, in determining what is to be researched. Although the proposal does stress the importance of relationships with the educational system, the role assigned to practicing educators is largely a passive one as disseminators and appliers of research findings. For input, the proposal puts greatest reliance on the professional researchers. In light of the present state of educational research, this is unrealistic and unlikely to produce constructive results. The experimental researchers are too isolated from the practical realities of the classroom to be effective as the major source of input.

* * *

Role and involvement of the education profession

The role of the organized teaching profession as a transmission belt for linking R&D with practice should be mentioned. Practicing educators and the organized teaching profession have an important part to play in deciding the directions which educational research should take, and the proposal needs to delineate this part more clearly. Professional meetings of teachers and professional journals should be included among the means of transmitting R&D, and professional organizations, such as NEA and its state and local affiliates, could play an important part in the whole area of NIE activity devoted to strengthening linkages between R&D and practice.

Finally, the proposal's discussion of teacher training needs to focus on more than just pre-service teacher education. In-service training and the whole concept of professional development should be included, as well as the role of the organized profession in this area. This entire area might come under the direction of a "Center for Professional Development," instead of the proposed "Center for Teacher Education".

January 16, 1971

Senator PELL. Our next witness will be Dr. Roger Levien of the Rand Corp.

Dr. Levien, Senator Dominick would be kind enough to preside here, and I will go over your testimony.

(Senator Dominick assumed the Chair.)

Senator DOMINICK (presiding pro tempore). Dr. Levien, if you just go ahead, it would be fine.

STATEMENT OF ROGER LEVIEN, DIRECTOR, NATIONAL INSTITUTE OF EDUCATION PLANNING STUDY, THE RAND CORP., WASHINGTON, D.C.

Dr. LEVIEN. Thank you.

Mr. Chairman, my name is Roger Levien. I am director of the National Institute of Education Planning Study conducted by the Rand Corp. under the sponsorship of the Office of Education. The views and conclusions I will express are mine and those of my study group and should not be interpreted as representing the official opinion or policy of Rand or the Department of Health, Education, and Welfare.

With your permission, I would like to submit my statement for the record and spend a few minutes summarizing what I have to say.

Senator DOMINICK. Your whole statement will be put into the record at this point, and you go ahead and highlight the points you want to.

Dr. LEVIEN. I am grateful for the opportunity to testify before this distinguished subcommittee on a matter of such potentially great importance for American education as creation of a National Institute of Education. The preliminary planning study which I led began last April at the request of the then Commissioner and Assistant Secretary of Education, James Allen.

My testimony today will draw upon the preliminary plan that resulted from that request. But I want to emphasize that this plan should be understood to be but the second stage—after the President's message and the accompanying legislation—in what I hope will be the continuing evolution of the Institute.

These hearings, and those currently underway in the House, might be considered to be the third stage. The work of the Commissioner's NIE planning unit will be the next stage, and if the Institute is authorized, there should be additional stages of modification and adaptation as long as the Institute retains the capacity to renew itself as circumstances change. I hope that this preliminary plan, therefore, will be a useful contribution to the deliberation of this subcommittee, but that it will be seen as describing just one picture of what the NIE can become.

The charter given to the planning study was to "put flesh on the bones of the idea" expressed in the President's message on education reform and the accompanying NIE bill. Specifically, the goal was to determine the design for a national institute to support and manage educational R. & D. that would have five important characteristics:

1. Be responsive to the need for solid knowledge on which to base educational decisions and to alleviate major educational problems.

2. Attract first-class educational and R. & D. personnel from a wide range of backgrounds.

3. Bring new disciplines, interdisciplinary teams, and new approaches to the quest for knowledge and technique to serve education.

4. Retain the capacity for self-renewal as educational problems and approaches change.

5. Improve the linkage between educational R. & D. and the educational community so as to assure that R. & D. products reach practice and practical problems receive R. & D. attention.

Underlying these goals was the conviction that the Nation does not yet have in the service of education the kind of viable and effective R. & D. system that has so successfully served agriculture, industry, or health care during the past half century; and the realization that the initiative to create it must come from the Federal Government, which supplies almost 90 percent of the funds to the existing system.

The planning study began by identifying the questions that needed to be addressed in order to gain a clearer understanding of the Institute. These fell into five categories:

1. What should the principal objectives of the NIE be?

2. What program activities should the NIE undertake? How should the choice of program activities be made?

3. What should the internal structure and management procedures of the Institute be?

How should the NIE relate to other Federal, State, local, and private agencies?

5. What early activities will give the NIE the best chance of success?

We used a number of sources to try to answer these questions. First, and most important, we engaged in wide consultation with individuals in education and research. We held many individual discussions, arranged meetings with groups, and sent a preliminary draft out to more than 450 people, about 150 of whom replied with letters which were used in revision of the draft. So I hope it is fair to say the final version of the preliminary plan distills and conveys the suggestions of a very wide sample of the education and R. & D. communities; although, of course, the responsibility for the selection and representation is mine and my study committee.

We also looked at the experience of comparable Federal research organizations, such as NIH and NSF, and reviewed carefully the literature of science policy, educational R. & D. and the management of R. & D.

Our preliminary plan provides answers derived from these sources for each of the five categories of questions.

I know the Department of Health, Education, and Welfare has made available to the subcommittee copies of our study. I will, therefore, in this testimony attempt only to summarize those aspects of the plan that seem most germane to these hearings. I would be happy to discuss other aspects in response to your questions.

Now, I would like to depart from my prepared testimony to discuss 5 questions that I do not really cover very thoroughly in that testimony: five questions, though, that I believe underlie the issues that many people have come to feel are most important with regard to the National Institute of Education.

These questions are: first, why do we need educational R. & D.? Is not our educational system serving us well enough as it is?

Second, what should an educational R. & D. system be doing? What would be its products?

Third, why is it not doing it now?

Fourth, what needs to be done to make it perform?

And fifth, what would be the result of that activity?

Rather than go into detail about each of these questions, I will try to summarize our answers to them. And should the committee wish to discuss any one of them in further detail, I will be happy to do so.

First, why educational R. & D.? Well, I think it is clear to everyone, and most specially to this subcommittee, that despite a record of magnificent success, especially with regard to access to education, education is not doing the job that it should; that education faces severe problems.

Just to illustrate: we see that children who come into the educational system carrying the burden of social and economic disadvantage find educational disadvantage adding to their burden rather than alleviating it. Even those who enter the educational system from backgrounds of comfort and care too often find school a joyless and inadequate place.

As Senator Dominick has indicated, there are severe financial crises at all levels of education—elementary, secondary, and higher—yet the existing resources available to the schools through tax revenues frequently are not used effectively. Many have come to feel that we are not getting our money's worth from the educational system.

We find in many schools a disruption of learning through violence, and at the same time irreconcilable demands for changes in the governance of those school systems. We have new clientele, such as those who wish strong and effective career education, demanding service from the system, while many of our most powerful nonschool sources, such as television, libraries, clubs, and work experience, are wasted in trivial and ineffective education.

So there is no shortage of problems in the educational system. And to alleviate those problems, we need not more random and uncoordinated experimentation from which we very rarely learn or accumulate knowledge, but rather more disciplined and interrelated investigations that add to our knowledge and our capacity to improve education. Increased knowledge and capacity for improvement is what we have come to expect from a truly adequate research and development system.

An educational R. & D. system should enable us, first of all, to gain better knowledge about learning; to understand, for example, the wide variety of individual learning strategies, so we can teach children more effectively according to their individual capabilities.

We need to understand the biochemistry of memory, so perhaps we will learn how to improve the capacity of those who are handicapped in one way or another to gain from our educational system.

There can be breakthroughs, I believe, within the next few decades in our understanding of the process of language acquisition, and certainly there are major gaps in our knowledge of the stages by which intellectual and affective development occur in children.

So an educational R. & D. system should be adding to our understanding of these and similar phenomena that underlie the way we perform education.

Second, we can expect and we should demand improved curricula. At each level of school from kindergarten or preschool through graduate education, we need curricula that reflect the needs of the students in our changing society, not only for the knowledge that is, but for the techniques for gaining the knowledge that will be. We need to understand and convey to this new generation the way societies function, their economics, and their legal structure, so that when they reach the age of joining society fully as citizens, they will be able to participate effectively and adequately.

We need new and revised forms of schooling that better meet the needs of some children for extended school days, that extend more responsibility to students and teachers for making the basic educational decisions, or that employ technology to the fullest extent that it can be employed in the teaching process.

We need improved management techniques so that the people who have the responsibility for making decisions in education can make them on the basis of a systematic analysis of alternatives and with better information on which to base them.

We need better evaluation of the policy alternatives that face us in government. For example, how to provide suitable financial support for our higher educational system; which form of student aid or which form of institutional aid will most effectively serve the needs of our society, our higher education system and our citizens.

What about disorder in the schools? To what extent does it really exist? And what are its causes? And how might we go about alleviating them?

And in support of all of these changes, we need new means of selecting and preparing teachers, who are the true means, the basic means, for bringing about reform and improvement in education.

And finally, we need not just these separate and individual activities, but we need a truly coordinated attack on the major problems that our education system faces. We have to ask ourselves how can we improve the education in the ghettos or in the barrios or on the reservations, not just by single palliatives, but by a concerted effort to understand the needs, to develop alternative curriculums, to design new forms of schooling, to apply technology, and to train teachers, all in a consistent and coherent way so that the combination will truly lead to improvement and reform in the way education is conducted.

So those are the kinds of contributions we should be expecting from an educational R. & D. system. To a large measure, we are not receiving them.

That is not to say that the existing system has not had major successes. I think there are some dramatic examples. Sesame Street is frequently mentioned. And research and development did play a large role in its success. Many of the science curriculum developments, such as PSSC physics and some technology developments, such as the Plato project, which is a computer-assisted instruction project at the University of Illinois, are improving the standard of what people learn as compared to what we knew 50 years ago or even 30 years ago and are all the results of our investment, small though it has been, in educational R. & D. thus far.

The Commissioner and the Secretary made the case that our educational R. & D. system has been too small. After decades of indifference, there has been a decade of forced growth in that system that started in the early sixties. Educational R. & D. is still, nevertheless, very small in size compared with the investments in the generation of new knowledge and technique in health or agriculture or industry.

Certainly, there are other weaknesses in educational R. & D. It does not have the solidity of scientific base that R. & D. for industry, agriculture, and health does. There is not the strong demand for and acceptance of innovation by its prospective users in the school system. We cannot measure and display improvement so effectively as we can in the industry, agriculture, and health.

Nevertheless, I think the cost and scale of really successful R. & D. in other national enterprises of no greater complexity or challenge than education R. & D. demonstrates very clearly that we are not yet putting enough into our educational R. & D. system.

The other deficiencies also mentioned by the Secretary and the Commissioner include the fact that educational R. & D.'s reputation has been low, tragically low. I think if we consider the importance of educational R. & D. to our education system and how challenging such a topic and pursuit should be to scientists and educators and developers we see how unfortunate and inappropriate that low reputation has been. In addition, educational R. & D.'s base of knowledge has been narrow. It has been based primarily in psychology. And the focus has been diffuse. We have had primarily small projects asking small questions with small effect.

And the linkage to practice, which I think is the major problem we will face in the educational R. & D. system in the years to come, has been weak in both directions.

Finally, we have to add that the support from the Federal side has been unstable. There have been changing priorities. The Federal Government has been a fickle taskmaster, changing its priority from the disadvantaged one year to early childhood, to reading, to vocational education, and so on.

So all of these things have contributed to the failure thus far of eductional R. & D. to contribute as effectively as it must to the improvement and reform of American education.

What needs to be done to overcome these deficiencies? Certainly, a great many things. Greater support is the principal one. Higher status must be achieved; higher quality personnel in a wide range of disciplines have to be attracted to work in critically sized activities, addressing major issues. We need closer linkage with the education system and stable support and leadership.

That last point is important because almost 90 percent of the support for educational R. & D. comes from the Federal Government. How much Federal money is spent, how well, where and for what, strongly affects the direction and quality of educational R. & D. Thus, I think many people came to the conclusion at the same time that the key to improving our educational R. & D. system is the strengthening of Federal support and leadership. To do that, two things are needed—wise management and sufficient funds.

But as a practical matter, neither wise managers nor such resources can be attracted and applied to the best effect in the absence of proper institutional arrangements. And that is what gave rise to the notion

of an NIE, raised in stature to that comparable to the National Science Foundation or the NIH, with an active and broadly representative advisory council to help develop policies, with its own internal R. & D. activity to illuminate the major issues facing American education and identify promising directions for R. & D. effort, and with a flexible personnel system like that of NSF and NIH, and with the authority to carry over funds from one year to the next so it can support stable multiyear programs of R. & D.

None of those characteristics characterizes the existing institution, the National Center for Educational R. & D. So the argument has been made that the way to proceed is to replace or supplant it with the National Institute of Education.

Now, what would such an organization be like? As I have said already, this is still a set of decisions that is evolving. But in the course of our study, we found a number of points on which there was fair agreement. And I would like to convey them to you today.

First, there was the basic question of intent. Was this NIE to be an organization to conduct basic research, to emphasize development, to be an experimentation and evaluation mechanism, or to play a large role in implementation? Was it to focus principally on elementary or secondary education or on higher education or on education occurring outside of the schools? Was it mainly to be concerned with equality of educational opportunity or with the quality of education itself or with the effective use of resources?

We found that there was broad agreement that the National Institute of Education must have as its primary objective the improvement and reform of education through R. & D., and that its scope must include education at all levels both within and outside of schools for all ages, before the traditional school age during, and after.

And it must engage in all kinds of R. & D., from basic research on the most fundamental aspect of the way we learn, through the development of new educational processes, to the implementation, at least to the point of demonstrations, of these new processes.

And when it seeks improvement and reform, it must be concerned not only with equality of educational opportunity, but also, with the quality of education provided to everyone and with the effectiveness with which we use the resources available to the school system.

Now, in completing my statement, I would just like to say a few words about the next level of detail beyond that broad primary objective. How does one achieve it? Again, in the course of our discussions, we encountered a variety of points of view. When talking with school people, it was generally felt that the NIE ought to concentrate its resources on the urgent pathologies of our time, on the disdvantaged or on quality of education or on financial problem.

When we talked to those with specific interests in teachers' education or educational technology, for example, their advice was to concentrate on improving practice by those means, to strengthen educational technology or improve teacher education.

When we talked with the social and behavioral scientists, they told us that the state of basic knowledge in education stands now about where the basic state of knowledge in health stood in the 1600's. So if we want to make any progress, it must be by building the scientific foundations of education.

And certainly when we came to those who had some responsibility for the R. & D. community, deans and directors of laboratories, their counsel was to build the institutions, provide the people, and allow them to do the job.

Now rather than asserting that none of these counsels were correct, I would rather say that each of them had a portion of the truth and that what the NIE must aim to do is balance these four themes in its program.

It must help to solve or alleviate problems and achieve the objectives of education. I think a major part of the NIE's resources—up to perhaps 50 percent—should be devoted to comprehensive, nationally organized and managed programs addressing these priority concerns and comprising research, development, experimentation, evaluation and implementation efforts. So half the resources should go to priority concerns.

But those priority concerns depend for their resolution on the state of our knowledge of the basic practices of education; on how well we can train teachers on how well we can instruct, on how well we can administer and manage.

The advancement in those areas must occur through a cumulative, continuing program. The NIE, it seems to me, should devote at least a quarter of its resources to continuing efforts to advance the practice of education—such things as evaluation, teacher education, instruction and educational management. Our ability to improve practice depends in turn on our basic knowledge of education, our understanding of those fundamental phenomena that I discussed earlier.

Again, this understanding can be advanced only by investing in a portfolio of stable and long-term programs intended to strengthen our understanding of those phenomena. We should be trying to find out how the individual performs as a learner, how group processes effect learning, how society needs and uses and should support education, and how technology and media might be used in instruction.

(Senator Pell resumed the chair.)

Each of these topics should be the subject of a long-term, stably-supported program of basic and fundamental research.

Finally, as the Secretary indicated earlier, the R. & D. community is underdeveloped with regard to the size of its personnel pool and with regard to the variety and number of its settings for research. Currently, it has fewer than 10,000 individuals, mainly working and individuals and mainly situated in the universities.

There are few cases where a critical mass, where mixed teams of disciplines, where developmental focus, or where a close association with schools occurs. And if we are to be effective in conducting R. & D., we must pay attention to the development of that R. &. D. community that will be its performers.

So I would expect that some percentage perhaps, 10 or 15 percent, of the NIE's budget would go into the catalytic supports of the development of personnel, institutions, and pathways and linkages to practice.

Finally, I think one of the major features and one of the important distinctions of the NIE from the existing system will be its intramural program. This, I hope, will be an opportunity and a place to encourage a wide-ranging review of the state of education and educational

R. & D., a place where we can bring together a wide range of individuals concerned in a variety of ways with education. They might be from universities, they might be from R. & D. labs, they might be from schools of education, from the school systems themselves; and they might come to spend 6 months or 2 years at the NIE to work on small task forces formed to illuminate the nature of our educational problems, to analyze and evaluate educational policies, or to assist in the design of R. & D. programs.

This, then, is a rough and quick overview of what an NIE might be like and how it might perform and bring about the change in educational R. & D. that we desire. But, as I said, the NIE I have discussed today is only an example of what the NIE might become. Its eventual structure will be the result of these congressional deliberations and the actions of the Commissioner, the Director, his taff, and the advisory councils.

In the course of that evolution, is seems to me that there are three conditions that must be satisfied if the NIE is to be an effective force for the improvement and reform of American education.

The first is adequate financial support. An appropraite first goal might be the investment of about 1 percent of total expenditures on education for educational R. & D. This might be achieved in about a decade, at which time it would mean an investment of somewhat over $1 billion each year in acquiring knowledge and techniques to improve and reform education

Thus, the target would be something like tenfold growth for the OE contribution in 10 years.

The second is a self-renewal capacity. Most particularly, I mean that the NIE should retain the capacity to revise and redefine its internal structure in response to external changes or to the lessons of experience. And in order to retain a high level of competence in the important areas of educational R. & D., the NIE should arrange to have a continuing flux of staff.

Perhaps one-half of its staff should be drawn from external R. & D. and educational agencies for less than career terms of service; individuals from universities, school districts, R. & D. labs and centers should be encouraged to spend several months to several years at the NIE.

The authority to restructure itself and to assure a high degree of staff flux are essential if the NIE is to have a reasonable capacity for continuing self-renewal.

The third precondition for success of the NIE is that it achieve effective links with the operating agencies of education. This must be done at the Federal level with the OE and the proposed National Foundation for Higher Education, at the State level, and at the local level, as well as with the many private institutions of higher and other education. Here, the need for initiative and creativity on the part of NIE is very high. For no single action can achieve this linkage. Its strengthening must be a goal of most of the NIE's activities.

I have attempted here to provide in summary the findings of our preliminary planning study for the NIE. I hope that these results of analysis will prove useful to the subcommittee during its consideration of this major social initiative—the National Institute of Education.

Thank you.

Senator DOMINICK. Mr. Chairman, just to bring you up to date, we put Mr. Levien's full statement in the record, and he has been highlighting it and doing it very ably, if I may say so.

Senator PELL. Thank you very much.

Senator DOMINICK. Do you want to go ahead and ask questions first?

Senator PELL. No, please proceed.

FLEXIBILITY OF NIE ORGANIZATION

Senator DOMINICK. I have just a couple of questions, Dr. Levien, and they are of interest to me. You have emphasized over and over again the need for flexibility in the NIE. It would appear to me despite what you say in your specifics on page 11 as to the internal structure of NIE that if we put that in by legislation that we have in effect limited that flexibility.

Dr. LEVIEN. Yes, indeed. As I have been at some pain to say, what we presented here was one picture of what the NIE could become. In the course of doing this study, a number of other possibilities were addressed and for the moment set aside.

There is in the full study itself a discussion of those alternatives, but I might point, for example, that there is nothing in the structure I have suggested which corresponds to the common division of education roughly into elementary, secondary, higher, and so on.

Senator DOMINICK. The point I am making is under S. 659 we have through legislation put into operation the specifics that you refer to on page 11. I do not see how by doing this by legislation which could only be changed by legislation that we are insuring the flexibility you would want.

Dr. LEVIEN. No; I agree with you on that. I was simply going to give an example of another structure which might prove to be useful later on that we put aside at the moment, but would want to be able to adopt if experience showed it to be more useful than the one we have suggested.

Senator DOMINICK. Now, let me ask you a very difficult question. Maybe it will liven up the hearing a little bit.

Many witnesses here and before Senator Mondale's Select Committee on Equal Education Opportunity on which I serve have challenged what education is and done it rather effectively. In the process of your study, have you come down to any definition of what you mean by education?

Dr. LEVIEN. Well, the direct answer to that is "No," we have not tried to define education except to try not to exclude from education things which frequently are excluded. That is, frequently, we assume that education is what goes on in schools. We have made it explicit several times in the study, and I hope several times in the testimony this morning, that education is a function of far more institutions in our society than the schools themselves; that all the processes by which we equip individuals with the knowledge and techniques and skills through which they can interact with their surroundings are education, and that all of those things are the proper domain of the NIE.

Senator DOMINICK. So that in NIE, then, the research program should not only encompass the rather more formalized system of education which we have been experiencing for many years, but also

should tackle many of the problems of the home and environment and cultural background and things of that kind.

Dr. LEVIEN. Media, what we learn through television, what we learn through the Scouts, what we learn through jobs we acquire, yes, all of those influences on education should be within the proper scope and domain of the NIE.

RELATIONSHIP BETWEEN NIE AND FOUNDATION

Senator DOMINICK. In your preliminary proposal, at least insofar as your paper here and your testimony is concerned, you have not mentioned the Foundation concept that the administration put in. How do you conceive of its relationship with NIE? Do you think it is duplicative or do you think it is repetitious, or do you think it is important to have this Foundation?

Dr. LEVIEN. I do not think it is duplicative or repetitious. It seems to me that the NIE has a proper role in R. & D. and that this R. & D. would include activities in higher education. So I would anticipate the National Institute of Education, for example, funding, just for a specific case, a program for using the computer in instruction in higher education.

And it might carry this activity up through the point where the concept had been demonstrated to be valid, where it was shown to be effective in many institutions—say two or three. At that point, there would be many institutions around the country which might want to implement it.

I would not like to see the NIE then undertake the funding of the introduction into practice of that innovation. I would like, and I think it is a proper role, for the National Foundation to take on that job because I see this as a natural division between the NIE and National Foundation—the NIE developing innovation and the Foundation facilitating its introduction into practice.

Senator DOMINICK. I would agree with you that this can be separate, and it can be very useful this way. I would also agree with you that electronic data or computers or whatever you may have may have some usefulness in education. Practically every young person that I have spoken to who has either dropped out or is thinking of dropping out of either secondary education or higher education do so because they say they do not like the teachers. And to the extent that they use advanced technology in machines as opposed to personal relationship, they dislike it even more. And they seem to be more likely to drop out.

Did you find any input of that kind of reaction from the people who answered your preliminary proposals?

Dr. LEVIEN. Well, I can answer that on two bases both on the discussion we had in the course of developing this plan and on a prior study which I carried out for the Carnegie Commission on Higher Education that was directed to the question of what is the future of instructional uses of the computer in higher education.

And on the basis of that study, I would say that where the computer is used effectively and intelligently that precisely the opposite phenomenon occurs; that students find an opportunity to learn at their own pace with a patient and rewarding tutor, but also that the faculty finds an opportunity to relieve themselves of the burdensome tasks of teach-

ing—the rote learning, rote teaching, the correcting of papers and so on—and frees their time for the kind of association with students that both of them enjoy the most.

I do not think the computer in itself is a tool for dehumanizing or depersonalizing education. It can be a tool for freeing that relationship between the teacher and student of many of the depersonalizing aspects. And I think it offers a great potential in the future for effective use in higher education.

ELECTRONIC INSTRUCTION

Senator DOMINICK. Well, I hope you are right. But in our hearings before the Subcommittee on Health which were held all over the country, we heard consistent and constant complaints that you cannot get a doctor to come to your home in a personal relationship.

And the doctors very properly say they can handle far more patients with far more ailments if they will come down to either a clinic or their own office.

So technically speaking and from an efficiency basis, I am sure the doctors are right. From a human patient point of view, what they want is someone who is there to give them what is generally called TLC for a while even if they do not get any aspirin out of it.

And this is what I am concerned with on overmechanizing education and where do you see this computerization and electronic data used? In the sciences largely or in administrative functions or what?

Dr. LEVIEN. So far as instruction goes, the major part of the current use—in fact, it is over 90 percent—is in sciences.

But I want to make clear what I am talking about when I say use of the computer. I am not talking about a situation in which the computer replaces the teacher. I am talking about a situation in which the computer becomes a tool of teaching and tool of learning for a specific aspect; for example, to simulate a phenomenon in a chemistry or physics class which could not be provided to the student in any other way.

USE OF TV IN INSTRUCTION

Senator DOMINICK. I could well understand that, but in the process of talking about computers, people also talk about teaching by television, which is bad enough without having put it in the educational field, it would seem to me, as far as the dehumanizing of education is concerned.

I wonder if you have got any reaction to that one.

Dr. LEVIEN. My view on television cannot be based on the same kinds of experience I have had with the computer. I think it is more the other way around. There are people who are not receiving education now who do not have access to it.

For example, those such as my wife who have gone through a liberal arts education, raised children, would now like to go back into some career, but do not have the opportunity to get away from home. If we provide via television some of the educational experiences they cannot get on a formal campus situation, I think that would be a great advance in our educational system.

And I think there are other opportunities for using television to supplant the kind of personal instruction that would be the most desirable where it cannot always be achieved.

Senator DOMINICK. With all due respect, I think maybe your wife, with the experience she has already had and the education she has already derived might be better off without going through any more television educational programs to get a certificate or something.

Dr. LEVIEN. Well, yes. In the case of teaching, however, since she does not have a certificate, she does have to undergo certain kinds of training.

Senator DOMINICK. That is the problem. I understand it.

Thank you, Mr. Chairman.

Senator PELL, Senator Dominick, I just received the unpleasant news that we have a vote in 8 minutes. I do not know whether to recess or continue. Were you planning to come back?

Senator DOMINICK. I frankly cannot. We have a 1 o'clock vote, as you know.

Senator PELL. We will roll along, and I will recess and run over and vote and come back. We will wait for the call.

Dr. Levien, there is only one question I have, and that is which do you think is more effective from the viewpoint of the governance of NIE: Should the governing body be an advisory one or an operating one?

Dr. LEVIEN. On the basis of personal opinion, I would say I would rather see the governing body be an advisory one with a strong advisory role.

Senator PELL. Thank you very much. I look forward to reading your statement in full and understand the great debt we all owe to you in the input that has been made, really, out of your very intelligent head into the legislation, that is in front of us. Thank you.

(The prepared statement of Dr. Levien follows:)

Testimony
before
Senate Subcommittee on Education
Claiborne Pell, Chairman

NATIONAL INSTITUTE OF EDUCATION: PRELIMINARY PLAN

Roger E. Levien, Director
National Institute of Education Planning Study
The Rand Corporation
Washington, D.C.

May 18, 1971

Mr. Chairman and Members of the Subcommittee:

My name is Roger Levien. I am Director of the National Institute of Education Planning Study conducted by The Rand Corporation under the sponsorship of the Office of Education. The views and conclusions I will express are mine and those of my study group and should not be interpreted as representing the official opinion or policy of Rand or of the Department of Health, Education and Welfare.

I am grateful for the opportunity to testify before this distinguished subcommittee on a matter of such potentially great importance for American education as creation of a National Institute of Education. The preliminary planning study, which I led, began last April at the request of the then Commissioner and Assistant Secretary of Education James Allen. My testimony today will draw upon the preliminary plan that resulted from that request. But I want to emphasize that this plan should be understood to be but the second stage (after the President's Message and the accompanying legislation) in the continuing evolution of the Institute. These hearings, and those currently underway in the House, might be considered to be the third stage. The work of the Commissioner's NIE Planning Unit will be the next stage, and if the Institute is authorized, there should be additional stages of modification and adaptation as long as the Institute retains the capacity to renew itself as circumstances change. I hope that this preliminary plan, therefore, will be a useful contribution to the deliberations of this subcommittee, but that it will be seen as describing just one picture of what the NIE can become.

The charter given to the planning study was to "put flesh on the bones of the idea" expressed in the President's Message on Education Reform and the

accompanying NIE bill. Specifically, the goal was to determine the design for a national institute to support and manage educational R&D that would:

(1) Be responsive to the need for solid knowledge on which to base educational decisions and to alleviate major educational problems.

(2) Attract first-class educational and R&D personnel from a wide range of backgrounds.

(3) Bring new disciplines, interdisciplinary teams, and new approaches to the quest for knowledge and technique to serve education.

(4) Retain the capacity for self-renewal as educational problems and approaches change.

(5) Improve the linkage between educational R&D and the educational community so as to assure that R&D products reach practice and practical problems receive R&D attention.

Underlying these goals was the conviction that the Nation does not yet have in the service of education the kind of viable and effective R&D system that has so successfully served agriculture, industry, or health care during the past half century; and the realization that the initiative to create it must come from the Federal government, which supplies almost 90% of the funds to the existing system.

The planning study began by identifying the questions that needed to be addressed in order to gain a clearer understanding of the Institute. These fell into five categories:

(1) What should the principal objectives of the NIE be?

(2) What program activities should the NIE undertake? How should the choice of program activities be made?

(3) What should the internal structure and management procedures of the Institute be?

(4) How should the NIE relate to other Federal, state, local, and private agencies?

(5) What early activities will give the NIE the best chance of success?

Several sources were employed to help answer these questions. The first, and most important, was wide consultation with individuals in education and research. During the initial stages this took the form of individual and group discussions with over two hundred persons. Last fall an advance draft of the preliminary plan was made available to more than 450 persons in education and R&D for comment. Over 150 written replies were received and were used to guide the revision of the draft. As a result, I think it is fair to say that the final version of the preliminary plan distills and conveys the suggestions of a very wide sample of the education and R&D communities, although of course the responsibility for selection and representation is mine.

The second source of information was examination of comparable research organizations, such as NIH and NSF, for lessons from their experience that might be applied in planning for NIE. And the third source was the extensive literature concerned with educational R&D, science policy, the management of R&D enterprises, and Federal science administration.

The preliminary plan provides answers derived from these sources for each of the five categories of question.

PLANNING STUDY - FINDINGS

The Department of Health, Education and Welfare has made available to the Subcommittee copies of the final report of the planning study, *National*

Institute of Education: Preliminary Plan for the Proposed Institute. I will, therefore, in this testimony attempt only to summarize those aspects of the plan that seem to be most germane to these hearings. I would be happy to discuss other aspects in response to your questions.

I would like to begin with a few conclusions concerning the current state of educational R&D, discuss their implications for the NIE, and then describe one picture of how the NIE might function.

Current State of Educational R&D

Financial Support for Educational R&D is Small. Although research on education began in the 1890's, it was not until the mid-1950's that significant national investment became available, and only after 1963 that the OE-provided funds passed the $10 million mark. Even now educational R&D receives only slightly over $200 million each year, which is tiny compared to the size of the educational enterprise: $70 billion yearly contribution to GNP, 3 million personnel, 60 million students. *R&D investment is about 0.3 percent of total educational expenditures.*

As the previous witnesses have testified, this is a *trivial investment* in developing the knowledge for innovation and reform, especially when compared to the investment in such activities made by other national enterprises. Health invests about $2.5 billion in R&D each year; 4.6 percent of total health care expenditures and 12 times as much as education invests. Agriculture invests about 1 percent of agriculture's contribution to GNP in R&D; about $1 billion for new knowledge and practices and 5 times as much as education invests. Moreover, if education were ranked among the major industries according to R&D expenditures it would stand in thirteenth place -- just below the stone, clay and glass products industry, and far below the $5.6 billion aircraft industry

R&D program, or the $4.2 billion program of the electrical equipment industry.

Of course, the comparison with health, agriculture, and industry is not sufficient to demonstrate the need for more funds for educational R&D. Educational R&D is not as fortunate as those areas in the *solidity* of its scientific base, the *demand* for and acceptance of innovation by its clientele, or the *ability to measure* and display improvement. Nevertheless, these comparisons are useful because they show the cost and scale of reasonably successful R&D systems in other major enterprises of *no greater complexity or challenge* than education. Since 1950 over $14 billion have been invested in health R&D by the Federal government alone, over $7 billion have been invested in agricultural R&D, but less than $1 billion have been invested in educational R&D. Thus, the present inability of the educational R&D system to satisfy the needs of education for knowledge to guide improvement and reform is understandable: *it is too small.*

Educational R&D Suffers Other Deficiencies. Educational R&D's smallness has been exacerbated by other deficiencies.

- The *reputation* of educational R&D has been relatively low: it has not occupied the rank in the hierarchy of scientific activities that its importance and challenge warrant; nor has it attracted as many people of high competence as it needs.
- The *scientific base* has been narrow: psychology has provided most of the basic concepts and techniques.
- Its focus has been *diffuse:* most of its efforts have been dissipated in small projects asking small questions with small effect.
- The *linkage* between educational R&D and the classroom has been weak: not enough output has found its way into practice; nor have enough classroom problems been solved through R&D.

- Finally, the *support* for educational R&D has been unstable: rapid changes in staff and priorities in Federal agencies have caused frequent fluctuations of emphasis.

So if it is to serve American education effectively, the educational R&D system must be strengthened. It needs greater support, higher stature, more high quality personnel from a wide range of disciplines, effort channeled into critically-sized activities addressing issues of high scientific or practical consequence, closer linkage with the educational system, and the stable support and leadership essential to the development and maintenance of multi-year programs addressing major questions.

Implications for the NIE

The action to overcome these difficulties cannot be taken by the educational R&D community alone. As noted earlier, almost 90 percent of educational R&D funds are provided by the Federal government. How much Federal money is spent, how well, where, and for what, strongly affects the direction and quality of educational R&D. Thus, strengthening educational R&D must begin with the strengthening of Federal support and leadership.

Two things are essential: wise management and sufficient funds. But, as a practical matter, neither wise managers nor sufficient resources can be attracted and employed to best effect in the absence of the proper institutional framework. Thus, the characteristics of the principal Federal agency supporting educational R&D are of central importance.

After considering the need, and reviewing the diagnosis of the problems, the conviction developed that to strengthen educational R&D would require the support and leadership of a Federal agency with the following characteristics.

(1) *Stature within the government comparable to that of such R&D agencies as the National Institutes of Health, National Science Foundation, and National Bureau of Standards.* Such a position seems essential if the agency is to achieve leadership among the several Federal agencies that support educational R&D and if it is to have a strong voice in support of educational R&D within the Executive Branch and before Congress. (This heightened administrative position and visibility would also be expected to have the effect of raising the stature of educational R&D among the public, educators, and the R&D community.)

(2) *Active advisory councils, broadly representative of the education and R&D communities and the public, to help the agency develop its policies and programs.* These councils would be expected to help to assure that the Federal government's support of educational R&D activities reflects the needs and has the support of the educational community. They would also advise on the choice of areas of program focus and help maintain stable support for multi-year programs.

(3) *An internal R&D activity concerned with illuminating the major issues facing American education and identifying promising directions for educational R&D.* The deliberations of this internal group would help the agency to define appropriate areas in which to focus resources. The group would also be expected to establish the climate of intellectual challenge and concern for education that would help to draw first-class staff to the agency.

(4) *A flexible personnel system, modeled on those in other Federal R&D agencies, such as NSF and NIH.* The personnel system should enable the NIE to hire competent staff from many disciplines and

backgrounds in competition with universities, industry, and other R&D agencies and to provide 6-month to 2-year positions--as Fellows--to those who plan to spend most of their careers in other organizations.

(5) *Authority to carry over unexpended funds from one year to the next.* The funding authority would permit it to provide stable funding for multi-year R&D programs.

The principal Federal agency for Federal support and leadership in educational R&D--NCERD--as currently constituted, has none of these five characteristics. Thus, many have concluded that the best way to strengthen Federal support and leadership for educational R&D is to supplant NCERD with an agency having these characteristics--the proposed National Institute of Education.

How Might the NIE Function?

Now, having reviewed the current state of educational R&D and the implications for the National Institute of Education, I would like to present one picture of what the NIE might become if it is authorized by the Congress. I will phrase my description of the NIE in more definite terms than the current stage in development of the NIE may warrant, since obviously what the NIE will become will be determined by Congress, deliberations within the Administration, and the advice and decisions of the NIE's staff, advisory groups, and clientele. I would hope too that the NIE Director and Council will retain considerable flexibility to shape and reshape the Institute according to the situations they face. With that understanding, let me summarize how such an NIE might function. As appropriate, I will also note how the picture of the NIE presented in the Preliminary Plan differs from that appearing in the bills now before this Subcommittee.

General Features. The *primary objective* of the NIE would be: *To improve and reform education through research and development.* Improvement and reform of three specific kinds would be sought: increased equality of educational opportunity, higher quality of education, and more effective use of educational resources. Education in *all settings,* both within schools and outside of them, and of *all Americans,* before, during, and after the traditional school ages, would be within the NIE's scope of interest. And *all kinds of R&D activity,* from basic research to large field tests and demonstrations, would be in its repertoire. This statement is important to make because, for several reasons, the exact scope of the NIE has been unclear to many. One source of confusion has been the fact that the President proposed the NIE in a message that was principally concerned with elementary and secondary education. Another source has been his subsequent proposal for a National Foundation for Higher Education in the higher education message. As a consequence, some people have formed the impression that the NIE is limited to a concern for elementary and secondary education. But education has too often been torn by arbitrary divisions into levels or subjects or formats; if the NIE is to bring to education "a coherent approach" and "a serious, systematic search for new knowledge," it should not be unnecessarily hampered by conventional distinctions and artificial barriers. The NIE should be able to relate children's learning at home, in the streets, and from the TV screen to their learning in schools. It should be free to seek the consistent application of new knowledge to the learning process in all educational settings. And since a problem seeming to reside in one part of the educational system (say, elementary education) may be discovered upon study really to reside elsewhere (say, in teacher education), the NIE should have a broad enough charter to permit the thread of an educational problem to be followed across the educational fabric.

With respect to its *organization*, the NIE described in the Preliminary Plan would be:

- o A *separate agency* within HEW,
- o *Parallel* to the OE,
- o *Reporting to the Secretary of HEW* through the Commissioner of Education,
- o Led by a *Director* at Executive Level V, appointed by the President with the advice and consent of the Senate.

Its administration would be provided by

- o The *National Advisory Council on Educational Research and Development*, which would advise on the development of programs and the establishment of general policy, and
- o The *Director*, who would be responsible for continuous administration of the Institute's policies and programs.

These provisions are close to those in S. 434. They differ from those in S. 659 in three respects:

(1) In S. 659, the Director is at Executive Level IV.

(2) In S. 659, the Director reports to the Commissioner and to the Institute Council, rather than to the Secretary of HEW, and the Institute is part of an Education Division of HEW headed by the Commissioner.

(3) In S. 659, the Council has responsibility for establishing the policies for and directing the conduct of the Institute, rather than advising on those matters.

Specific Features. To attain its primary objective of improving education, the NIE would undertake efforts directed toward four specific *supporting objectives:*

I. *To help solve or alleviate the problems and achieve the objectives of American education.*

II. *To advance the practice of education as an art, science, and profession.*

III. *To strengthen the scientific and technological foundations on which education rests.*

IV. *To build a vigorous and effective educational research and development system.*

The design of the research program would follow from these objectives. Associated with each supporting objective would be a major *program area* of the Institute:

Program Area I: Solution of Major Educational Problems

Program Area II: Advancing Educational Practice

Program Area III: Strengthening Education's Foundations

Program Area IV: Strengthening the Research and Development System.

These program areas would be divided, in turn, into several *program elements.*

The *internal structure* of the Institute would correspond to the structure of its programs. It would comprise

- A *Directorate of Programs,* headed by an Assistant Director for Programs, responsible for development and management of comprehensive national programs that address major educational problems (Program Area I),
- A *Directorate of Research and Development,* headed by an Assistant Director for Research and Development, responsible for development and support of coherent, cumulative efforts to strengthen educational practice,

the foundations of education, and the educational R&D system (Program Areas II, III, IV),

- A *Center for Educational Studies*, headed by an Assistant Director for Studies, responsible for conduct of a program of studies of the state of education, analyses of educational problems, and design and evaluation of R&D programs (Intramural Studies).

These provisions with regard to objectives and to internal structure go beyond the degree of specificity in S. 434. They are very close, except for wording changes, to the provisions of S. 659.

Functions. The NIE's functioning (as envisioned in the Preliminary Plan) may be described in terms of its four major program areas and its intramural program.

Program Area I: Alleviating Major Educational Problems.

The first priority of the NIE would be to organize, support, and carry out *comprehensive national programs* (combining research, development, experimentation, evaluation, and implementation activities) attacking major educational problems. It would devote a major portion of its resources--on the order of 50 percent--to this program area.

Illumination of the nature of education's crucial problems would be a major function of the NIE; the intramural R&D activity would play a central role in this process. However, that illumination has not yet been performed, so an adequate definition of problems warranting national R&D efforts does not exist. Thus, the following exemplars of problems to be addressed must be viewed as preliminary and tentative:

- The poor education received by the disadvantaged,
- The inadequate quality of the education received even by those from more comfortable backgrounds, and
- The need to use education's limited resources more effectively.

Certainly, these problems would have to be narrowed and sharpened before comprehensive R&D programs addressing them could be developed.

To help solve these major educational problems the NIE would want to do two things: first, bring to bear in a coordinated way all that is already known or developed that might help in resolving the problem; and second, focus careful effort on learning and developing what is needed to provide better solutions.

Central management of each program element would be provided by an NIE *program task force*, led by a *program manager* and advised by an *advisory panel* of educators, R&D personnel, and laymen. The staff of the task force would comprise not only permanent problem-oriented R&D management personnel, but also personnel seconded from those parts of the NIE concerned with support of work on educational practice and foundations. They would bring to the problem task forces an awareness of the state of the art in their areas of concern, and would take back to those areas an enhanced appreciation of the needs of the educational system.

Program Area II: Advancing Educational Practice.

The NIE would commit a significant portion of its resources — up to 25 percent — to *continuing, cumulative programs* intended to advance the practice of education in its artistic, scientific, and professional aspects. These programs would attempt to do those things that offer the best hope of moving the state of the art forward. The activities would be carried out

in many settings, would be less tightly linked together than the components of a problem-focused program element, and would provide both near- and farther-term returns.

This area would be concerned with the instructional process (content and methods), the educational system (forms of education and their administration), educational assessment, and the education of educational personnel.

Management would reside in a *Division of Educational Practice* within the Directorate of R&D. Because of the continuing nature of these concerns, each one could be the responsibility of a separate *National Center*, led by a *Center Director*, and advised by a *Center Advisory Group* drawn from those distinguished educators and scholars with a direct interest and competence in the Center's area of concern.

The staff could comprise both permanent members and a number of educators or scholars serving temporary tours. To facilitate the exchange of information between problem-oriented and practice-oriented R&D, Center staff members would serve — part-time — on problem task forces.

Program Area III: Strengthening Education's Foundations.

The NIE would invest a stable proportion of its resources — say 10 to 15 percent — in a *portfolio of programs* intended to strengthen educational foundations in the sciences and technologies.

Educational practice and the solution of educational problems are rooted in an understanding of the *individual* as a learner, *group processes* and how they affect learning, *society* and its relation to learning, and the *technology and media* useful in instruction. These would be the central concerns of this area.

Management responsibility would reside in a *Division of Educational*

Foundations within the Directorate of R&D. Each subject of concern would be associated with a *Program of Studies*, headed by a *Program Director*, and relying heavily on *Review Panels* drawn from the scientific community for assistance in program development.

Staff would be both permanent and short-term. Many of them would serve part-time on problem-oriented task forces.

Program Area IV: Strengthening the R&D System.

The NIE would devote a portion of its resources — say 10 to 15 percent — directly to the development of the R&D performer community through fellowships, institutional grants, and similar mechanisms.

Among the constituents to which it might want to devote attention are R&D manpower, R&D institutions, the linkages between R&D and practice, and information transfer within the R&D system.

Management responsibility for this area would reside in a *Division of R&D Resources* within the Directorate of R&D. Each constitutent would be the responsibility of a *Program*, headed by a *Program Director*. The program professional staff would comprise permanent members primarily. Care must be taken to coordinate these programs with those of other parts of the NIE so that manpower and institutional programs respond to actual needs.

Intramural Program—Center for Education Studies.

The NIE would devote a small portion of its resources — say 5 percent — to an intramural R&D program that would undertake careful study of educational problems, practices, and R&D. The intramural program would bring together permanent staff and a large number of 6-month to 2-year visitors from the education and R&D communities and others with a deep interest in education.

Manag_ment would be provided by a *Center for Education Studies*. The internal organization of the Center would not be so formal as that of the Directorates. The basic unit of activity would be the *project*, each led by a *project leader* and varying in intensity from one man part-time to a dozen or more men full-time. An *Education Studies Board* would advise on the selection of visiting staff and on the program of studies.

Short-term staff would be drawn from other Directorates of the NIE, other Federal agencies, Fellows--both junior and senior--who come full-time for a fixed period, and Associate Fellows--both junior and senior--who are associated with the Center part-time for a fixed period.

Major themes of work at the Center would include illumination of major educational problems, evaluation of educational evaluations, examination of educational goals, evaluation of educational policies, and review of the state of educational R&D.

CONCLUSIONS

The design of institutions is an art, not a science. This is especially true for R&D institutions. The art is an important one, however, for an institution's structure can facilitate creativity or impose docility; it can encourage continuous self-renewal or induce unresponsive rigidity; it can make communication and coordination easy or introduce unnecessary barriers. Program may be primary, but organization is what determines how well the program will be carried out.

The NIE I have discussed today is only an example of what the NIE might become. Its eventual structure will be the result of these Congressional deliberations and the actions of the Commissioner, the Director, his staff, and the advisory councils. In the course of that evolution, it seems to me that there are three conditions that must be satisfied if the NIE is to be an

effective force for the improvement and reform of American education. They are:

Adequate Financial Support

The OE portion of total Federal support for educational R&D is currently slightly over $100 million. An appropriate first goal for an adequately-sized educational R&D system would be the investment of about 1% of total expenditures on education in educational R&D. This might be achieved in about a decade, at which time it would mean an investment of somewhat over $1 billion each year in acquiring the knowledge and technique to improve and reform education. Thus, the target would be *ten-fold growth in ten years.*

The growth rate in the early years would have to be small as managerial and program competence were developed. But then as large-scale developmental, experimental, and problem-solving programs came into being, the need for support would grow more rapidly. The NIE could spend, by these principles, up to about $150, $175, $225, and $300 million in its first four years, respectively. In this case, the total NIE expenditures for FY 73 through FY 76 would be $850 million, still less than a third of health R&D expenditures each year.

Clearly, these are only potential expenditures. Detailed program and budget development cannot be carried out until the NIE comes into being, acquires a staff and advisory councils, and establishes its priorities. Then, of course, each year's requests would have to be submitted to and approved by Congress. But educational R&D needs to grow; the job to be done cannot be accomplished on a continuation of existing budget levels of $100-125 million a year through the educational arm of HEW. The NIE authorization should, it seems to me, provide the *opportunity* for such growth to occur, subject to the validity of each year's appropriation requests.

Self-Renewal Capacity

We are still at an early stage in the development of our understanding of educational R&D, its proper support and management, and its linkage with practice. We can expect that as the NIE builds a vigorous and effective educational R&D system, the rate of change of understanding will be rapid. This will impose severe requirements for flexibility and adaptability on the NIE and on its staff.

As priorities are established, programs develop, and linkage with the educational community is strengthened, new organizational arrangements may have to be made. For example, the internal structure in the Preliminary Plan purposely excludes sub-structures concerned with levels of education, such as primary, secondary, higher, and so on. However, experience may demonstrate that such sub-structures are necessary. *The NIE should retain the capacity to revise and redefine its internal structure in response to external changes or to the lessons of experience.*

Effective leadership and support of R&D demands talents comparable to those needed to carry out R&D itself. These talents must be continually renewed if the NIE is not to lose its capacity for leadership. As new areas of knowledge develop and new techniques become important, the skill mix needed for effective management changes. As knowledge advances, the need for individuals with fresh competence grows. And as the conditions of educational practice change, there is a concomitant need for individuals familiar with those new conditions. *In order to retain a high level of competence in the important areas of education and R&D the NIE should arrange to have a continual flux of staff. Perhaps one half of its staff should be drawn from external R&D and educational agencies for less-than-career terms of service. Individuals from universities, school districts, R&D labs and centers should be encouraged to*

spend several months to several years at the NIE.

The authority to restructure itself and to assure a high degree of staff flux are essential if the NIE is to have a reasonable capacity for continuing self-renewal.

Linkage to the Education System

The third precondition for success of the NIE is that it achieve effective links with the operating agencies of education. This must be done at the Federal level (with the OE and the proposed National Foundation for Higher Education), at the state level, and at the local level, as well as with the many private institutions of higher and other education. Here the need for initiative and creativity on the part of NIE is very high. For no single action can achieve this linkage; its strengthening must be a goal of most of the NIE's activities. Moreover, the linkage must clearly be understood to be a two-way one. Only when that linkage is strong will educational R&D achieve the results that we should demand of it, and receive the support that it must require from us.

I have attempted here to provide, in summary, the findings of our preliminary planning study for the NIE. I hope that these results of analysis will prove useful to the subcommittee during its consideration of this major social initiative--the National Institute of Education.

Senator PELL. Our next witness is Mr. Arthur Lee, president of the American Vocational Education Research Association of Phoenix, Ariz.

STATEMENT OF ARTHUR M. LEE, PRESIDENT, AMERICAN VOCATIONAL EDUCATIONAL RESEARCH ASSOCIATION, PHOENIX, ARIZ.

Mr. LEE. Mr. Chairman and members of the committee, I appreciate very much this opportunity to testify in behalf of several provisions in S. 659 and other legislation affecting education and educational research. My remarks are contained in a prepared statement which I would like to have included in the record.

Senator PELL. This will be inserted in full in the record.

Mr. LEE. Thank you, Mr. Chairman. I will try to summarize what I have said in my statement briefly.

Senator PELL. Maybe even focus on the particular changes you would like to see in the legislation in your summary.

Mr. LEE. I would be very glad to.

I would like to say first of all that the American Vocational Education Research Association, of which I am president, is a small but perhaps significant organization. We are in constant contact with the teachers, the administrators, the students and parents, and the concerned citizens in every State who make up the educational system.

While we are primarily concerned with research and with the vocational education, many of us come from other disciplines and have considerable experience in teaching and administration as well as research.

First, I want to say that we strongly support the National Institute for Education proposal, the National Foundation for Higher Education proposal and also, although the Occupational Education Act proposed by Senator Javits and others.

But, Mr. Chairman, many of my colleagues and I have experienced such concern over the neglect of career education as compared with strictly academic education in the administration of Federal programs, that we are particularly interested in the Occupational Education Act which I mentioned a moment ago. I hope it will be made a part of S. 659 or reported out as a separate bill by this committee.

In my statement, I refer to a pattern of neglect in this area of career education which I do not feel is intentional, but which is greatly in need of correction. The Occupational Education Act will help accomplish that purpose.

I do feel, however, and this is also in my statement, that Congress should bring the administration of educational programs and manpower training programs together under a single agency. They are not two separate functions in practice, and much of the difficulty in their coordination at the Federal level stems directly from the fact that their administration is divided between two departments.

The concern I have expressed about a pattern of neglect in career education has its parallel in educational research. It is this concern which leads me to make my first suggestion for what I think might strengthen and improve the legislation you are considering. I refer to the National Institute for Education.

Ordinarily, it should not be necessary to spell out in an act of Congress that educational research means research in career as well as academic education, but under the circumstances which continue to prevail, I believe it is necessary. Therefore, I am suggesting that at specific points throughout the NIE bill, the words "career and academic" be inserted before "education" or "educational."

In my statement, I refer to this——

Senator PELL. I assure you that suggestion will be considered seriously.

Mr. LEE. I refer to this as an amendment to S. 659, but in your consideration of this legislation, my suggestion applies equally to the administration bill, S. 434.

My second suggestion which also deals with the National Institute for Education is much more substantive. It is a suggestion which I hope will be studied carefully and given very serious consideration because it attempts to solve what I feel is a major problem in educational research and in the NIE bill in its present form—and this is true of both S. 659 and S. 434.

The problem to which I am referring now is that educational research has a very weak and largely unorganized diffusion system. My suggestion is that a diffusion and liaison system linking the National Institute with every local school district in the country be written into the bill.

Borrowing from the experience of the agricultural experiment stations and county agents in agricultural research and the U.S. Office of Education's experience with research coordinating units in vocational research, I am suggesting that educational research coordinating units be established in all universities having educational research and training programs.

In addition to my own observations and reasoning on this point, I am including portions of a study by Dr. Gordon Swanson at the University of Minnesota in which he makes an assessment of the vocational research coordinating units. Some of his conclusions, I think, are quite important.

The research coordinating units were created at about the same time as the national R. & D. centers and regional laboratories in the mid-sixties. And Dr. Swanson points out that they were created out of a recognition that "education had a low capacity for generating new knowledge——

Senator PELL. Forgive me. How much longer would you be going? That was the bell for the rollcall vote.

Mr. LEE. I am practically finished. I just wanted to bring Dr. Swanson's article to your attention because he is a recognized authority in educational research. And he had realized when he made this assessment of the vocational research coordinating units that the function here was to provide a strengthening of the diffusion in liaison that is so necessary and so lacking in educational research.

Senator PELL. I would like to assure you, too, I understand Senator Schweiker will be introducing an amendment along the lines you are talking about with regard to career education, which I would think might well be favorably considered by the committee.

Mr. LEE. Thank you Mr. Chairman.

There were only 2 other recommendations that I had to make in my statement. I will just call your attention to them.

One is to provide some research money for basic grants to the universities under the NIE bill for the support of local research, research overhead and research development.

The other recommendation that I had is in relation to the amendments to the Higher Education Act. Mr. Chairman, I have made a strong recommendation that the provisions for the work-study program and the cooperative education program under the Higher Education be strengthened.

Senator PELL. Thank you very much.

If you will forgive me, I will go over your testimony carefully. Each of the specific suggestions will be considered. Personally, I am very much in sympathy with you and believe that my own ideas about 14 and 16 years of education as a matter of right should also apply to career training as well and would like to go in that direction.

(The prepared statement of Mr. Lee follows:)

STATEMENT TO THE SENATE SUBCOMMITTEE ON EDUCATION

by

Dr. Arthur M. Lee
President, American Vocational Education Research Association
May 18, 1971

Mr. Chairman and Members of the Committee, I appreciate very much this opportunity to discuss with you the legislative proposals under consideration in S. 659. I am here as President of the American Vocational Education Research Association, and while my views are shared by many of my colleagues and associates they are essentially my own.

For the past six years I have been director of one of the forty-six State research coordinating units established in universities and State departments of vocational education to develop, coordinate, and disseminate vocational research. Many of us who are active in this field have academic backgrounds other than in vocational education. My own is history and government, and I have a number of years experience as head of a college department of social studies and also in government service at both the State and Federal levels. For more than thirty years I have been in close association with educators at every level in both public and private institutions, and at the same time with a great many business, civic and government leaders.

The organization I represent has a small but significantly located membership. It is made up of several hundred vocational education researchers, teachers, and administrators in universities and State agencies in each of the fifty States. We are the research section of the American Vocational Association, and most of us are also active in the American Educational Research Association and other

professional groups. We are in contact with the teachers, the administrators, the students and parents, and the concerned citizens in every community in the Nation who are working in the schools and offices and neighborhoods to provide the best education they can for large numbers of students today and larger numbers in the years ahead.

We are close to the processes of education and we see the problems and frustrations as well as the solid achievements in the different kinds of schools and communities and population groups which make up the American educational system. I believe we are as close to what I will call the "gut issues" of education today as anyone could be. We also work just as closely with the professional staff in State agencies and in the U.S. Office of Education as we do with the schools. The development of vocational research brings us into equally close association with business and industrial management and with labor groups. It is from this broad base of daily experience in the nuts and bolts and binder twine of American Education that I will attempt to discuss the legislation you are considering.

First, let me join with the many others who have appeared before this Committee in commending you for your leadership and support in developing national education policies suited to the needs of a changing world. The bills you now have under consideration contain several excellent proposals which will greatly strengthen our educational system. I refer particularly to the National Institute of Education, the National Foundation for Higher Education, some of the Amendments to the Higher Education Act, and the Occupational Education Act. Each of the national programs proposed in this legislation is needed and is capable of great impact on the nation's educational system.

But I would like to discuss these proposals in relation to the major concerns that many of my associates and I have about the practice of education today, and the research efforts being made to improve educational practice. In doing so I would

like to offer for your consideration a few suggestions which could be included in S. 659 if you agree they would help to achieve the goal of strengthening and improving our educational system.

Occupational Education Act

The first concern we have comes from a continuing neglect of career education as compared with academic education in the administration of Federal programs. This was the subject of testimony earlier in these hearings by the President of the American Vocational Association, C. Thomas Oliva, when he observed that only 69 employees out of a total of 341 in the U.S. Office of Education are allocated to the Division of Vocational and Technical Education and 30 of those are secretarial and clerical. The same pattern of neglect is evidenced, I think, in the annual budget requests for vocational education. They are so far below Congressional authorization that each year Congress finds it necessary to appropriate larger amounts than requested and even to instruct the Administration that these funds are to be used. This happens in other educational programs also, but except for impacted aid no where else in the annual educational budget is the neglect so evident to Congres and to educators.

One aspect of this neglect is particularly frustrating to the great number of educators and administrators who have responsibility for carrying out the Congressional mandate for change in the Vocational Education Amendments of 1968, and it is the one with which I am most familiar. I refer to the provision for research. It is simply not possible to bring about the sweeping changes in both vocational education and academic education called for in the 1968 legislation without a well coordinated system of programmatic research. This was included in the 1968 Amendments but for the past three years virtually no funds have been requested for this part of the program. Two years ago Congress appropriated $17 million for research

under the Vocational Education Act and the Administration refused to spend it. Last year Congress appropriated the funds as provided by law and specifically requested that they be used. In spite of that request in the Senate and Conference Committee Reports, none of the research funds were released until the year was nearly half gone and some of them are still not available.

No money at all was requested this year for fiscal 1972 under the research provision of the Vocational Education Act, and once again the Appropriations Committees of Congress are correcting the oversight. In the meantime the agency that has had the responsibility for administering the vocational research program for the past six years, the Division of Comprehensive and Vocational Research, has been abolished. It is true that the National Center for Educational Research and Development in which DCVR was located, is committing a much larger share of its developmental resources to career education than before. But development alone, without continuing research and without coordination and diffusion in the area it is to serve, is a dead end street.

I do not believe this neglect of a career emphasis in the Federal administration of educational programs is intentional; I believe it simply follows the traditional pattern of academic orientation inthe schools and by the general public that we have always had. But it does reflect a sluggishness in the Federal structure to adapt to changing times and changing needs. Most educators today are acutely aware that the great majority of students in grades 1-12 and beyond are receiving an education that is largely college oriented, while two-thirds to three-fourths of those students need employable skills they are not receiving for careers that do not require a college degree.

The change-over from a traditionally academic school system to one combining academic instruction with preparation for the world of work is one of the most

extensive upheavals taking place in education today. Congress has given strong leadership and increasing support to career education in the schools through the Vocational Education Act of 1963, the Vocational Amendments of 1968, and several other pieces of legislation. Now you have under consideration the Occupational Education Act introduced by Senator Javits and others in the Senate and Congressmen Quie, Pucinski and others in the House. It is a logical and much needed addition to the previous Acts, since it is aimed partly at correcting the imbalance between academic and career education in the Federal establishment and partly at strengthening coordination in the States between various agencies and institutions sharing the responsibility for career education.

Department of Education and Manpower Training

While I strongly support the Occupational Education Act, I think it is only one more step in the right direction and not the last step that should be taken even now. Preparation for the world of work is an educational responsibility that varies greatly among different population groups and under different circumstances. It includes regular classroom instruction, skill training, supervised work experience, and for a great many youth and adults remedial education and training for specific jobs under manpower programs. All of this is being done in the schools, and the nation's educational system is already far and away the major source of skilled manpower for business and industry. Yet the Federal government too often considers education in one category and manpower training in another.

I would hope the next step Congress may take will be to combine the administration of education and manpower training — either in a separate department or as a single division in the Department of Human resources President Nixon has proposed. This would accomplish two things: It would further remove the imbalance in educational programs between academic and career emphasis and it would reduce

the duplication, overlapping, and lack of coordination in Federally sponsored education and manpower training programs.

National Institute of Education

The concern I mentioned earlier which many of us have about the Federal establishment's pattern of neglect in career education, has its parellel in educational research. I have already called your attention to evidence of this in the administration of research funds under the vocational legislation of 1963 and 1968. It is for this reason primarily that I would like to suggest a clarification of language in the proposal to establish a National Institute of Education. Nowhere in the various bills that have been introduced is any mention made of career education research. Ordinarily this should not be necessary and its omission is entirely understandable, but under the circumstances that now prevail I would urge you to put it in.

I do so for two reasons: The need for research to help make this transition in the schools, which is barely getting underway; and the likelihood that without it the National Institute of Education will take too long to realize its necessity. The language I would recommend is to use the words "academic and career" education in specific instances throughout the bill instead of just education alone. Thus on page 111, line 11, of S. 659 the purpose of the Institute would be to "seek to improve [academic and career] education in the United States . . ."

Similarly on page 112, line 20, I suggest the wording be "status of [academic and career] educational research in the United States." On page 113, lines 3 and 4, the sentence should be changed to read "submit an annual report to the President on the activities of the Institute, and on [academic and career] education research in general, . . ." On page 114, line 13, the Division of Institute programs should

"(i) identify and describe major [academic and career] educational problems and opportunities . . ." Also on page 119, lines 20, 21, and 22 "academic and career" should be inserted before education and educational in each instance. I would suggest this be done throughout the remainder of the bill at the following places where the word "education" appears: page 115, lines 1, 3, 4, 15, 16, 17, 22; page 116, lines 1, 4.

One of the problems the U.S. Office of Education and the Office of Management and Budget seem to have had with vocational research has been its separate funding. I am reluctant to suggest that Congress change this, but it could be done by adding on page 117 of S. 659 an amendment to the Vocational Education Amendments of 1968 striking out the provision for research in that Act. This has one strong argument at least in its favor: it places the entire administration of educational research both academic and vocational, under one agency. But it has one strong argument against it also: half of the funds appropriated for research under the Vocational Education Amendments of 1968 go directly to the States, and the need for Federal funds to assist in developing research to solve State and local problems is critical.

There is one solution to this problem that I know of, and not only do I recommend it but I do so entirely apart from its connection with the Vocational Amendments of 1968. That would be to write into the NIE bill a provision making educational research funds for both academic and career education available to help develop State and local research and to support research activities of a State and local nature as well as those of strictly national significance. Education is a State and local responsibility, and if educational research is ever going to have the impact that it should have and result in benefits that are truly national in scope I believe very strongly it is going to have to be related much more directly

to all of the school districts in all of the States at the district level.

I recommend, therefore, that two provisions be added to the NIE bill, and I sould like to discuss one of them in some detail. This is that a network of State and local research coordinating units be established by the National Institute as a strong link between the Institute and the local schools in much the same way that Agricultural experiment stations and county agents have served so well in agricultural research. And borrowing from the experience with agricultural experiment stations located in land grant universities, I would recommend that educational research coordinating units be located in universities having educational research and training programs.

In making this recommendation I am, of course, borrowing from more than the highly successful agricultural research program: I am borrowing from the U.S. Office of Education's research coordinating unit program in vocational education. And I do so for several reasons, the first being my own experience with this program. It has produced various results in different States, but I will cite only two examples of a national impact already being felt: One is a delivery system for research information extending directly into classrooms and administrative offices; the other is a computer-based data system in many States upon which much of the accountability we are developing in education will have to depend.

Perhaps a more compelling reason for establishing a system of research coordinating units in the universities working with the National Institute is the need in educational research for a diffusion system. In medical research and to a large extent in scientific research diffusion systems already existed before the National Institutes of Health and the National Science Foundation were established. In those fields the practitioners are tied much more closely to research developments than in education through their own professional organizations. Education

is more like agriculture — teachers have so much to do simply meeting their classes, handling each day's crises, and trying to cope with mountains of paper work that neither they nor their professional organizations are inclined to look on research with any great awareness of its significance or possible effect on what they are doing.

For different reasons but in much the same way, educational researchers and especially administrators of educational research programs at the Federal level are too far removed from the daily routine of the schools. Too often educational research is of the hot house variety, conducted in a laboratory setting under artificial conditions that either do not lend themselves to the realities of an actual classroom or are never sufficiently modified to do so. The educational research coordinating units I am suggesting would be intended to correct this situation. They would serve both to identify problems in the educational system either in established practices or in the implementation of research and innovative programs, channeling this information from local districts all over the country into the National Institute, and to bring to the local districts the results of the research sponsored by the National Institute.

Dr. Gordon Swanson at the University of Minnesota has made an assessment of the vocational research coordinating units and their role in the total educational research program supported by the Federal government. I would like to insert at this point portions of Dr. Swanson's article which suggest to me the potential role of many of these same units and others like them if their purpose were broadened to include all educational research.

Background

The creation of a national network of Research Coordinating Units in the mid-sixties was a part of a widespread national movement to find new ways to place more reliance on research in education. It began in 1963 with the Research and Development Program

established under the Cooperative Research Act, a program which resulted in the funding of nine R&D Centers from among almost 50 applicants. Following the passage of the Elementary and Secondary Education Act of 1965, a network of Regional Educational Laboratories was created to complement the role of the R&D Centers and to hasten the implementation of research in education. The nine R&D Centers were university based, but the Regional Laboratories were rather deliberately designed to operate on neutral ground; they were established outside of the aegis of either universities or state departments of education.

The effort to institutionalize research in vocational and technical education began at about the same time. It was motivated by a recognition of similar needs. Two R&D Centers came into existence; one at Ohio State University, whose origin predated the Vocational Act of 1963, and the other at the North Carolina State University whose origin post-dated the Vocational Act of 1963. The creation of the two R&D Centers for vocational education increased to eleven the number of national R&D Centers.

The use of federal funds to create Research Coordinating Units was authorized in April, 1965 when the Commissioner of Education invited each State Agency to submit proposals for their establishment. By the end of the fiscal year, nearly half of the states had taken steps to create an RCU, and by the end of 1966, nearly all of the states had a unit or plans to establish one.

What were the motivating forces which stimulated the creation of Centers, Laboratories, and Research Coordinating Units during the mid-sixties?

First, it was recognized that education had a low capacity for generating new knowledge, that the instrumentalities for generating new knowledge, were weak and underdeveloped, and that there were fragile linkages between research, development and practice. Research undertaken as projects by individual researchers was valuable and necessary, but it was not sufficient to create a reliable flow of new knowledge for the field of education.

Second, it was recognized that the nation's largest public service enterprises, such as agriculture, medicine, and defense, were relying heavily on a flow of new knowledge made available by governmentally financed research and development at billion dollar levels, and operating within a great variety of government sponsored research centers, laboratories, clinics and experiment stations. As a fully acknowledged public interest enterprise, education was finally being permitted to establish similar knowledge producing capability.

Third, there was a recognition of the fact that there were few, if any, models of research and development which were readily applicable to the field of education. The field itself was recognized as being highly complex and crucially in need of incorporating new knowledge into institutional structures, technologies, materials and training programs. As a field, education had no models of programmatic research and development which had demonstrated a capability for system-wide intervention in educational practice.

The creation of Research Coordination Units was a part of this search for new ways to institutionalize reasearch in education. Leadership for their creation arose within the U.S. Office of Education in consultation with numerous individuals in the field of vocational education. During their early years, they have faced problems which parallel those encountered by all of the R&D Centers and the Regional Laboratories. In addition, they have faced some problems which are unique within the field of vocational education.

The Context of RCU Development

With a few exceptions, all of the R&D Centers, Regional Laboratories and Research Coordination Units have gone through a period of reassessment and redefinition of purpose and function. Most of the R&D Centers began by defining a mission that was too broad for concentrated or focused research efforts. Most of them have now completed a review of mission and have begun to concentrate within a narrower frame of reference and one which is more consistent with the scholarly resources available to them. . . .

Structural and administrative changes have also occured in most of the R&D Centers, Regional Laboratories, and Research Coordinating Units. More than half the R&D Centers have changed directors since their establishment. Most of the Regional Laboratories have revised their program functions since they were created, and four of them have now ceased to exist.

This brief review of the developmental history of R&D Centers and Regional Laboratories permits several observations about the research-development-dissemination emphasis which began in the mid-sixties:

1. First, there doesn't seem to be any normative pattern or natural trajectory in the creation of a research-development-dissemination chain in education. In the establishment of goals, objectives, and implementation-functions within an institutional setting, there is no "par" for the course.

2. Second, the mid-sixty intent to create knowledge-producing and implementing mechanisms for education has not been realized, but a number of modestly successful Centers, Laboratories and Research Units have been created. Their promisice for contributing to programmatic research is enormous.

3. Third, the greatest added-value to education is provided by research enterprises with a capacity to modify goals to mobilize staff in accordance with evolving and dynamic institutional change, in addition to the need for research intervention in the educational process.

Each of the foregoing observations have applicability to R&D Centers in general, but there are further, and more specific, observations that can be made about the Research Coordination Units.

1. There is an unfortunate implied limitation in the reference to the Units as "Coordination" Units. The implication is that research, development and dissemination is underway, and that a coordination function is essential but inadequate in each state. Actually the Research Coordinating Units can measure up to expectations only if they operate along the full continuum of research, development, and dissemination. The word "Coordination" is an unfortunate misnomer if it is taken to prescribe or to proscribe the functional limits of the Coordination Units.

2. Coordination Units have discovered that new knowledge

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ordinarily becomes available in very small increments, and that there is no backlog of research evidence waiting to be disseminated to an eagerly awaiting constituency. Moreover, there are few new or dramatic research tools with unique applicability to vocational education, and there are few new technologies awaiting application in vocational education. The research-development-dissemination chain is most effective if viewed as a single entity, rather than as independent functions to be undertaken by separate or independent agencies.

3. The dismantling of the categorical structure of vocational education by permissive legislation in 1963 and in 1968 has introduced serious anamalies in efforts to carry on practitioner-oriented vocational research and development. Almost all of the practitioners in vocational education are employed as specialists in one of the categorically-oriented fields of vocational education as provided under enabling legislation established prior to the 1960's. Research and development conceived as a system of intervention for the improvement of current practice must necessarily take into account the nature of current practice and its need for modification. Its need for modification is not seen by school people as the need for abandoment of the specializations within which they work. Accordingly, the anomaly continues; should the RCU work closely with schoolbased problems and categorically oriented practitioners, or should it concentrate on problems which tend to avoid the categorical and specialized nature of school practice.

4. Reserach Coordinating Units have been established in Universities, as well as in State Education Agencies. Satisfactory arrangements for administration and operation have been realized in either setting. Unsatisfactory arrangements have likewise been realized in either setting

   Ordinarily, one would expect a university setting to be ideal for research and development. But idealism is not sufficient. Universities also have a tendency to pursue the discovery of new knowledge for which there is little demand, and to let new knowledge find its own application through obscure publication or teaching. Universities also have a tendency to pursue research questions as though there were no sense of urgency about the solution to problems. Moreover, the incentive and reward system of the usual university setting is more closely linked with project-oriented research within limited time-frames than it is to the programmatic activities of a research-development-dissemination sequence.

State Education Agencies also have some traditional limitations in their capacity to operate research and development functions. First, and most important, is the fact that they find that it is much easier to fund other entities than themselves. It is traditional, and almost axiomatic, for state agencies to be too overcommitted and too understaffed to carry out even the ordinary and usual functions of state leadership. Secondly, state agencies ordinarily find it easier to plan, administer and to evaluate vocational programs than to operate them in an institutional setting. It is more difficult, finally, for state agencies to expand or contract research activities in response to urgent or immediate needs than it is to be similarly responsive within a university. The nature of government employment often includes delaying difficulties in recruitment and employment.

5. The nature and function of Research Coordinating Unit operation requires an eventual commitment of state resources and a vital linkage with the State Plan program of vocational education. It is the only institutionalized function of the Nation's research-development-dissemination chain which includes statutory provisions for system-wide intervention through research (Vocational Amendments of 1968). Some states have exercised options for demonstrating unusal leadership in this regard, and all states have this challenge and opportunity available to them. . . .

A Basis for R.C.U. Evaluation

It is extremely difficult to move confidently toward a basis for evaluating any institutionalized structure engaging in educational research. Not enough is known about whether the conditions favorable to survival are also the conditions which maximize the educational significance of research output. The field of education includes the scattered wreckage of efforts to institutionalize a research and development function. Notable are the Bureaus of Educational Research which were common a few decades ago in many prestigeous universities. Most have now ceased to exist, or they have assumed a changed focus and mission. The field of education still awaits a durable model of institutionalized research productivity capable of attacking a broad range of educational problems and capable of serving as prototypes with respect to structure and function.

With the foregoing observations regarded as caveats, an attempt will be made to provide a list of basic conditions which, if present, should strengthen the role and function of Research Coordination Units.

1. Research and development should be conceived as a single entity, rather than as separate or independent functions. Specifically, research should be development motivated and development should be research-guided.

   The research-development-dissemination sequence can be described as a declining curve of risk. Research can include the risks of failure, but development and its disseminated output cannot tolerate such risks. A most important risk reducing exercise for Research Coordinating Units is to regard research and development as a unitary concept or as functions with reciprocal obligations and mutual responsibilities in the education improvement process.

2. Research and development should be viewed as a system of intervention for the purpose of improving educational practice. It may occur at two levels. It may seek to create new materials, new procedures, or new products. At either level, its ultimate goal is to improve educational practice. It may, however, have intermediate goals involving sub-systems (i.e., the state plan, the management information system or the inservice-training programs), but its ultimate goal is intervention for the purpose of improving educational practice.

3. In establishing the priorities for the work of an RCU, the focus should be along two lines. First, there should be a systematic assessment of the needs in the field of vocational and technical education, and an assessment of the degree to which these needs are being met by existing institutions and practices. Practices in the field are often legislated and established initially as administrative questions, while the important problems of practice await later attention. Some of the favorite research topics, i.e., student achievement, placement, student characteristics and guidance often reveal symptoms of restricted opportunity or other constraints within the system. Vocational education needs a systematically-operating early-warning system to articulate with the five-year extended state planning functions. The second line of focus should be toward school practice. In the long run, the contributions to the field made by Research Coordinating Units will be directly proportional to the reliance placed on them by those involved in school practice in local education agencies. With the need for local education agencies to establish long-term plans to articulate with state vocational plans, it becomes even more important for RCU's, as a system, to intervene for the improvement of practice, and also to allow those in school practice to intervene in the establishment of RCU priorities. An adequate approach to this is not solely through advisory committees or through dissemination efforts; it should include efforts to actually involve those in school practice.

4. The personnel of an RCU is the unit's most valuable and most costly asset. In the past, much has been said about the value of interdisciplinary and multidisciplinary effort, but there is still little evidence to allow conclusions regarding the optimum ways to mobilize such effort. Recognizing that such effort may have value that is yet unrealized, RCU's should also seek the benefit of team operations which involve personnel from local education agencies. School personnel are also specialists whose experience illuminates ideas and processes. Moreover, the involvement of school personnel is essential in the partnership needed for pilot programs, demonstrations, field testing and the various activities necessary to conceive of R and D as a single entity. Too often school-based personnel are involved as a last minute approach to expediting a plan. A deliberate plan to involve inter-agency personnel, as well as inter-disciplinary personnel, would appear to repay study by Research Coordination Units.

5. The product or output of Research Coordination Units is its visible sign of progress. Their work has paralleled the work of other agencies involved in R&D. The product has been mainly in the form of a collection of short-term projects, the establishment of a reference library or collection, the preparation of research bibliographies and summaries, and the conducting of dissemination conferences or institutes. Hopefully these efforts can continue and expand.

If the Committee feels that such a network of State and local research coordinating units should be established by the National Institute, this could be done I believe through an additional section in S.659 on page 116 following line 21 as follows:

"(g) The Secretary, through the Institute, shall establish a national system of educational research coordinating units by making funds available for this purpose to universities having educational research and training programs. Units established under this Section shall perform such duties as are prescribed by the Secretary, including the identification and communication to the Secretary of educational problems in the schools suggesting the need for research; carrying out research activities; dissemination of research findings among state agencies, educational institutions and individual educators; and assistance to state agencies, educational institutions and individual educators in implementing educational programs and techniques developed through research."

The second provision that I suggest be added to the NIE bill in order to relate the activities of the Institute more closely with State and local research is to make basic grants to the universities in educational research in much the same way the National Science Foundation does in scientific research. These grants, based on a formula taking into account the amount of research being performed and the professional resources of the universities, should be available to develop research proposals, conduct small research projects, and pay for a certain amount of the universitys' overhead costs in conducting educational research of all kinds. The return of this kind of support if properly administered, I believe, can be enormous. It could be included in the provisions for establishing research coordinating units,

or it could be provided separately. If you agree that it should be included I think language to that effect should be added to the bill, possibly in subsection (f) on page 116.

National Foundation for Higher Education

Funds for research, innovation, and improvement in higher education are no less important than in elementary and secondary education. Indeed, many of the problems in the entire educational system stem from practices in higher education, and solutions must be found here before a great deal of improvement can be made in the local schools. One example is the poor coordination of course work and student achievement between institutional levels. Elementary course content is often repeated at the high school level and even at the college and university level. Very little effort is made in most institutions to determine with any degree of reliability the levels of achievement students have obtained in particular subjects before assigning them to courses. Course requirements and course offerings at each institutional level are established primarily to serve that institution's own purposes, and too often have little reference to the actual results achieved at the preceeding level. There is too little provision for individual variations among students and the schools from which they come. Higher education is not entirely responsible for this situation, but if improvements are made here they will almost certainly set in motion a chain reaction in the secondary and elementary schools.

I am sure you are well aware of numerous instances of this kind in which improvements in education must begin with changes in higher education. I would like to cite two more that come to mind. The first is in student guidance and counselling. Since the counselling profession is a product of higher education any significant improvement will certainly involve the

colleges and universities and may have to be initiated here. Professional counselors in the schools are responsible for three distinct services: academic counselling, career counselling, and dealing with personality and emotional problems. Each of these areas of counselling require highly specialized training and a substantial amount of up-to-date professional knowledge. There is a general concensus both within the educational profession and among laymen that under these circumstances none of the counselling functions are being adequately preformed. It is not enough simply to expect the schools themselves to find their own solution. New concepts, new approaches, and perhaps a restructuring of this professional field are needed at the undergraduate and particularly graduate levels of higher education.

Another widespread problem in higher education and one which may be filtering down into the secondary and primary levels is that of the relationship between students and faculty. In its most disturbing form it is a problem of discipline, not necessarily the discipline of external authority although this is involved too. It is the problem of disciplined behavior by individuals who makeup a highly complex social system so that that system may function efficiently and effectively. One of its ramifications is the problem of intellectual discipline, and many areas of higher education are experiencing increasing difficulty in this regard.

These problems and many others will not be solved overnight and we may be sure there will be others to take their place when they are solved if ever. But the colleges and universities and other institutions of higher education need the resources and national purpose of the federal government in this effort. I cannot commend too highly the sponsors of this legislation nor urge too strongly that it be given the full support of Congress.

Amendments To The Higher Education Act

I would also like to add my support and that of the AVERA membership for the amendments to the Higher Education Act contained in S.659. In doing so, I would like to make one suggestion: increase the support for both the work study and cooperative education programs on page 36. An amendment to Sections 147 and 148 should be added for this purpose. There are compelling reasons, I think for taking this action.

In the first place, education at the college level no less than education at the elementary and secondary levels should help prepare students for the world of work. In most professions if not all, work experience during academic preparation has been found to be one of the most valuable parts of a student's education. If this is true in medicine, engineering, and teaching, it is no less true in business, accounting, law and every other career for which a college education is necessary. The cooperative education program should be greatly expanded simply to improve the quality of higher education if for no other purpose.

I suggest, however, that there is another purpose as well. Most college students today have had very little opportunity to learn the discipline of regular employment. Many of them have difficulty in making up their minds about a career because they have little or no actual experience in any field. The increasing numbers of students on college campuses, especially in colleges of liberal arts, who seem to oppose the idea of work altogether or at least are indifferent to it might not feel quite so alienated if they were introduced to it as part of their college education.

In the college work study program I should like to suggest that, while financial need should perhaps determine priorities, it should not act as a deterrent in providing employment for all students regardless of their financial status. Here again, as in the cooperative education program, experience gained from regular employment is as valuable as the money earned. Not all college programs are suited for the cooperative program, and in most college communities the opportunities for related work experience in business and industry are limited. But under the work study program a large number of employment opportunities exist.

Possibly nothing Congress can do in its legislation to support higher education would accomplish as much as this. Students planning careers in medicine and nursing could be employed by hospitals and clinics; municipal and county governments would benefit from additional help and students working in city halls and court houses would be getting a first hand knowledge of government as well as experience on a job. The list of examples is endless. But let me stress again, that to be completely effective this program should be available to all students, not just those whose financial need is greatest.

Mr. Chairman and Members of the Committee, again I appreciate this opportunity to express my views on a number of educational proposals you have before you. I have made several suggestions which I believe will strengthen and improve this legislation. If you have questions I will be glad to discuss any of these suggestions in more detail.

Thank you very much.

Senator PELL. The subcommittee will now recess, and will reconvene in about 10 minutes to hear our final witness of the morning, Mrs. Sherman Ross of the AAUW.

(Whereupon, a short recess was taken.)

Senator PELL. The subcommittee will resume its session. The witness is Mrs. Sherman Ross, Chairman of the Legislative Program Committee, American Association of University Women.

And I must say, I extend a particular welcome to her because I have had the opportunity to meet with and talk with her colleagues in my own state, I am very impressed with them and enjoy our times together.

STATEMENT OF MRS. SHERMAN ROSS, CHAIRMAN, LEGISLATIVE PROGRAM COMMITTEE, AMERICAN ASSOCIATION OF UNIVERSITY WOMEN; ACCOMPANIED BY MRS. ALISON BELL, STAFF ASSOCIATE FOR LEGISLATION

Mrs. Ross. I think the division you are on is a very good division.

Senator PELL. It is a very outstanding division. I agree.

We are going to have another rollcall vote in a short time so proceed as you would like. If you would like to read the statement—

Mrs. Ross. Shall I submit the statement——

Senator PELL. That would be fine.

Mrs. Ross (continuing). For the record and highlight. So may I introduce, although I am sure you know, Mrs. Alison Ball, who is our staff associate of the organization.

Senator PELL. She has been very helpful to us, I might add.

Mrs. Ross. I am sure she has, and to me, too.

I think I might pick up some of the highlights in particular.

We know that the committee is fully aware of the danger of weakening our institutions of higher learning by diversion of their non-Federal resources for the purpose of meeting the institution's share of cost-sharing Federal programs. We, too, recognize that many federally supported, socially desirable programs, frequently referred to as being part of the university's responsibility to the community, are also enacted on a cost-sharing or matching-funds basis.

We recommend that this committee take a hard look at the financial drain created by these programs and that greater assumption of fiscal responsibility by the Federal Government be provided for these social programs.

Among our principle concerns about Federal aid is the lack of continuity in these Federal programs. While colleges and universities are encouraged to utilize available Federal assistance, there are definite hazards in that many of these programs, once started, are not sufficiently funded, and we have to have a cutoff.

In our judgment, the dangers of Federal control of higher education, if it is exercised, will be by indirection as the character of an institution is altered by diversion of institutional resources from activities which have not Federal support to those that do—as we have suggested in an early paragraph of our state and we feel this is perhaps one of the important ways to view the concept of the National Foundation for Higher Education and the National Institute for Higher Education proposed in the administration's bills. Either one could

possibly develop very regrettable political implications unless the authorizing legislation and guidelines are carefully drawn.

In earlier statements to this committee, the Association has recommended the creation of a completely nonpolitical—I would say partisan political—Advisory Council on Education to the President which would have the status and function similarly to the present Council of Economic Advisors.

However, we continue to urge, as we have for years, a Department of Education of cabinet status. In view of the present executive department reorganizational proposals, we believe it important to restate this Association position at this time.

If achievement of either of these recomemndations is unrealistic in this session of Congress, we endorse, with safeguards against partisan politics, both the National Institute for Education and the National Foundation for Higher Education as a step toward elevation of education to its proper role as a major business with a top priority in this country.

We would also like to put special stress on immediate enactment of the extension of the authorization for the current operating programs in higher education. We feel that the enactment of this extension is imperative and we wish to speak to some revisions, which we note are included in the bill before this subcommittee.

We have questioned whether every student who graduates from high school should be encouraged to undertake the traditional 4-year academic degree. Therefore, we have wholeheartedly supported Federal programs which offer technical and vocational training, the development of community and junior colleges and other forms of post-secondary training for more effective mobilization of the country's intellectual resources.

We wish to urge that there be no diminution in community service and continuing education programs. We support the continuation of aid to developing institutions and recommend that the 23 percent which has been set aside previously in the earlier legislation for community colleges be continued.

I might digress for a moment and say that the position I also hold as chairman of the board of trustees of Montgomery Community College makes me increasingly aware of the very real impact that community colleges, because of their comprehensive character, can have and the advantages of being potentially more responsive to changing educational and economic roles and needs in our communities.

I think the broad range of students and the types of programs which cover both the academic, the career and the so-called community service kind of program, make them very peculiarly responsive to some of the needs of today's society.

We are concerned about the student who works up to a full day and thus takes longer to obtain his or her degree. Therefore, we believe that assistance should be available for at least 5 and possibly 6 years to such part-time students. We recognize that this opens up some new kinds of characteristics actually, but again speaking in part from my experience with the community college, I do recognize the very real value of making it possible for students to have this kind of education even though they may not be able to get it in the usual 2 or 4-year time, depending on which institution they are attending.

We understand the rationale of taxing a student on his earnings and then offering him a loan or grant equal to, or less, than the sum he has paid in taxes, but we wish a more direct approach could be devised.

Neveretheless, the Association opposes perennial proposals for tax credits or tax deductions for tuition paid. And we feel this will probably be one of the alternatives again suggested. We feel this approach is peculiarly unfair to lower-income families. We urge the committee to write considerable flexibility in the authority to transfer EOG money to work-study.

We are extremely interested in the provision of S. 659 which would provide every student undertaking post high school work a grant of $1,200, dependent upon a built-in income tax deduction factor. We are uncertain how effectively or how fairly this deduction factor can be implemented. Many college-age students are beyond the age of legal deductions. A majority of these students earn enough to receive little or no grant. This formula does not make allowances for those students who work 6 months or a year and go to college for 6 months, a year, or longer.

Senator PELL. Excuse me for interrupting. Give me an example of what you are driving at there.

Mrs. Ross. In terms of this?

Senator PELL. Yes.

Mrs. Ross. Well, if you have a student working full time for 6 months, in all probability his income would be sufficient so that he would not be able to get any grant. And yet, the other 6 months of the time he was going to college, he might need some substance aid.

Senator PELL. No, I think it is based on the annual income tax, and it would take a very successful student to earn an income so large he had to pay a tax of $1,200 on it.

Mrs. Ross. It is true except you also have families involved in this. And many of the college students, of course, if they get the major amount of their money from the family and then have to deduct the family's income tax, you would find that this is really a hardship. You have this sort of dual role with students, I think, these days, wanting to be independent of the families, yet actually in relation to this kind of a formula being forced back into a dependence.

And I think we question really whether this is a viable a concept for the current college student or from any of them. So we really question this in this sense.

Senator PELL. You would like it to go further?

Mrs. Ross. Yes, I think so. I think this is the correct way or else perhaps related just to the student.

There is a real problem in attaching it, I think, to the family where you have this desire which is perhaps being more evident these days, but I am not sure it is absolutely a new procedure as far as this college-age student is concerned.

And also I think we do have and have had since the end of World War II an increasing number of married students. And, again, you have a very funny mix here.

Senator PELL. But you cannot be carried as a dependent unless you agree to be carried as a dependent. So if the student does not want to be carried by his family as a dependent, it is his privilege.

Mrs. Ross. It is his privilege sometimes. I would submit some parents have a slightly different view. And I am not sure that is always worked out as well as you are suggesting it might be.

Senator PELL. Under the income tax laws, if you contribute more than half, I think you have to contribute more than half, to the welfare of the person. If the child refuses to accept help the family cannot carry him as a dependent.

Mrs. Ross. That is correct, but they do accept the help. And what I am saying, really, is I think some of this is a mixed factor. It is probably partly psychological as far as the students' attitude. And since many of our problems, I think, with students these days could be related to the psychological characteristics and their own view of it, I think this can be something that can cause difficulty.

I have heard students comment on this myself, not particularly on this bill, but on the whole concept of their dependence and their relationship.

One way, of course, of getting around it, I suppose, is to increase the amount, so that the deduction is not as great or that some benefit becomes somewhat more realistic.

I think really the other side of it, of course, if you have two students in college, again, you have this problem of what your income and the deduction and so on is. And I think for the middle-income family, this can become a real problem. Having had two in college myself at one time, I suppose I can speak somewhat upon that particular view.

But really, I think what we are talking about here is a look at whether it is desirable to involve the family income or if this is what the committee feels is desirable, certainly we feel that there should be a higher amount so that there is a more actual potential for aid.

Senator PELL. You reached the problem. I would like to make it available to all children automatically, but there is just not that much money in the Treasury. So you have to have a cutoff. We are not embedded in concrete on the $1,200 figure. It just seemed like a fairly good cutoff because that meant that the family that had up to about $10 or $12 thousand, depending on the number of dependents, would get a bit of help, more and more help, as income became less. This seemed to be a prettly good breakeven point.

If we followed your thought and opened it up higher, the cost would be a great deal more. And it should be remembered that our chances of getting funding for this approach are not as rosy as I would like.

Mrs. Ross. Well, I recognize there are problems, and I can emphasize with them even if I am not completely sure that as many would get the assistance. I am sure you are thinking of really offering assistance to more than I would think maybe really will get it under this. But I could be wrong, and I hope I am.

Senator PELL. I think once somebody is eligible for it, they work out their deductions in such a way that either they will spin off the youngster and he will be independent and not carried as a dependent or they will carry him, depending on which is more advantageous, human greed being what it is.

Mrs. Ross. Mrs. Bell?

Mrs. BELL. I was going to explain that our legislative committee meeting in March, spent a lot of time in discussion because they are very much in favor of your concept, but the $10,000 to $12,000 base,

where ~~people begin to get~~ less, or nothing, ~~concerns us because~~ ~~that~~ is where our membership lies, in the $10,000 and above level. Many of them realize there would be little help for the children they have attending college.

Senator PELL. All the other programs would remain, are built on top of this. This is just the floor.

Mrs. BELL. We are very grateful for that.

Senator PELL. The other grants would remain, and loan programs would remain. And they could get help under those.

Mrs. BELL. We hope so.

Senator PELL. You would expect it.

EDUCATIONAL OPPORTUNITIES FOR WOMEN

Mrs. BELL. Because we are supporting the continuation of the other programs for just this reason.

Mrs. ROSS. We again wish to draw your attention to an association project in which we are deeply interested. In other years, we have testified on and succeeded in stimulating considerable interest both in Congress and out in support of a provision written into the Higher Education Act or any other student aid program which would set aside specific sums or a stated percentage to be loaned or granted to women or men wishing to continue, or update, their educations for the purpose of entering or reentering the labor force.

It is our contention that a large and presently untapped reservoir of skilled womanpower would become available if such a program were enacted. We speak from experience, for the AAUW Educational Foundation recently conducted a very successful program of grants to such women who undertook either retraining or advanced training in their respective fields for the purpose of going into college teaching.

We also speak from the experience of our 84-year-old program of fellowships to American women and to women of other nations for graduate work.

So far as we know, there are no restrictions written into any loan or grant program which would keep these programs from being available to women or men wishing either to update their skills, or to finish an education as they try to enter or reenter the labor force. Nor do we mean to imply that there is conscious discrimination on the part of university financial officers.

But who can blame the loan or scholarship officer, whose funds are limited, who chooses the student with a current and excellent scholastic or recent work record over the woman who has been out of school and not working for a period of years. It is for this reason we would recommend a relatively small sum of Federal money be spent to enable women of postcollege age who have been out of the labor market and who wish to enter it to have the opportunity for retraining.

We would like to express our worry to this committee about the financial burden of any substantial educational borrowing—particularly to two kinds of families: One, the middle- to low-income family with more than one child in the family.

The other, newly married students, both of whom have borrowed all or most of the cost of their college educations. What position can the Federal Government take as these borrowers find themselves faced

with denying themselves and their families in some instances basic necessities or defaulting on their education loans? What will be the ultimate moral and economic effect in this country if these loans are made and not repaid?

As we said earlier, we are certain there will be a protracted debate over the very substantial changes in thinking, in philosophy, in programing, and financing which appear to be inevitable in higher education. So in conclusion, we again express our support for this committee if it, in the face of the country's very pressing and immediate needs, proposes renewed authorization of existing programs—funded at realistic levels for another 3 or 5 years.

Finally, in keeping with our strong support for forward funding, it is our opinion that provisions should be written into any new legislation which would give institutions of higher learning leadtime in which to adjust to shifting Federal policies.

We in the association wish to give voice to our awareness of the dedication and of the effort that members of this committee spend in promoting the welfare of this country's citizens. We also wish to express our appreciation for the privilege of again appearing before you.

Senator PELL. Thank you very much, indeed.

I imagine you feel particularly strong about the so-called negative dowry. What would be the maximum amount that a young woman could borrow in the course of her undergraduate or graduate career and then get married? What would be an extreme instance of what you think it would add up to?

Mrs. ROSS. I do not know as I feel strongly about the negative dowry. I think this is a possibility. But I think it is a combined factor, really, both on the man's part and on the woman's since both of them many times tend to work to pay it off. It is a very realistic and added burden, I think.

I really do not know what I would say what the amount is. Do you?

Mrs. BELL. We figured out in the committee it would be $10,000 maximum that they might be in debt when they were married. And this becomes a real problem if they had the students' loans and knew they started out with very heavy annual payments. And it would be roughly $800 a year in interest.

Mrs. ROSS. Another thing we discussed in the committee is that some of the students, I think, getting this loan do not quite comprehend, and perhaps they should, but I am not sure that they do comprehend, really, the extent of the percentage that they are going to be required to pay.

It sounds very fine when you say that there is a certain forgiveness or certain amount being underwritten by the Federal Government, but it can be really—a very substantial amount.

I am not so much in this instance talking about the people from the more informed communities, but I am speaking here primarily, I think, about the people who come from the underprivileged or less informed areas of the country where this loan sounds like a golden opportunity. And I think here is where we have some very real concern about the effect that this will have upon these people, the moral effect, when they realize what they have in a sense promised and whether this may not result in a very negative kind of a reaction to the whole educational program.

Senator PELL. I think the problem comes from childhood when so many children ask their parents, "Will you lend me 5 cents to buy some candies," when they mean, "Will you give me 5 cents to buy candies."

Mrs. ROSS. That is right. And I think the underprivileged who are not too well aware of the whole loan concept and paying off and its percentages, I think it is true, hopefully, the others may have heard their parents occasionally gripe about having to pay something off. So they have more familiarity with the whole interest concept.

So I would suggest that some of the other parts of our community probably are not familiar really with this concept.

Senator PELL. Even so, there is no excuse for its violation.

I am struck to be informed that in New York State, the guaranteed loan people say that women default less than men. Is that a national experience?

Mrs. ROSS. I believe this is true. I have heard this in relation to other kinds of situations; yes.

Senator PELL. If you have any followup information to insert in the record, it might be interesting.

Mrs. ROSS. I do not have any substantial data, but I have noted that this is the case that in general it seems to be true that women—I am not exactly sure of all the reasons behind it.

Senator PELL. Maybe it is because they have more money as a rule.

Mrs. ROSS. Maybe.

Senator PELL. Well, thank you very much, indeed, and forgive the interruption as we moved along.

And thank you very much for the help in the past.

(The prepared statement of Mrs. ROSS follows:)

PREPARED STATEMENT OF MRS. SHERMAN ROSS, CHAIRMAN, LEGISLATIVE PROGRAM COMMITTEE, ON BEHALF OF THE AMERICAN ASSOCIATION OF UNIVERSITY WOMEN

I am Mrs. Sherman Ross, Chairman of the Legislative Program Committee of the American Association of University Women. We in AAUW, an organization of about 170,000 college graduates organized into 1,685 branches in the fifty states, Guam, and the District of Columbia, wish to express continuing and staunch support for the concept of very substantial support for federal assistance to education at all levels.

Although the American Association of University Women is not an educational institution in the accepted sense, its principal motivation for the past 86 years has been support, by one means or another, for expanding educational opportunities.

The members of the AAUW like the majority of other Americans have accepted the concept that the more individuals pursuing education beyond high school, the greater the benefits accruing to society as a whole. Therefore, year after year, to this and other Congressional Committees we have recommended assumption by the federal government of a constantly expanding rôle in financing higher education.

Although we are increasingly aware that this concept is under question, that a considerable amount of current thinking and a number of well-received recommendations, including those of the Administration, advocate shifting the financial responsibility for education to those who receive it on the premise that it is the individual who profits, we have not come to the point where we are prepared to accept this new philosophy.

The American Association of University Women has been concerned for some time about how the increasing demands upon higher education institutions are to be met. Rapidly mounting enrollments, rising costs, and increasing demands

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from the governments of the community for services—services which range from federal research contracts to local basic educational programs—have placed strains upon the plant, the staff and the budget which cannot be met by either public or privately supported institutions without federal aid.

Therefore, we have come to the conclusion that some form of aid to the institution must be adopted by the Congress. We see merit in several approaches to this problem. One is a formula based on enrollment or on the number of degrees granted, as in the Quie bill now before the House Committee, in twin E.O.G. grants—one to the student and another, a cost-of-education grant, to the institution. To use, cost-of-education payments to institutions for education of federally aided students, or perhaps for all enrolled students, seems a more appropriate way of attacking the financial problems of higher education institutions than a program of general institutional support.

It continues to be a principle of the Association that in the best interests of this country, every student coming out of high school who wishes it *should have the opportunity for some form of further training.*

Even before the introduction of the National Defense Education Act the Association, and its branches in roughly 1600 communities in the fifty states actively supported federal legislation designed to improve and strengthen higher education. We have been particularly interested in work-study, and grant and loan programs which provide financial assistance to students. At the same time, we have recognized that authorization of these programs has increased the problems of the institutions which these students attend. Therefore, the AAUW has supported the college housing provisions of the Housing Act and the Higher Education Facilities Act, among others. We have welcomed and supported such innovative programs as those drafted to provide special services for those whose earlier education has not prepared them for work at the college level; the cooperative education programs which provide alternate periods of full-time study and full-time employment; the Networks for Knowledge programs which develop and assist cooperative arrangements between institutions; federal assistance to developing institutions; the aid provided for improvement in graduate programs; and programs written to provide education geared to public service.

We have encouraged expansion of federal library programs. We have acknowledged through our support of the community service title of the Higher Education Act of 1965 the dependence of both urban and rural areas upon colleges and universities for help in meeting the nation's mounting social problems. We also have recognized and supported other programs enacted recently to alleviate poverty and the ignorance, disease and apathy that so frequently accompany it.

We know that this committee is fully aware of the danger of weakening our institutions of higher learning by diversion of their non-federal resources for the purpose of meeting the institution's share of cost-sharing federal programs. We too recognize that many federally supported, socially desirable programs, frequently referred to as being "part of the University's responsibiltiy to the community," are also enacted on a cost-sharing or matching-funds basis. We recommend that this Committee take a hard look at the financial drain created by these programs, and that greater assumption of fiscal responsibility by the federal government be provided for these social programs.

Among our principal concerns about federal aid is the lack of continuity in these federal programs. While colleges and universities are encouraged to utilize available federal assistance, there are definite hazards in doing so which must be eliminated. In instance after instance what has seemed to be an on-going commitment by the Office of Education and the Congress proves to be no such thing. Programs are usually enacted with much fanfare and national publicity. This publicity does not attend the inadequate or token funding which has been a recent pattern. In illustration we cite the International Education Act which up to this point has had minimal funding. We are happy to find that the Act would be extended under Part I of the Pell bill.

In our judgment the dangers of federal control of higher education, if it is ever exercised, will be by indirection, as the character of an institution is altered by diversion of institutional resources from activities whch haven't federal support to those that do—we have suggested in an earlier paragraph—or if, in what seems on the face to be an avenue for improving the quality of education, we place national education under political or other control. In fact, we think it is conceivable that the National Foundation for Higher Education and the National Institute for Education, proposed in the Administration's bills could develop very

regrettable political implications unless the authorizing legislation and guidelines are carefully drawn.

In earlier statements to this Committee the Association has recommended the creation of a completely non-political, I would say partisan political, Advisory Council on Education to the President which would have the status and function similarly to the present Council of Economic Advisors. However, we continue to urge, as we have for years, a Department of Education of cabinet status. In view of the present executive department reorganizational proposals we believe it important to restate this Association position at this time. If achievement of either of these recommendations is unrealistic in this session of Congress, we endorse, with safeguards against partisan politics, both the National Institute for Education and the National Foundation for Higher Education as a step toward elevation of education to its proper role as a major business with a top priority in this country.

It is quite obvious to us that very substantial changes are in the wind in higher education and that the debate over changes in institutional programs, over federal programs and funding will be going on for some time. With the authorization for existing programs running out within approximately eight weeks we are delighted to see before this and the House Education Subcommittee recommendations for extension of the authorization for these currently operating programs. We urge immediate enactment of extensions and wish to speak to some of the revisions which we note are included in the bills before this subcommittee.

We in AAUW have questioned whether every student who graduates from high school should be encouraged to undertake the traditional four-year academic degree. Therefore, we have wholeheartedly supported federal programs which offer technical and vocational training, the development of community and junior colleges and other forms of post-secondary training for more effective mobilization of the country's intellectual resources.

We wish to urge that there be no diminution in community service and continuing education programs. We support the continuation of aid to developing institutions and recommend that the 23 percent which has been set aside previously in the earlier legislation for community colleges be continued. We are concerned about the student who works up to a full day and thus takes longer to obtain his or her degree. Therefore, we believe that assistance should be available for at least five and possibly six years to such part-time students. We understand the rationale of taxing a student on his earnings and then offering him a loan or grant equal to, or less, than the sum he has paid in taxes, but we wish a more direct approach could be devised. Nevertheless the Association opposes perennial proposals for tax credits or tax deductions for tuition paid (which will be one of the alternatives again suggested), as unfair to lower income families. We urge the Committee to write considerable flexibility into the authority to transfer E.O.G. money to work study.

We in AAUW are extremely interested in the provision of S. 659 which would provide every student undertaking post high school work a grant of $1,200, dependent upon a built-in income tax deduction factor. We are uncertain how effectively or how fairly this deduction factor can be implemented. Many college age students are beyond the age of legal deductions; a majority of these students earn enough to receive little or no grant; this formula does not make allowances for those students who work six months or a year and go to college for six months, a year or longer. Demands other than those of the student upon the family income are not taken into consideration, e.g. a dependent or semi-dependent relative, or constant medical costs. In other words we in AAUW, while we believe the time for some degree of federal support for education beyond the high school level is at hand, are concerned that under the formula in S. 659 there will be little or no help for the student from the middle income family.

We again wish to draw your attention to an Association project in which we are deeply interested. In other years we have testified on, and succeeded in stimulating considerable interest both in Congress and out in support of a provision written into the Higher Education Act, or any other student aid program which would set aside specific sums or a stated percentage to be loaned or granted to women (or men) wishing to continue, or update their educations for the purpose of entering or re-entering the labor force. It is our contention that a large and presently untapped reservoir of skilled woman-power would become available if such a program were enacted. We speak from experience,

for the AAUW Educational Foundation recently conducted a very successful program of grants to such women who undertook either re-training or advanced training in their respective fields for the purpose of going into college teaching. We also speak from the experience of our 84-year-old program of fellowships to American women and to women of other nations for graduate work.

So far as we know there are no restrictions written into any loan or grant program which would keep these programs from being available to women (or men) wishing either to update their skills, or to finish an education as they try to enter or re-enter the labor force. Nor do we mean to imply that there is conscious discrimination on the part of university financial officers. But who can blame the loan or scholarship officers whose funds are limited, who chooses the student with a current and excellent scholastic or recent work record over the woman who has been out of school and not working for a period of years. We cannot speak too highly of the potential contribution to this country which could be the result of a relatively small sum of federal money spent to enable women of post-college age, who have been housewives and mothers, or who have been out of the labor force, to undertake further education.

We are aware of the interest of several members of this Committee in continuing education and we are in sympathy with proposals which would provide federal assistance to part-time students. Therefore, we urge this Committee to write a provision into the bill which it drafts will cover both the women of whom we speak and others who wish to undertake part-time study.

We should like to express our worry to this Committee about the financial burden of any substantial educational borrowing—particularly to two kinds of families: one the middle to low income family with more than one child in the family; the other, newly married students, both of whom have borrowed all or most of the cost of their college educations. What position can the federal government takes as these borrowers find themselves faced with denying themselves and their families, in some instances, basic necessities or defaulting on their education loans? What will be the ultimate moral and economic effect in this country if these loans are made and not repaid?

As we said earlier we are certain their will be a protracted debate over the very substantial changes in thinking, in philosophy, in programming and financing which appear to be inevitable in higher education. So in conclusion we again express our support for this Committee if it, in the face of the country's very pressing and immediate needs, proposes renewed authorization of existing programs—funded at realistic levels for another three or five years.

Finally, in keeping with our strong support for forward funding, it is our opinion that provisions should be written into any new legislation which would give institutions of higher learning "lead time" in which to adjust to shifting federal policies.

We in the Association wish to give voice to our awareness of the dedication and of the effort that members of this Committee spend in promoting the welfare of this country's citizens. We also wish to express our appreciation for the privilege of again appearing before you.

Senator PELL. The committee will recess until 10 a.m. tomorrow morning.

(Whereupon, at 12:50 p.m., the hearing recessed, to reconvene at 10 a.m., on Wednesday, May 26, 1971.)

EDUCATION AMENDMENTS OF 1971

WEDNESDAY, MAY 26, 1971

U.S. SENATE,
SUBCOMMITTEE ON EDUCATION OF
THE COMMITTEE ON LABOR AND PUBLIC WELFARE,
Washington, D.C.

The subcommittee met at 10 a.m., pursuant to call, in room 4202, New Senate Office Building, Senator Claiborne Pell presiding.

Present: Senator Pell (presiding).

Committee staff members present: Stephen J. Wexler, subcommittee counsel; Richard D. Smith, associate counsel; and Roy H. Millenson, minority staff director.

Senator PELL. The Subcommittee on Education will come to order. Today we will touch upon the two subjects of greatest importance before the subcommittee this year, institutional aid and student assistance.

The inclusion of an institutional aid provision was considered unlikely when we started our hearings on higher education. However, over the past 6 months the support for some type of institutional aid has grown. Indeed I believe we will see some provision on this matter in the final bill.

Today our first witnesses who will be discussing institutional aid are executive directors representing the major public higher education institutions. We have invited them to appear for these gentlemen have been working most closely with the administration and the legislative committees on the Hill in our effort to meet this problem.

I welcome John F. Morse, director, Commission on Federal Relations of the American Council on Education; Ralph K. Huitt, executive secretary, National Association of State Universities and Land-Grant Colleges; R. Frank Mensel, director, Governmental-Urban Affairs, American Association of Junior Colleges; and Allen O. Ostar, executive director, American Association of State Colleges and Universities.

I bid you a particularly warm welcome because I know how closely you gentlemen have worked with this committe and staff and how much help you have been to me.

We felt it a good idea to hear the chiefs, rather than the Indians, because you are the ones who are going to have to work with this bill when it becomes law. For that reason we are particularly glad you are here.

Who is acting as chairman?

STATEMENTS OF JOHN F. MORSE, DIRECTOR, COMMISSION ON FEDERAL RELATIONS, AMERICAN COUNCIL ON EDUCATION; RALPH K. HUITT, EXECUTIVE DIRECTOR, NATIONAL ASSOCIATION OF STATE UNIVERSITIES AND LAND-GRANT COLLEGES; R. FRANK MENSEL, DIRECTOR, GOVERNMENTAL-URBAN AFFAIRS, AMERICAN ASSOCIATION OF JUNIOR COLLEGES; AND ALLEN W. OSTAR, EXECUTIVE DIRECTOR, AMERICAN ASSOCIATION OF STATE COLLEGES AND UNIVERSITIES

Mr. MORSE. John Morse. I will act as chairman.

Senator PELL. Proceed as you wish.

Mr. MORSE. Perhaps for the sake of the record I should identify these gentlemen again.

At the suggestion of the subcommittee counsel, Mr. Chairman, we decided we would not submit a written prepared statement but propose to discuss this question with you informally.

Senator PELL. If I may interrupt, I think that is an excellent idea. Any written statements or points you feel have not been made can be submitted in the next few weeks.

Mr. MORSE. Thank you. We did, of course, jointly submit testimony earlier in the hearings so there is a good deal of written material, and I have some other material with me this morning that is rather voluminous. You may not wish to put it in the record but you may wish to have it for consideration as you move through the legislative process.

The associations represented here this morning and the Association of American Colleges, representing the 4-year liberal arts colleges, and the Association of American Universities, representing the major research universities, are in rather complete agreement on a basic three-way approach to higher education. We have been in this basic agreement for some years.

The three-pronged approach that we believe essential and which we have testified to at length before this committee on previous occasions is adequate funds to support needy students who aspire to some form of postsecondary education; Federal support for the construction of academic facilities which are very much needed; and, thirdly, we believe the time has come when the Federal Government must pick up some share of the load of supporting the institutions as institutions. Whether we are talking about the private institution or the public institution, all sectors of higher education are in rather desperate trouble.

Financial strains began to appear 5 years ago for many different reasons, but certainly among them is the fact that enrollment has increased by roughly a million and a half students, full-time students. In the last 5 years, the colleges, like every other institution in the country, have been caught up in the inflation which has probably had more deleterious effect on higher education that almost any other segment of society.

And then, thirdly, something we all applaud, we have had the determination on the part of this committee, the administration, and the institutions, to open college doors to as many youngsters as possible regardless of their financial circumstances.

I have with me, and I believe you have seen, but if not I can make them available, several studies indicating the desperate situation in which colleges find themselves. There is a study of the financial condition of independent higher education institutions in the Commonwealth of Pennsylvania. There is a very recently released study of the financial problems of private colleges and universities in New York State. There is a publication put out by the Association of American Colleges, a study directed by William Jelema, which again documents the desperate financial situation with which 4-year liberal arts colleges are faced.

All of these I shall be glad to make available to the committee and leave it to your judgment as to whether they should be made a part of the record or simply used as study material as you work through the bill.

Senator PELL. Thank you.

Mr. MORSE. The groups that I have identified have worked on many different approaches that might be used by the Federal Government in providing this fraction of support for the higher education enterprise.

We have had as many as nine or 10 different formulas under study, and whereas we are not fixed in any particular direction, we ourselves have come to the conclusion, and offer it for your consideration, that any support coming from the Federal Government should be based on a fairly simple formula, one easily understood, easily administered, and relatively easily audited.

A simple formula we believe might best be based on full-time equivalent enrollment. There are other ways one could go about it, but the approach which seems to us perhaps soundest would be to relate Federal assistance to institutions on the basis of what is now beginning to be called "capitation."

We also believe that in such an approach it would be appropriate to give different weights to different levels of study. For example, let's say, to lower division studies a weight of perhaps 1.0; to upper division studies a weight of perhaps 1.5; to the graduate level a weight of 2.0, and perhaps something in addition for upper levels of graduate studies at the Ph. D. or doctoral level.

We would be glad, I think, to discuss other formulas, other approaches, if you care to do so. We simply submit this as one possible way by which the Federal Government might move.

Now, I have tried to cover briefly the position we have reached ourselves. I think I would like, if I may, to turn to Ralph Huitt and then my other colleagues for any additional remarks they might care to make.

Senator PELL. Go ahead. Thank you, Mr. Morse.

Mr. HUITT. This Indian wants to thank you for your invitation to come before the committee. I appreciate very much what this subcommittee has done for higher education in the years I have been connected with it here in Washington.

I am a little out of place here this morning because my usual position is on the first row wondering what the chief is going to say.

Let me say first of all the kinds of institutions our association represents. We represent part of public higher education but certainly not all of it. We have 118 members. We have land-grant col-

leges, one in every State. We have in addition to that State uinversities which are not land-grant colleges. Some great institutions such as the University of Michigan and the University of Texas are members, although not land-grant colleges.

There is quite a wide range of need here, from great research universities which are very much like Harvard, Yale, and Princeton, in some of their needs, to some black land-grant colleges among the poorest in the country.

Mr. HUITT. Five years ago there was not a single public university in the country which was running an operating funds deficit. Last year there were 12 that ended the year with a deficit. You may ask how can a public university have a deficit. The answer is some of them cannot, by law, but some of them can because they have private operating funds and so forth, so the trend toward going into debt continues to grow.

All of these institutions have taken stopgap measures. In some cases, as you would know, it has been a good thing to take up the belt and eliminate some of the fat. But there is a point beyond which that begins to be damaging. You can cut back on faculty positions, you can cut back on maintenance and put that off for several years, but there is a point at which that kind of economizing begins to be self-defeating.

We found, for instance, that among the economy measures taken the most frequent was in maintenance. Forty-four universities said they had put off repairs and changes. Forty-two said they eliminated new programs. Forty said that they had faculty and staff freezes. Seventeen had extension and research cutbacks. And then general reduction of expenditures.

The point is that you can cut back on faculty, for instance, to just such a point, and eventually this begins to add up and the problem becomes very real.

The University of California reports a backlog of major maintenance needs which now is standing at $6 million. Somewhere, some time, somebody has got to face that. Miami University in Ohio says at least a half million dollars in deferred maintenance. And this is a much smaller campus. So the seriousness of the situation is very marked.

At the University of California, for instance, more than 500 teachers, researchers and staff personnel will have to be terminated if the Governor's proposed 1971–72 budget is accepted. This is a pattern with which we have had to become familiar all over the country.

Now the question is: What are some of the unmet needs because of the lowness of the appropriations? In order of importance, our institutions have reported that additional faculty is the most drastic unmet need. Next to that are new programs. Next to that are additional classrooms. Beyond that are faculty and staff increases. Additional equipment, plant maintenance and research funds are all mentioned as unmet needs.

In this publication which we have for you we indicate how these are ranged in order of importance by the institutions that have sent them in.

What has caused the problem and what is the general character of it? We estimate in our institutions that if a university is to come

up with what we call a standstill budget that simply maintains what is going on at the present level, there must be a 10-percent increase in budget every year.

If you figure 6 percent as a cost-of-living increase and add to that increased enrollment and some of the other expenses—and for some reason educational costs seem to have risen a little more sharply than others—a standstill budget is a 10-percent increase each year.

We found that 42 among the 78 that responded have standstill budgets—more than half of them. These range from a 10-percent increase down to an increase of, in one institution, as little as 1½ percent. This is a step backward.

What could we look to for money to meet these needs? In the order of importance, in our institutions State appropriations come first. We do not get all our money from State appropriations—only about half of it comes from State appropriations—but that is the most important source.

The most important element in the decline, the financial decline, of our institutions, has been the decline of State appropriations. This is not to say that the States have been unmindful of higher education. It is to say that the whole of the State's offerings for public higher education have had to be expanded enormously in the past few years. There have been community colleges built, expansions of State colleges, undertakings in continuing education for adults, which means that generally speaking the appropriations that come to our kinds of institutions, like the appropriations that go to the others are put under a great strain.

Why not increase the student fees, some people say. The answer is that the student is picking up some of the burden. In our institutions in the last 5 years there has been roughly a 30-percent increase for resident students and 35 for nonresident students.

The truth, of course, is, as Dr. Harold Bowen has pointed out, that if you take into account the income that a student might have if he were working and add to that incidental expenses and what he actually pays in tuition and fees, you come up with the fact that the student now is paying about three quarters of the cost of his education at institutions across the country, so that we don't believe that the continued acceleration in tuition and fees is the answer to this problem.

We believe that experience shows that relatively low tuition is the best way that there is to increase educational opportunity in this country. So far as other sources of income are concerned, private giving has decreased, as you know. So far as the percentage that goes to public higher education is concerned, we are actually doing a little better than we did the year before by a very slight amount. But public higher education receives on the average only 20 percent of private giving so this is not from our standpoint a very promising way to get more money.

In Federal support, of course, some of our institutions have been hurt by the decline of the amount of money that goes into Federal contracts and Federal research grants and that kind of thing. Some of our institutions are very large; they have built great research facilities, in many cases in response to the encouragement of the Government to meet national needs.

When research money begins to taper off, it is not possible to say to a research institution, "We just don't need you for the next 2 years, let's wait." So we have been hurt by that kind of reduction, too.

So we come to the conclusion, Mr. Chairman, as you know, that the only way that our needs are going to be met—and I must say that in arguing for the meeting of our needs, we are arguing for the meeting of the needs of the private institutions, too—is if the Federal Government will pick up part of the operating expenses of our institutions.

We expect to expand, we expect to take in more and more students, we believe in more equal educational opportunities for people, but simply getting the kid to college with enough money in his pocket to pay the tuition fee at the university does not meet the need for educational opportunity.

There must be in place buildings, classrooms, and teachers to teach him and unless we can meet those expanded needs we can't meet expanding enrollment.

Thank you, sir.

Senator PELL. Thank you.

I would add here that I am aware of the problem and I do not need to be filled in on the critical nature of it. I am interested in your thoughts as to the most effective way to meet the problem.

Mr. Mensel.

PROBLEMS OF JUNIOR AND COMMUNITY COLLEGES

Mr. MENSEL. Thank you very much. It is a distinct pleasure to be here and to speak in behalf of the American Association of Junior Colleges and the many community colleges and junior colleges of this country which we represent; now some 1,100 in number.

You and your subcommittee have been very generous to us in the course of the past year in time and space in giving us the opportunity to build a comprehensive record before you on the needs of the 2-year colleges and so I think I can be brief in my initial comments of this morning.

I would simply like to make two points. We are very much on record in favor of institutional grants. The American Association of Junior Colleges has taken this position for a long time. We believe that operating grants to the institutions can have a tremendous beneficial effect in raising the floor of educational opportunity in higher education in this country.

I would like to concur in what my colleague, Mr. Huitt, has said about expanding educational opportunity in the States. We would concure in the fact that low tuitions are highly insignificant in expanding such opportunity, but many States and many community colleges are now faced with the prospect of raising tuitions unless they do find additional sources of support.

In some States the community colleges and junior colleges, the public ones, depend primarily on State support, on endowments from the legislature to conduct their operations. In many other States, of course, the communities themselves are making a sacrifice through the local tax base in order to establish and maintain a locally based lower division system of higher education, to provide the base of opportunity

they would find desirable and needed in the circumstances of our fast-paced technological society today for their constituents.

The other point I would like to make is that the community colleges are very much in a growing trend. We have been growing in enrollment by something on the magnitude of 10 percent annually for the last decade. Our college enrollments have tripled in the space of the last decade.

We don't see this petering out and it won't if the right mix of support is available, and we do believe that institutional grants as under discussion here can help to sustain that trend and the trend toward a strong base of general opportunity in higher education.

We would recognize that it won't be an easy task to come up with an equitable formula on which to launch this concept in Federal policy. We do concur in the statement of Mr. Morse as to the features of such a policy, at least in the starting concept or application of it.

We are generally in concurrence with the proposed formula as presented in Mrs. Green's bill in the House. She, of course, as you know, is trying to launch this concept in a formula that would support lower division work at the level of $100 per FTE based on an FTE of 12 credits earned and $150 at the upper level and $200 at the graduate level.

We would like to advocate one additional wrinkle to that approach which is an add-on or a doubling of the lower division grants as they apply to students from disadvantaged backgrounds. We think this will be vital to sustaining the institutional commitment to this constituency.

We would have no problem with such an add-on being earmarked especially for the instructional costs going into the assistance and education of the students in this category but we do feel there is a special problem here, that students who do come from disadvantaged circumstances, that the institutions helping them should have this kind of Federal support.

Thank you.

Senator PELL. Thank you very much.

Mr. OSTAR.

(The following material was subsequently supplied for the record:)

AMERICAN ASSOCIATION OF JUNIOR COLLEGES / **51st YEAR**

ONE DUPONT CIRCLE, N.W., WASHINGTON, D. C. 20036 / (202) 293-7050

EDMUND J. GLEAZER, JR.
Executive Director

WILLIAM G. SHANNON
Associate Executive Director

June 22, 1971

Senator Claiborne Pell, Chairman
Subcommittee on Education
United States Senate
4230 New Senate Office Building
Washington, D. C.

Dear Senator Pell:

We have done some further checking on questions raised during our May 26 appearance before your Subcommittee. Perhaps the following information and comment will be a useful addition to the record.

1. Tuition averages: In the hearing I estimated that tuition in the public community colleges across the country would run about $250, and our analyses by States now pretty well reaffirms that figure. In averaging out the annual tuition charged the students who reside within the college district; and excluding from the average, States or districts whose public community colleges charge no tuition at all, we find that these averages among the States average out at $245. See Analysis A attached.

The States with higher averages include New Mexico, $560.18; Pennsylvania, $482; Vermont, $475 and Ohio, $412. At the other end of the spectrum, of course, is California, with roughly 800,000 students or 30 percent of the nation's total two-year college enrollment, which levies no tuition on regular students in its 92 public community colleges.

2. Other student fees: In a spot survey of several States, we find that the fees that students pay in addition to tuition vary widely. They probably average less than $100 a year including both laboratory, shop and other educationally related fees and activity and health fees. Many community colleges do not support major competitive athletic programs and this probably helps to account for the comparatively low average for these fees. The spot check, as shown in Analysis B attached, provides only a very rough indication of what the pattern on student fees might be; still you may find the information helpful.

3. Instructional costs: The same nine-state summary (Analysis B) also provides a look at instructional costs, and pretty well substantiates the rough estimate I gave you during the hearing, although that estimate was perhaps a bit high. The average nationally may be closer to $1,100 than to $1,200, but rising rapidly under the impacts of inflation and more occupational courses. You will note that tuition on the average covers only one-fourth of the instructional costs.

Los Rios Community College District of Sacramento, Calif., has supplied some illuminating data in response to our checking. Their figures show that average costs of operation, based on FTE, run almost four times more for the University of California than they do for the community college districts, and almost twice as high for state colleges as for community colleges. Figures submitted to the 1971 Legislature show average costs per

FTE as follows:

State College System	$1,503
University of California	3,303
Public Community Colleges	851

Unfortunately, our survey did not turn up any figures that might accurately reflect a pattern of costs on remedial programs. Los Rios estimates these costs run at least $100 per year for each student who needs the remedial services. We do know that these services are a large cost for the many community colleges which are making a comprehensive effort to serve the less advantaged and non-traditional students. We also know that the need for such services is most acute in the lower division, particularly among freshmen. This is our reason for contending that should Congress adopt a formula of general capitation grants, these grants should be doubled for the low-income and federally aided enrollments measured by FTE.

The financial pressures on the community colleges are soaring also because their occupational programs are growing. In our nine-state sample, you will note that occupational enrollment is now 57% of the total in New York's community colleges, 50% in Pennsylvania, and rapidly approaching that figure in such States as North Carolina, Iowa and Colorado.

The costs of operating occupational programs are considerably higher than for transfer programs. At the institutions in the nine states, the costs of occupational training runs from 17 to 92 percent higher than for transfer programs. (Mean cost for occupational training is 49% higher).

Instructional costs generally have also risen considerably. Colorado reports an increase of 30%, Missouri an increase of 68%, and Rhode Island an

increase of 100% during the period from 1966 to 1971. The increased costs and the expensive occupational training costs are significant in these states since each state has a high proportion of its students enrolled in occupational programs.

The occupational boom shows no sign of slackening. According to data gathered last fall for AAJC by Western Illinois University from 975 junior and community colleges, the number of programs could almost double again by fall, 1972. Some of the significant points emerging from this survey include:

1. There are totally 10,624 occupational education programs with associate degree objectives now being offered in junior colleges. Note Analysis C attached.

2. There are totally 3,708 occupational education programs leading to certificates or job entry requirements below the associate degree now being offered in junior colleges.

3. There are totally 2,397 occupational education programs developed for adult students, usually for job up-grading and job mobility, offered in community service (adult and continuing) programs.

4. There are 3,970 occupational education programs now in stages of planning and development to be opened by 1972.

5. By 1972, there will be, counting those programs now being offered and programs under development, 20,699 occupational education programs in junior colleges in the fifty states.

No complete survey has been made of the number of students enrolled in these programs, but spot and selective surveys indicate that of the 2.5 million students currently in junior colleges close to 1 million are in

career programs.

We think you and the Subcommittee may also want to add to the record the data in Analysis D attached, a survey of various States breaking down their sources of financial support. As you can see, community colleges on the average draw about 50% of their support from the state, while the local commitment -- in the form of local taxes or tuition or both -- amounts to about 40%. The federal contribution averages only 8%. While these colleges generally typify the heaviest local support of any segment of public higher education, it should not follow that they be the segment receiving the least federal support, yet this unquestionably is the case. This seems hardly consistent with the public interest, considering that community colleges lead the national higher education community in low-income enrollments and occupational education, both national priority areas.

A final item we want to add to the record is the data in Analysis E attached. On several occasions we have urged your Subcommittee and the Congress to increase the set-aside for two-year colleges in Title III (Strengthening Developing Institutions), as well as eliminate the Title's five-year restriction on eligibility. As this data shows, some 300 community colleges have sprung into operation in 43 States in the last five years; and they now serve almost 600,000 students. It shows, we think, that the community colleges are in fact the nation's developing institutions not only in sheer numbers, not only in terms of low-income enrollments and manpower programs, but in terms of expanding opportunity, diversity and convenience in higher education for all Americans. Title III has served this interest well, but has not gone nearly far enough in accommodating the qualified two-year college applicants, as our earlier testimony shows.

We thank you again for your patient interest in our accomplishments, our promise, and our needs.

Sincerely,

Frank

R. Frank Mensel
Director of Governmental
Affairs

RFM/cb

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ANALYSIS A

Tuition Averages of Public Junior and Community Colleges

State	A. Total Number of Public Junior and Community Colleges	B. In-District Tuition State Average	C. Number of Schools Charging no In-District Tuition Fees	D. Average State Tuition if Excluding Schools Having No Tuition Fees
1. Alabama	17	$178.50	---	$ ---
2. Alaska	7	270.50	---	---
3. Arizona	11	14.09	9	77.50
4. Arkansas	4	186.00	---	---
5. California	92	00.00	92	---
6. Colorado	16	128.60	3	158.31
7. Connecticut	14	100.00	---	---
8. Delaware	3	350.00	---	---
9. District of Columbia	1	00.00	1	---
10. Florida	17	165.60	3	186.41
11. Georgia	14	281.00	---	---
12. Hawaii	6	28.33	---	---
13. Idaho	2	100.00	---	---
14. Illinois	46	163.40	12	221.12
15. Indiana	2	285.00	1	570.00
16. Iowa	19	350.00	---	---
17. Kansas	19	152.70	---	---
18. Kentucky	15	301.12	---	---

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Tuition Averages of Public Junior and Community Colleges

State	A. Total Number of Public Junior and Community Colleges	B. In-District Tuition State Average	C. Number of Schools Charging no In-District Tuition Fees	D. Average State Tuition if Excluding Schools Having No Tuition Fees
19. Louisiana	5	$149.00	---	$ ---
20. Maine	5	308.20	---	---
21. Maryland	15	286.66	---	---
22. Massachusetts	15	249.33	---	---
23. Michigan	31.	278.90	---	---
24. Minnesota	18	302.45	---	---
25. Mississippi	17	152.24	---	---
26. Missouri	13	187.90	1	203.50
27. Montana	3	175.00	---	---
28. Nebraska	8	181.75	---	---
29. Nevada	1	200.00	---	---
30. New Hampshire	1	300.00	---	---
31. New Jersey	13	294.32	---	---
32. New Mexico	9	560.18	---	---
33. New York	37	114.90	---	---
34. North Carolina	54	387.80	---	---
35. North Dakota	6	314.50	---	---
36..Ohio	31	412.33	---	---
37. Oklahoma	14	281.71	---	---
38. Oregon	13	231.54	---	---

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Tuition Averages of Public Junior and Community Colleges

State	A. Total Number of Public Junior and Community Colleges	B. In-District Tuition State Average	C. Number of Schools Charging no In-District Tuition Fees	D. Average State Tuition if Excluding Schools Having No Tuition Fees
39. Pennyslvania	32	$482.21	---	$ ---
40. Rhode Island	1	225.00	---	---
41. South Carolina	20	319.40	---	---
42. South Dakota	--	---	---	---
43. Tennessee	9	165.00	---	---
44. Texas	45	113.21	---	---
45. Utah	5	252.00	---	---
46. Vermont	1	475.00	---	---
47. Virginia	21	221.90	---	---
48. Washington	26	200.79	---	---
49. West Virginia	4	220.00	---	---
50. Wisconsin	26	188.15	12	377.71
51. Wyoming	7	164.14	---	---
52. American Samoa	1	00.00	1	---
53. Canal Zone	1	300.00	---	---
54. Puerto Rico	2	137.50	---	---
NATIONAL TOTALS	840	$220.89	135	$245.63

Analysis B—Nine State Summary of Instructional Costs

State	A. Average Tuition of Community College (1970-71)	B. Percentage of Instructional Cost by Tuition	C. Instructional Costs Per Student	D. Basis of Computing Instructional Cost
1. Colorado	$217	15%	$1415/FTE	45 quarter hr. = 1FTE
2. Illinois	$180-210/FTE (for 1971-72 avg. will be $210-240/FTE; 5 districts, incl. Chicago, charge no tuition)	By law, tuition cannot exceed 1/3 of instructional costs	$1250-1350/FTE	15 credit hrs. = 1FTE
3. Iowa	$318	33% for college Parallel Programs	$982 for college Parallel Programs	FTE determined on basis of 180 day school year
4. Missouri	$219.12 (1969-70)	22%	$1031 per capita Operating Cost	24 semester hrs.=1 FTE student
5. New York	$390 (1969-70)	47.8%	$708	12 credit hrs. a semester = 1 FTE student
6. North Carolina	$140	20%	---	12, sometimes 13, qtr. hrs. = 1 FTE student
7. Pennsylvania	$341	33% of Operating Cost	$1106	Divided operating budgets for 1970-71 by expected enrollment
8. Rhode Island	$225	15%	$718	15 credit hrs. = 1 FTE student
9. Washington	$68.50[a]	11.9%[b]	---	15 credit hrs. = 1 FTE student

(a) This is divided as $41.50 tuition earmarked for capital construction and $27.00 operating fee.
(b) This is a 1971-72 estimate. The 1970-71 figure based on a different fee structure showed that the revenue produced for instruction covered 14.2% of the instructional costs.

State	E. Funds from State Legislature to State Colleges (Using funds to Community Colleges as 100%)	to State Universities	F. 1966-71 Rise in Instructional Costs	G. Additional Student Fees
1. Colorado	---	--- no comparable data	30% plus	$0-255; average $100-150 10% educ. related 90% for services
2. Illinois	Approx. 186% of amount given community colleges (c.c.); $645/FTE in c.c. and closer to $1200 in state colleges and universities		---	Some have none; some, an activity fee/term of $0.75/hr. - $12; Some, a matriculation fee once or each term from $5-25; some, a graduation fee of $5-10; some, $1-12.50 for lab, studio fees, etc.
3. Iowa	Nearly equal; $405/FTE for c.c. and not more than 1/3 of the per student unit cost (max. of $433 in the 1969-70 allocations) for state colleges and universities; a max. diff. of 107% for state colleges and universities		(d)	Avg. of $10-66 per year for lab and shop fees and $10-33 for student activities; occasional special fees
4. Missouri	339%[c]	697%[c]	68% for operating	Avg. $20/semester; 50% educ. related
5. New York	---	---	---	$43 student activities $18 health and accident Special fees - $14 - graduation; $1 for transcript
6. North Carolina	---	---	---	$248; 9% educ. related, 11% for services
7. Pennsylvania	---	---	---	$15-20 activity fee; $5 lab fee
8. Rhode Island	Nearly twice as much	Over twice as much	100%	$20 student activities
9. Washington	---	---	---	$14.50 student services and activities fee

(c) The base used was $278/FTE, the amount received by public junior colleges in 1970-71, although Missouri law provides $320/FTE.

(d) Many schools were in the process of development 1966-71 so this figure is difficult to determine. The expenditures in the operating fund have risen at least 10% per year for the last two years.

State	H. Occupational Programs: % of total enrollment	Are costs higher than for transfer programs?	Examples of particularly high cost programs	I. Basis of Scholarship Money (excluding federal student financial aid)
1. Colorado	40%	Yes - instructional costs approx. 30% greater	Technical and industrial programs; Flight training, nursing, law enforcement programs	Financial need is basis for 75-100% of state scholarships
2. Illinois	25%	Yes - average instructional cost is $1600-1800	---	16% of students with state scholarships from families with income below $5000; no money available for part time students
3. Iowa	42%	Yes - In 1969-70 the avg. cost of a college parallel program was $982; the avg. cost for career educ. programs was $1810	---	Strong emphasis on academic ability though financial need is also considered. Almost none has been given to students in community colleges
4. Missouri	20%	Yes - Overall per capita operating cost avg. $1031; Avg. per capita operating cost of occupational programs is $1200	Nursing and health career programs - approx. $1800 per capita	---
5. New York	57%	Yes - for example, at one school the Technology Division cost/FTE was 281% of the Humanities'	Agricultural engineering ($24.50/student credit hr.), Electrical technology ($25.20), Air conditioning ($30.10), compared with Economics ($8.70), or History ($10.80)	Academic Merit
6. North Carolina	47.4%	Yes - avg. $150 more	Machinist and ADP programs	80% to low income students
7. Pennsylvania	50%	Yes	---	Financial need
8. Rhode Island	31%	Yes, sometimes even twice as much	Overall avg. cost/student/yr. is $1384; Nursing - $1870; Technology - $1922; Vocational-Technical - $1954	Financial need
9. Washington	34.98%	Yes, 30-50% greater	---	Financial need

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ANALYSIS C

Number of Occupational Programs
in Junior Colleges, November 30, 1970

Program Titles	Associate Degree	Less Than Degree	Community Service	Planned Within Three Years
Agricultural and Natural Resources	885	157	223	329
Allied Health and Related Programs	1,388	616	128	916
Applied Arts	364	125	289	134
Business and Related	3,538	1,056	751	629
Engineering, Science, Technology, and Related Programs	2,950	823	376	1,033
Public Services and Related Programs	1,210	256	258	659
Vocationally-Oriented Skill Programs	289	675	372	270

ANALYSIS D

FINANCING STATE PUBLIC COMMUNITY AND JUNIOR COLLEGES

SOURCES BY DOLLAR AMOUNTS AND PERCENTS

STATE NAME	TUITION	LOCAL	STATE	FEDERAL	OTHER	TOTAL	FEDERAL % of TOTAL
ARIZONA 70-71	153,320	15,255,618	10,853,500	1,544,570	4,782,286	32,589,294	4.7%
	.04%	46%	33%	4.7%	14%		
ARKANSAS FY 71	370,002	448,738	914,790	330,227		2,063,807	16.0%
	17.8%	21.9%	44.3%	16%			
CALIFORNIA 69-70	None	263,336,908	126,114,047	25,607,026		420,204,617	6.0%
		62.7%	30%	6%			
CONNECTICUT [b] 70-71	a.	3,500 (gifts)	11,759,662	1,022,748		12,785,910	8.0%
		.01%	91%	8%			
FLORIDA 70-71	19,753,140	26,735,000	78,352,000	3,183,000		128,023,140	2.5%
	15.4%	20.8%	61.2%	2.5%			

a. Tuition funds go to state fund and are not available to colleges.

[b] Since some data is missing from the Conn. return, statistics listed are not included in summary totals.

STATE NAME	TUITION	LOCAL	STATE	FEDERAL	OTHER	TOTAL	FEDERAL% of TOTAL
GEORGIA [a,d] 1969	3,156,890		8,864,000	b.		11,874,000	
	26.6%		73%				
HAWAII 70-71	397,010		9,252,127	2,108,191		11,757,328	17.9%
	3.4%		78.7%	18%			
ILLINOIS [c]							
IOWA FY 70	5,327,131	4,573,466	11,813,898	2,775,431		24,489,926	11.0%
	21.7%	19.3%	48%	11%			
MARYLAND FY 70	9,214,873	9,118,744	13,220,863	2,182,997		29,600,000	7.0%
	31%	30%	44%	7%			

[a]Percentage for Federal funds not computed in summary totals

[b]53,000 for federal and other funds

[c]See attachment 1

[d]Since some data is missing from the Georgia return, statistics listed are not included in summary totals.

STATE NAME	TUITION	LOCAL	STATE	FEDERAL	OTHER	TOTAL	FEDERAL % of TOTAL
MICHIGAN 68-69	19,119,968	18,046,837	26,813,580	6,396.631		70,387,944	9.1%
	27.2%	25.6%	38.1%	9.1%			
MINNESOTA a	4,832,354		11,576,497	705,538	1,312,467	19,308,981	
	25%		59.9%	3.6%	6.7%		3.6%
MISSISSIPPI FY ending June 70	3,135,540	4,844,029	9,247,134	4,501,244	456,358	22,186,305	20.0%
	14%	22%	42%	20%	2%		
MISSOURI 69-70	5,954,795	9,136,009	8,596,931	2,581,520	1,973,945	28,199,222	9.2%
	21.1%	32.4%	30.5%	9.2%	6.7%		
NEVADA b	668,800		2,101,200	90,000		2,860,000	3.1%
	23.4%		73.5%	3.1%			

[a]year of computation not available

[b]FY 71 request for Elko Community College plus 2 other institutions to be opened in 1971

STATE NAME	TUITION	LOCAL	STATE	FEDERAL	OTHER	TOTAL	FEDERAL % of TOTAL
NEW JERSEY [a,b] FY 71	12,580,769 6.6%	82,675,469 43.4%	81,506,625 42%		13,047,011 7.3%	190,263,873	
NEW YORK (69-70) Comm. Coll.	35,945,430 24%	59,578,399 40%	48,777,006 33%	2,116,413 1.4%	2,913,409 1.9%	149,330,657	1.4%
Agri.&Tech Coll.	6,374,678 19.3%		25,479,000 77%	456,353 1.4%	602,736 1.8%	32,912,767	1.4%
NORTH CAROLINA 69-70	19,960,272 30.[illegible]%	7,764,570 12.%	32,548,359 50.4%	4,351,350 6.7%		64,624,551	6.7%
OHIO FY ending June 70	5,761,564 17.7%	15,074,220 46.1%	8,676,451 26.6%	934,583 2.9%	2,200,889 6.7%	32,647,707	2.9%
OKLAHOMA 70-71	4,117,482 30.8%	2,860,128 21.4%	5,569,260 41.7%	794,821 5.9%		13,341,691	5.9%

[a]Percentage for Federal funds not computed in summary totals

[b]Since some data is missing from the New Jersey return, statistics listed are not included in summary totals.

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STATE NAME	TUITION	LOCAL	STATE	FEDERAL	OTHER	TOTAL	FEDERAL % of TOTAL
PENNSYLVANIA 70-71	12,629,209 34%	5,075,937 (county) 13.6% 5,429,354 (school district or city) 14.6%	10,977,133 29.5%	1,016,905 2.73%	2,059,923 5.5%	37,188,461	2.73%
RHODE ISLAND FY 69-70	710,491 16.4%		3,313,847 76.5%	30,870 .7%	278,535 6.4%	4,343,743	.7%
SOUTH CAROLINA [a,c] 69-70	1,496,000 45.6%		1,785,000 54.4%			3,281,000	
VIRGINIA [b,c] 69-70	8,713,500			3,935,597		12,649,097	

[a]Percentage for Federal funds not computed in summary totals

[b]data on state and local funding unavailable, therefore percentage for Federal funds not computed in summary totals

[c]Since some data is missing from the South Carolina and Virginia returns, statistics listed for those two states are not included in summary totals.

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STATE NAME	TUITION	LOCAL	STATE	FEDERAL	OTHER	TOTAL	FEDERAL % of TOTAL
WISCONSIN [a,c]							
Univ. Wisc. Center System 70-71	1,981,324		4,456,781		56,645	6,094,750	
	30.5%		68.6%		.9%		
Voc-Tech & Adult Ed. System 69-70	4,846,765	28,002,278	8,814,923	1,279,738		42,633,448	2.95%
	11.4%	65.7%	20%	2.95%			
WYOMING [b]	3,718,044	4,504,485	1,865,170	152,843		10,240,542	1.5%
	36%	44%	18.2%	1.5%			
PUERTO RICO 70-71	489,325	1,005,218	21,139,335	5,834,741		28,468,619	20.5%
	1.7%	3.7%	74.2%	20.5%			

[a] Wisconsin state data not computed in Federal Funds summary column totals since data is unavailable for University of Wisconsin Center System

[b] Year of computation not available

[c] Since the data on Federal funds for the Wisconsin Center System is missing, statistics listed for Wisconsin are not included in the summary totals.

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SUMMARY TOTALS

Number of States	Tuition	Local	State	Federal	Other	Total	Federal % of total
20	$158,633,428	189,714,660	420,583,793	68,718,002	16,580,548	854,230,431	8.0%
	18.5%	22.2%	49.2%	8.0%	1.9%		

2461 2442

Attachment 1

Illinois Junior College Board
544 Iles Park Place
Springfield, Illinois 62706

Subject: RATIO OF LOCAL EFFORT TO TOTAL BUDGET
Percent of 1970-71 Budget

Dist. No.	Junior College	Local Taxes	Tuition	State Apport.	Other State Funds	Fed. Funds	Other
501	Kaskaskia	41.1	11.3	28.1	9.1	9.7	0.7
502	DuPage	27.0	25.0	41.0	3.0	1.0	3.0
503	Black Hawk	29.5	21.2	33.9	5.0	5.0	5.4
504	Triton	39.5	13.7	34.0	8.9	1.6	2.3
505	Parkland	50.9	15.1	25.9	3.9	3.9	0.3
506	Sauk Valley	34.3	19.6	29.5	6.7	5.4	4.5
507	Danville	25.1	15.7	21.7	23.9	4.4	9.2
508	Chicago City	57.2	0.5	20.5	1.5	2.3	18.0
509	Elgin						
510	Thornton						
511	Rock Valley	26.5	25.6	29.8	8.2	8.2	1.7
512	Wm. R. Harper	25.7	18.4	34.6	2.6	-0-	2.0
513	Illinois Valley	48.4	8.1	31.2	-0-	3.4	8.9
514	Illinois Central						
515	Prairie State	22.4	27.5	31.1	8.0	9.4	1.3
516	Waubonsee	51.0	14.5	25.7	1.2	1.6	6.0
517	Lake Land	19.0	12.0	36.0	-0-	14.0	19.0
518	Carl Sandburg	40.6	13.6	32.1	8.6	1.0	4.1
519	Highland	39.3	16.6	28.4	7.4	3.3	5.0
520	Kankakee	49.1	18.8	22.1	5.1	3.3	1.6
521	Rend Lake	40.2	1.2	33.5	9.4	3.9	11.8
522	Belleville	34.7	17.6	37.2	4.4	4.9	1.2
523	Kishwaukee						
524	Moraine Valley	36.0	10.0	25.0	-0-	4.0	25.0
525	Joliet						
526	Lincoln Land	40.9	16.9	36.3	1.1	3.5	1.3
527	Morton						
528	McHenry	39.2	21.1	26.1	4.0	0.9	8.7
529	Ill. Eastern Colleges	37.2	-0-	35.3	5.6	7.7	14.2
530	John A. Logan	46.3	6.9	39.1	7.3	-0-	.4
531	Shawnee	83.13	1.32	12.09	-0-	1.7	1.76
532	Lake County	38.7	18.9	30.8	6.3	0.1	5.2
533	Southeastern	53.2	4.2	31.9	6.4	3.7	0.6
534	Spoon River						
535	Oakton	85.4	4.5	7.1	0.1	0.1	2.8
536	Lewis & Clark	92.8	2.0	5.2	-0-	-0-	-0-

(All Figures Rounded To The Nearest Tenth)

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ANALYSIS E

Number of Public Junior and Community Colleges established since 1966

State	A. Total Number of Public Junior and Community Colleges established Since 1966	B. Total Enrollment of Schools as of October 1970
1. Alabama	2	1,039
2. Alaska	2	565
3. Arizona	6	13,963
4. Arkansas	2	973
5. California	23	80,864
6. Colorado	9	14,629
7. Connecticut	6	7,736
8. Delaware	3	7,258
9. District of Columbia	1	1,839
10. Florida	7	22,296
11. Georgia	6	7,219
12. Hawaii	4	6,833
13. Idaho	0	---
14. Illinois	23	64,418
15. Indiana	0	---
16. Iowa	10	13,368
17. Kansas	4	4,956
18. Kentucky	4	3,428

Number of Public Junior and Community Colleges established since 1966

State	A. Total Number of Public Junior and Community Colleges established since 1966	B. Total Enrollment of Schools as of October 1970
19. Louisiana	5	3,105
20. Maine	3	1,298
21. Maryland	3	2,224
22. Massachusetts	4	9,171
23. Michigan	12	36,052
24. Minnesota	5	7,205
25. Mississippi	0	---
26. Missouri	5	5,928
27. Montana	1	1,394
28. Nebraska	3	5,760
29. Nevada	1	402
30. New Hampshire	0	---
31. New Jersey	13	43,472
32. New Mexico	2	1,290
33. New York	8	8,610
34. North Carolina	24	16,150
35. North Dakota	1	161
36. Ohio	15	10,627
37. Oklahoma	2	2,770
38. Oregon	3	14,742
39. Pennsylvania	11	27,656

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Number of Public Junior and Community Colleges established since 1966

State	A. Total Number of Public Junior and Community Colleges established since 1966	B. Total Enrollment of Schools as of October 1970
40. Rhode Island	0	---
41. South Carolina	7	4,834
42. South Dakota	0	---
43. Tennessee	8	8,722
44. Texas	15	34,993
45. Utah	2	5,534
46. Vermont	0	---
47. Virginia	12	16,243
48. Washington	10	29,190
49. West Virginia	0	---
50. Wisconsin	10	5,279
51. Wyoming	2	2,365
52. American Samoa	1	548
53. Canal Zone	0	---
54. Puerto Rico	2	1,898
NATIONAL TOTALS	299	569,005

Mr. OSTAR. Thank you, Mr. Chairman. I, too, appreciate the opportunity to speak to this issue which we think is No. 1 on our priority list.

Our association is comprised of 278 State colleges and universities. Our students come from the lower end of the economic scale. These are primarily first-generation college students.

The Carnegie Commission on the Future of Higher Education has described our institutions as the "Colleges of the Forgotten Americans." They offer a range of opportunities all the way from 1- and 2-year occupational programs to bachelors, masters, and, in a few instances, doctoral programs.

In September our association surveyed the financial problems of its member institutions. Over four-fifths reported that State appropriations were inadequate. Three-fourths reported that appropriations fell far short of budget requests. Many institutions were delaying new programs, reducing existing programs, postponing salary increases, and, in some instances, no salary increases at all.

Mr. Chairman, since you indicated that you are already fully aware of the crisis existing in the institutions and the problems, I will submit my statement on the crisis for the record and simply add to what my colleagues have said.

Our board of directors met 2 weeks ago, reviewed our present position with respect to Federal assistance to higher education, and agreed to list four priorities.

The first one is general institutional aid on a formula basis. The second one is increased funds for student assistance. The third one is for academic facilities and the fourth is for funds for research and development.

There is some feeling that perhaps the crisis exists primarily in the private sector and Mr. Morse has brought with him information on the private institutions.

I would like to call your attention to a report by the Carnegie Commission that suggests that the public institutions are even less well off than the private in terms of space per student and expenditures per student.

For example, in the State of Tennessee the student-faculty ratio in our State colleges and universities is 20 to 1 while in the private institutions it is 10 to 1. A similar situation prevails in New England.

Again, let me reiterate what my colleagues have said and what our own association has said, that the first priority at this point in time must be a program of general institutional aid.

(The prepared statement of Mr. Ostar follows:)

PREPARED STATEMENT OF ALLEN W. OSTAR, EXECUTIVE DIRECTOR,
AMERICAN ASSOCIATION OF STATE COLLEGES AND UNIVERSITIES

Fund shortages and budget cuts are for the second year in a row hitting institutions of higher education across the country with disastrous effects. Many schools are cutting back on faculty and other staff. Building programs are suspended. Maintenance is being cut. Qualified students by the thousands are being turned away. Faculty-student ratios are mounting. Financial aid to students is being cut and special programs for minority students are being scrapped. Faculty members caught in the inflationary spiral are receiving no raises, which leaves them making less money than before. We are facing a crisis in higher education.

When parents find that their children are unable to get into college and at the same time cannot find jobs, we will find ourselves in real trouble.

The number of college students grew from 1.5 million to 6.5 million between 1940 and 1967, according to U. S. News and World Report (May 10, 1970). Somehow the colleges and universities absorbed the growth. But

no more. Not with the budget cuts that they are facing. Something has to go.

We are paying right now for being penny wise and pound foolish. Let me give you some examples from some of the member institutions of the American Association of State Colleges and Universities. We represent 278 colleges and universities, educating almost two million students a year (one out of every four). This is what's happening:

The California State College at Hayward with 11,000 students, has been forced to hire 100 fewer faculty members. It enrolls the largest percentage of blacks in the state of California. The budget cuts will hit these students directly with deep cuts in the Educational Opportunity Programs.

Chicanos, who make up three to four percent of the student population, and who sorely need remedial work will be hard hit. With increased faculty loads, there just isn't anyone to do the job. Many of these students will simply have to drop out, losing their first big chance to make it.

California State College in Long Beach, with 28,000 students, has been asked to take MORE students, despite budget cuts. Classes will be increased from 25 to 35 students. Students working on masters theses or doing graduate research will be without adequate

faculty supervision. They are too short-staffed to adequately supervise student nurses interning at local hospitals.

They have 1,200 disadvantaged students. There are currently special tutorial classes and counselling programs. These must be cut down.

Registration has been closed. Four thousand students were turned away. There aren't enough buildings and no money to build any. Not enough faculty and no money to hire them.

California State Polytechnic College at San Luis Obispo has one of the largest architecture programs in the world and one of the biggest engineering programs on the west coast. They are job-oriented.

They have had to cut back over 60 faculty members. For every four teachers they lose a technical or a student assistant or a clerical position.

They have some 400 foreign students on campus. Their tuition has been raised from $600 to $1100, making it impossible for many of these students to afford to attend.

The school is unable to purchase any new books for the library. In addition, they will have to lay off library staff.

Research leave for the faculty has been eliminated. Out-of-state recruitment for students is almost wiped out.

They have turned down 3500 students: no buildings and no faculty to accommodate them.

The University of Maine will require $61.9 million to hold the line with reasonable costs and inflationary increases. It received $33.8 million from the state legislature.

As a result, the campus at Orono turned down 1700 QUALIFIED students. One, a Maine high school senior, ranked third in her class. She was a National Merit Scholar and ranked in the 600's in her college boards.

I could go on and on, but these examples tell the story that is repeating itself again and again across the country today. We are saying to our young people you can't go to school. We are denying them the education that we had access to. We are cutting out the minority students who were just getting their feet in the door and who were on the verge of getting an education, a job and breaking the poverty cycle.

We are watering down our education, running on an assembly line basis with ever larger classes.

Research is going by the boards. Library acquisitions are grinding to a halt.

If we truly believe in the value of education, we had better state our priorities before it's too late. And it almost is.

As Donald R. McNeil, Chancellor of the University of Maine, put it, "people are knocking on our doors and we're turning them away."

Senator PELL. Thank you.

FORM OF INSTITUTIONAL AID

As you know, there are two basic methods of institutional aid, that have been suggested. One is analogous to the formula that Dr. Hester of NYU has suggested—it is in the Green bill—where the aid goes to all institutions on a per capita count of the students. The other is found in S. 659 which has institutional aid following the student who is receiving the basic educational opportunity grants.

Which do you prefer and why?

Mr. MORSE. Senator Pell, I think I speak for all of us when I say we would prefer an approach that provided direct Federal aid to institutions in relation to their total enrollment.

There have been many suggestions for a cost-of-education allowance for disadvantaged students along the lines you have just suggested, and we see merits in that as Mr. Mensel has suggested, if its purpose is to provide training, extra education, remedial work, a special attention to youngsters who are coming not just from deprived backgrounds but deprived elementary and secondary schools.

But we don't really quite see the logic of seeking to assist institutions on the basis of some selected number of students.

Senator PELL. I think the reason for that is to have the institutions competitive, trying to attract the youngsters who are getting the basic educational opportunity grants.

If, on the other hand, you adopt the per capita approach, the institutions will continue to strive as they usually do for the students who will cause less trouble and achieve the greatest success and be the richest alumni in the end.

This was the purpose of tying the institutional aid to the students who receive the basic educational opportunity grants, recognizing also the problem, that there is an increased cost when youngsters come in without adequate training beforehand.

COMPETITION FOR STUDENTS

How would you handle this question of getting a little competition involved?

Mr. MORSE. Well it is my impression, Mr. Chairman, that virtually every institution in the country is committed to seeking out and enrolling as many youngsters from deprived backgrounds as their resources can carry.

I know of no institutions that aren't committed to enrolling young people who 5 to 10 years ago, before the advent of the various Federal student aid programs, could not hope to attend a postsecondary education institution of any kind.

Senator PELL. Isn't it correct to say that the institutions that try the hardest are usually the richest?

Mr. MORSE. I think I would like one of my colleagues to answer that.

Mr. HUTT. I don't know anything that supports that. If this is so I would be glad to see it. Let me talk just a minute to this competition.

I think the competition for disadvantaged students comes from the desire on the part of people in higher education to educate disadvantaged students. Unless you gave the disadvantaged students a really very large grant there would be no reason to compete for a student because when a student comes to a college, usually with tuition,

with grants or what not, he still represents an educational cost which exceeds what he brings in with him.

So to give the student $100 or $200 or $300 to go along with him when the cost may run $1,400 or $1,900 is not going to cause institutions to compete on an economic basis.

They will compete for these students because of a mission, but not on the basis of some kind of grant that goes along with the student.

CHOICE OF APPROACH

Senator PELL. So what you would prefer is the small per capita grant to a larger grant that follows the disadvantaged student?

Mr. HUITT. Yes.

Senator PELL. Do you all support that view?

Mr. MORSE. I believe we do, Senator. We have discussed it at length in so many, many meetings over the past 2 or 3 years.

Mr. OSTAR. I would like to just add a word to that.

The administration has proposed a program of student financial aid that would bring in an additional 150,000 students a year. We estimate that this would cost the institutions approximately $300 million over and above the resources now available, so the institutions are going to have to find additional operating funds just to accommodate these students over and above the crisis situation.

But there is another aspect to this. We must be sure that funds are available to help these students succeed in college. It is one thing to provide funds to enable them to go to college, it is another to give them an opportunity to succeed and this will require still additional funds in the form of remedial programs, counseling and a great many others.

It was interesting to note when the White House announced a program to the National League of Cities, a grant of $1 million to encourage veterans to go to college, no funds were provided to help the institutions give these veterans a chance to succeed. It is more than just getting them in the door, it is giving them a reasonable chance to succeed and this will require additional funds over and above the institutional funds.

Senator PELL. Mr. Mensel.

Mr. MENSEL. Mr. Chairman, I would like to add another comment if I may.

The community colleges are often identified as the colleges of the late bloomers, but this is taking on new and different meaning from the meaning it had perhaps, 10 or 20 years ago.

If you look at the typical community college today, the average of the student body is probably 25 or 26 years of age. In fact, we have illustrated this for you in the past. Cities like Dallas and Kansas City have documented this for us. This means that many of these students are full-time breadwinners, taxpayers, who may or may not come from lower-income categories, but they need the education in terms of career ladder opportunities.

They are late bloomers in the sense that they have awakened to an appreciation of their own talents late in age. We would prefer a formula that helps to strengthen the institutions across the board, rather than this targeting simply for the full-time, low-income student.

The institution needs strength across the board to serve this kind of constituency, rather than simply the narrow one of 18- and 19-year-olds from the lowest segment of the economic spectrum.

Senator PELL. Not only does it mean the institutions would dig harder to get the students with grants following them, but it would also mean that the students could select the institution to which he wants to go. This would cause the institutions to be attractive, for they could not just fill up with the warm bodies and get the grants.

If I was in your place, frankly, I would oppose this idea.

Mr. MORSE. Well, I think Mr. Huitt perhaps touched on the answer to that.

The amount of grant that might accompany a federally assisted student is still not likely to come anywhere near meeting the cost of educating him. Thus, I really can't see an economic factor leading to competition for these students.

COST OF INSTRUCTION

Senator PELL. What is the average tuition of the colleges of your association, the average fees other than tuition, and the average cost of instruction at these institutions? Perhaps you could submit this material for the record.

Mr. MENSEL. Yes; I would prefer to research this point. There are great fluctuations among the community colleges.

Senator PELL. I am interested in the average.

Mr. MENSEL. I think the average is probably for tuition somewhere in the vicinity of $250.

Senator PELL. What are the average fees other than tuition?

Mr. MENSEL. Probably another $150 on top of that.

Senator PELL. What would be the average cost of instruction?

Mr. MENSEL. This, of course, is going up rapidly from inflationary factors, but I would guess $1,200 or $1,250.

Senator PELL. Right.

Mr. MORSE. The American Council on Education really represents the entire spectrum of higher education, so I think I will pass to Mr. Huitt.

Mr. HUITT. I would like to submit a little later something a little more complete on this.

(Material referred to appears below.)

Mr. HUITT. Our lowest is the Federal City College in the District. The average would be $450.

Senator PELL. Tuition—and what was the average cost of fees other than tuition?

Mr. HUITT. This is very tricky because some institutions call tuition fees, some call tuition tuition and charge fees on top of that. There are universities in our group that charge no tuition whatsoever but may charge $400 or $500 in fees so that it is kind of hard to say. There is a mixture of tuition and fees.

The median for resident tuition and fees is $450. The highest, the University of New Hampshire, is $950.

Senator PELL. In other words, $450 would be the average for both fees plus tuition. And what would be the average cost of instruction?

Mr. HUITT. This I would have to try to come by. It is not easy because institutions don't make up their budgets that way and of course there are various kinds of education costs. If you are teaching freshman English it is relatively cheap. But I will try to get some figures.

(The following was subsequently supplied for the record:)

NATIONAL ASSOCIATION
OF STATE UNIVERSITIES
AND LAND-GRANT COLLEGES

OFFICE OF THE EXECUTIVE DIRECTOR

One Dupont Circle, Washington, D. C. 20036 202 293-7120

June 21, 1971

Mr. Steven J. Wexler
Counsel
Subcommittee on Education
Senate Committee on Labor and Public Welfare
4230 New Senate Office Building
Washington, D. C. 20510

Dear Steve:

When a group of association directors appeared before Senator Pell, he asked us for figures on average cost of tuition and fees for our kind of institutions and for the average cost of instruction. I believe that these data, as best we could get them, have been sent to you but I am enclosing more copies to make sure.

I am sorry to say that we have not done anything worthwhile on the cost of inter-collegiate athletics although we have called people most responsible for that. I suspect they may not be eager to have the figures themselves.

Sincerely,

Ralph K. Huitt
Executive Director

RKH/mab

PER STUDENT COSTS OF INSTRUCTION

The United States Office of Education surveys universities regarding current expenditures for "student education." This encompasses general administration, instruction and departmental research, extension and public services, libraries and operation and maintenance.

In addition to total figures, USOE analyzes this data in terms of current expenditures per full-time equivalent student. The office also issues projections on expenditures for student education by use of the trend of annual expenditures per full-time equivalent student over the 10-year base period and in conjunction with the projected enrollment of such students.

The latest data on current expenditures per full-time-equivalent student for the base year, the most current year for which actual statistics are available and the projection year are as follows:[1]

	Total	Publicly-controlled Institutions	Privately-controlled Institutions
1958-59	$1,355	$1,350	$1,361
1968-89	$1,772	$1,638	$2,100
1978-79	$2,089	$1,865	$2,833

These figures are slightly less than USOE figures for current expenditures for educational and general purposes, which are frequently quoted. Data on current expenditures for educational and general purposes also includes expenditures for organized research.

Figures on pure instructional costs per student, as most universities calculate them, generally exclude administration, operation and maintenance of physical plant, general and agricultural extension and research programs and library costs. However, there has not been a nationwide survey on pure instructional costs.

[1] From "Projections of Educational Statistics to 1978-79 (1969 Edition)", p.3, National Center for Educational Statistics, United States Office of Education.

MEDIAN STUDENT CHARGES AT STATE COLLEGES AND UNIVERSITIES[1]
1970-71

National Association of State Universities and Land-Grant Colleges

	Resident	Non-Resident
Tuition and Required Fees	$ 452.50	$1,106.00
Total Charges (Including tuition and required fees, room and board costs)	1,376.00	2,019.00

Range of Tuition and Required Fees:

	Resident	Non-Resident
Highest	University of New Hampshire ($905)	University of Vermont ($2,327)
Lowest	Federal City College ($97)	Prairie View A & M College ($454)

American Association of State Colleges and Universities

	Resident	Non-Resident
Tuition and Required Fees	$ 374.00	$ 843.00
Total Charges (Including tuition and required fees, room and board costs)	1,215.00	1,689.00

Range of Tuition and Required Fees:

	Resident	Non-Resident
Highest	East Stroudsburg State College ($740)	University of Toledo ($1,602)
Lowest	D.C. Teachers College ($72)	University of Guam ($370)

[1]From a "Joint Report on 1970-71 Student Charges," National Association of State Universities and Land-Grant Colleges and American Association of State Colleges and Universities, October, 1970.

Senator PELL. Mr. Ostar, what would be your answer to those two questions?

Mr. OSTAR. We do combine our tuition and required fees so that the students know what it is going to cost them. I will have to get these figures for you and submit them for the record.

We also have some figures on educational cost to the institutions.

Senator PELL. Submit the two figures, the average cost plus tuition plus fees, and the average cost of instruction.

(Material referred to appears on page 2455.)

Mr. OSTAR. The students on the average will pay in our public institutions about 30 percent of the instructional cost.

Senator PELL. My point here is twofold. One, that a flat grant of $1,000 a student would be a substantial help. I believe that if you thought about it you probably would prefer students who bring $1,000 along with them as well as being able to pay their tuition as opposed to students who don't and I think the schools would enter into a certain competition to attract those students.

STANDARD MANAGERIAL PRACTICES

The other point these replies bring out is the necessity for some form of common fiscal measurement for institutions of higher education. One of the amendments we are working on would support some form of unified accounting to enable you to figure out what the cost of instruction is and also be able to break down the total costs simply. It may be a very good idea to continue giving a course on some abstruse subject with a student body of two but you still ought to know what the cost-benefit ratio is.

What would be your feelings along that line, so that in the future we would not have to compare figs and lemons with apples and oranges?

Mr. MORSE. And Indians with chiefs.

May I come——

Senator PELL. I am not referring to any of you as figs or lemons. (Laughter.)

Mr. MORSE. We are getting to be quite a salad, sir.

Can I try coming at that in a somewhat different direction. First, as to the cost of instruction, one very careful study has been made by the Coordinating Committee for Higher Education of the State of Tennessee under Dr. John Folger, executive director of the Tennessee Higher Education Commission.

Their cost analysis by level of instruction indicates throughout the Tennessee system a cost of $1,004 for lower division students and a cost of $1,400 for upper division students. Whether Tennessee is typical, I can't be sure, but this gives you some picture of the record.

Now to get to the other point, Senator, if all needy students were supported entirely by the Federal programs, perhaps the approach of institutional aid as a bonus going with them might make sense, but one must remember that probably far more students, in this country, are helped by non-Federal programs than by Federal programs.

Many of the States have generous State scholarship programs, sufficiently generous so that in many instances if a student receives a

State award he is so no longer in need of Federal assistance. You have many, many, many endowed scholarships which are going to very needy students but every single student who receives aid as far as I know in 95 percent of our institutions receives it on the basis of need.

Senator PELL. I still want to get your specific reaction to the idea of uniform system of cost-benefit analysis and management so that the answer to questions of this sort which we have been pressing for some months will be readily available.

Mr. HUITT. I would like to react to that.

I think it would be very useful to all of us if we could have some kind of dependable uniform system with which we could compare figures. So that I should like very much to see efforts made in that direction.

I would be a little—I would be scared to death of something put into a bill which is going to set this up automatically. There is going to have to be a sophisticated study made. And whether that ought to be done by the Government as a requirement of the law is something I am not sure about.

As you can see, we are all bedeviled by the fact that some questions you ask us we can't answer. In my time in the Federal Government in this area I am in now, the most frustrating thing has been that the figures you really need you never have. You have all kinds of figures but not the ones that answer your questions.

So I should like very much to see—in fact I think it is imperative to do something along this line.

Senator PELL. I noticed in one of your tables, the Carnegie book there—I have been, in a laborious way, trying to go through all the Carnegie reports. It is pretty tough reading I find. They are unfortunately not written in the same style as the Newman report. But I know they compare apples and oranges in the international system, and there are no common denominators.

COMPENSATORY EDUCATION

What is the cost, relative cost, of compensatory education for underprivileged youngsters for the freshman year, and then thereafter, I imagine it would be higher in the freshman year than it is in the following year, but what are the follow-through costs in the post-professional years?

Mr. MORSE. I don't believe we have an answer to that. I would have presumed that most of the costs of compensatory education would come in the first year except that in many instances when youngsters are really not prepared to carry the full academic load their program is strung out over a period of, let's say 4 or 5 or 6 years.

I believe this is exactly the plan in effect in New Jersey, for instance, at Rutgers, in which instance probably the cost of compensatory work would be roughly level straight through the program, but I don't know of any figures.

Once again, as Mr. Huitt has said, it is terribly frustrating not to be able to snap back an answer to a perfectly sensible question but we are rather helpless in this area.

Mr. OSTAR. Mr. Chairman, a survey of some of our institutions on the question of compensatory costs in the first year—I don't have any

figures on subsequent years. The estimate is that the cost is approximately $500 in the first year for each disadvantaged student who requires compensatory assistance. This is over and above the normal cost of instruction so if we are talking about $1,400 of instructional cost for an undergraduate student or a lower division student, then you would have to add the $500 to that.

TUITION INCREASES

Senator PELL. One thing that has always disturbed me is that when we increase student assistance, for some reason tuition seems to go up in proportion to it.

Do you see any way of inhibiting that habit?

Mr. MORSE. I wonder if maybe it isn't the reverse order. Certainly in private institutions, and I have spent most of my life in private institutions, a tuition increase comes first. And then if one is not to freeze students out, one must automatically increase the budget for student aid.

Sometimes it is suggested, if institutions are running a deficit, that if they would simply reduce the amount of student aid they are awarding, the deficit might be wiped out, but the plain fact is that if student aid were reduced, so too would be the size of the student body in those private institutions.

As a matter of fact, that is one of the problems they have. Our concern is that as fees go up, and they do, even in the public institutions. one automatically builds in a need for greater and larger student aid programs.

COST OF ATHLETIC DEPARTMENTS

Senator PELL. Another somewhat unrelated question is in regard to the athletic departments, I mean spectator sports. We have become a nation now of spectators.

Do you have any total figures as to whether they produce a deficit or net profits?

Mr. HUITT. I think that most of the studies will show that this is a profitable activity at the big universities that win. The smaller schools have found this to be a real deficit operation. Some of them are going out of football and some of the conferences have tried to share the wealth with their more successful members by splitting the Rose Bowl fees and that kind of thing.

I think this is a big-time activity which like other spectator sports makes a lot of money if the team succeeds and if it doesn't, not much.

Senator PELL. Are there any figures showing the total cost of an athletic department as opposed to the total fees of spectators watching it?

Mr. HUITT. We can try to get that for you. My guess is that it would be a horrifying thing to find out, and I guess it would not change anything either because what academics have done in the last years is to prove overemphasis on athletics without much effect.

Senator PELL. I think it would be interesting to find out. I have always been struck by the fact that the sports that had the greatest participants are usually those that cost the least. If you have any figures of that sort I think we would find them most interesting.

COST OF INSTITUTIONAL AID

Do you have any idea of what the total Federal cost would be for the type of institutional assistance you support?

Mr. MORSE. Well, Mr. Mensel mentioned a specific bill that is in the House committee.

Senator PELL. That is President Hester of NYU's approach.

Mr. MORSE. Yes. It is a modification of the formula that President Hester and his colleagues suggested. President Hester had suggested a greater weight than the House bill——

Senator PELL. 200, 400 and 500.

Mr. MORSE. I think he suggested 100, 150, 200, and 400, and then perhaps for the major research universities, a percentage of the total Federal obligation for academic science. That was I believe President Hester's original suggestion.

In the bill, though, that is now before the House committee the weights are written in terms of dollars at three different levels of education. And that costs out under current enrollments in all institutions at about $872 million.

Senator PELL. Thank you all very much indeed. You have been very kind to give us this hour and if we have more questions we will feel at liberty to contact you.

We hope to get into executive session before too long and hope to come out with some sort of bill that will meet with the approval of a total consensus within the committee.

Mr. MORSE. Thank you very much, Mr. Chairman.

Senator PELL. Our next witness is Dr. Frank Newman whose report I had the pleasure of reading in full. It really made quite an impact certainly on the governmental side of education. He has a good promoter in the Secretary of Health, Education, and Welfare. We all have benefited by reading it.

STATEMENT OF FRANK NEWMAN, STANFORD UNIVERSITY, CHAIRMAN OF THE AD HOC COMMISSION WHICH ISSUED THE NEWMAN REPORT

Dr. NEWMAN. If it is all right with you, Mr. Chairman, I would like to make an informal statement, if for no other reason than to put me in the position of being in agreement with my colleagues who have just preceded me.

Senator PELL. Do you agree with the substance, too?

Dr. NEWMAN. No. But it is nice to start with some point of agreement.

Senator PELL. Always.

Dr. NEWMAN. I would like to comment, if I could, from the perspective of our report and our task force, but relating that, if I could, to the nature of the problems that I think are before you and the two crucial problems that have received the most discussion during the year are the questions of how to provide adequate financing for students and adequate financing for the colleges and universities which are obviously now facing some uncertain future.

This legislation is undoubtedly going to serve for the rest of the decade. Only those two were not enough. There were some other crucial

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problems that deserved attention as well. The past couple of decades have been a period of tremendous growth and I think tremendous accomplishment.

Some of the things my colleagues were describing give some measure to the tremendous step forward that higher education made in this immediate past year. But I think, as often is the case, we have been a long time in the same direction, allowing certain distortions to creep in, and I think it is important to recognize those.

But when I say that, I don't mean to argue that the institutional needs are not important. I am very concerned about doing something in terms of student aid.

You were asking a question about the importance of funding, a bill for the disadvantaged student, and it seems to me that one of the great changes and steps forward in the last couple of decades was the gradual concern over the disadvantaged student.

And now we are faced, because of the sharp rise in the total demand for student aid which has been running faster than even the increase and supply of student aid, with the question of trying to decide priorities among different types of students.

And I would disagree with something Mr. Morse said in the sense that he was pointing out the commitment that has been made—maybe that isn't quite right. I think he is right that the commitment to the disadvantaged student runs right across the spectrum of educational institutions but it is also very apparent that that commitment is failing, that there is a declining concern over meeting that particular set of problems of disadvantaged students.

Something we should view nationally, I think, with a great deal of concern—not only have we slowed down in the rate of enrollment increase but it seems to be apparent that unless we do something it will even be hard to hold onto the gains that have come about.

We remain at the point where black students are approximately half represented, Chicano students about a quarter, and I think the press of other problems and the decline in fervor that came from the period of 1967 and 1968 is leading us to put this aside as a national issue.

For example, blacks at college student age are about 12 percent of the population and within the student population about 6 percent of that, a little over 6, depending on how you look at the statistics, are black. Chicano is about a quarter and Indians about 10.

That has been, as a percent of population, jumping up relatively slowly. Blacks, for example, in 1967, up until 1967, as a percentage of the population, student population, were actually declining slightly.

CRITERIA FOR ADMITTANCE

Senator PELL. How do you handle this question of access, the problem of youngsters who graduated from nonacademic high schools and then want to go to college.

Basically when a youngster goes to college he should be able to write a grammatical and coherent paragraph. But one can graduate from high school in home economics or some other kind of subject and really not have any concept of language. Do you think they should be admitted or should there be some kind of preliminary years for com-

pensatory education prior to going to college? And if so, should a college carry the cost?

Dr. NEWMAN. I think that question encompasses a very broad set of problems. Some students—take the American Indian population. There is a common assumption that Indians just cannot cut it. But there have been a number of institutions, Stanford, Dartmouth, Minnesota, and several others that have run fairly extensive Indian programs and are finding that indeed they can do ordinary college work.

So to some degree—and I think this is also true widely throughout—there is a percentage of those minority students who are equipped to do college work.

And, incidentally, one of the fascinating things we discovered when we made an analysis is that generally speaking, minority students are doing better at the poorer colleges, or let's say better at the selected colleges.

Senator PELL. Isn't it another point that, as far as adjustment goes and doing well goes, the student reflects his own background rather than their color?

I am familiar with one very specific institution where the difference between the youngsters from the black middle class and the black ghetto families is just as great or greater as between black and white.

Dr. NEWMAN. There are very sophisticated Chicano kids and black kids.

Another element you were mentioning, how do you deal with students who are ill-prepared for college. What is college and should there be different types of colleges and are we going down the path of thinking that college is really essentially one kind of experience?

One of the things we became very concerned about is that we are, through a series of unintentional but very powerful forces, coming to a college system increasingly similar in its approach. We prided ourselves on our diversity of colleges.

Senator PELL. This is what you call the "lockstep."

Dr. NEWMAN. Really the section most applicable to that is the section of homogenization.

But going back to lockstep for just a minute, one of the concerns we had in looking at the question of student aid is that in addition to the question of financing students, I think an essential question to ask is: Are our student aid policies or programs encouraging the pattern of college attendance?

A growing trend has been lockstep. That is to say students start in kindergarten and somewhere about 13 years later they get a high school diploma and go on to college whether they are ready or not, and when they graduate go directly on to the graduate program and somewhere some 20 or 22 years later arrive at the point of a Ph. D., now having spent a great deal of their life within the academic walls. This pattern is a growing one.

Mr. Mensel quite rightly pointed out that the community colleges are probably the best at breaking that pattern but I guess we would be prepared to argue that there would be great benefit in trying to create circumstances in which students, instead of going when it was the socially pressured thing right out of high school, went to college when they were able to learn, not simply at one point in their lives, and had an opportunity to come back and continue college when it was the appropriate thing.

For example, one of the fascinating pieces of evidence is the question of how successful returning Peace Corps and GI students have been. I think we have all accepted this as a very important experience in American higher education.

Two interesting sidelines: One, there is no study that we have been able to find that supports that fact. I believe it is true that returning GI students are better students. Every person I have ever talked to believes it. One of the interesting things is we have never studied it.

But assuming it is true, and I think every scrap of evidence encourages it——

GI BILL

Senator PELL. Do you have any statistics as to the percentage of returning GIs who are taking advantage of the cold war GI bill as opposed to after World War II?

Dr. NEWMAN. We may have done it. We did examine that question and we were also interested in the difference in the GI's. There is a considerable difference in those coming back this time as opposed to the previous war.

Senator PELL. In what way?

Dr. NEWMAN. Well, there are a couple of changes.

One is in the World War II situation. The returning GI's largely were students of the social economic class that would have been more likely to go to college. It extended down lower than it had previously but still in today's world with the expansion of college enrollment concepts, those students that went would more likely have gone anyway. Today's GI's are usually another notch down that spectrum.

College deferment means that students who would normally go to college do go and returning GI's tend to be people who didn't intend to go to college.

The second thing is that generally speaking, in the case of World War II returnees, there was an—everybody was in the service. Today that is not so. The concept of going to college wasn't as established as it is today.

So you have a different cut of student. But the principal still holds. By and large everybody feels that the returning GI is a better student and certainly better than he himself would have been had he gone directly from high school.

This is one of the fascinating things we have taken no account of.

Senator PELL. Just to carry that further, when do you think one's learning ability is reached?

Dr. NEWMAN. It varies by the individual.

Senator PELL. Do you have an average individual?

Dr. NEWMAN. I really don't think an average is meaningful in the sense—there is a widely held theory that the highly academic reach a peak of their powers as they go through a Ph. D. program at the age of 23 or 24—I used to have a man who worked for me who had completed his Ph. D. at 23. That is one category.

There are many other students who do not catch fire until 20 or so. Others at age 30 are really ready. Our problem is at the moment that we say the time one should go is 18. Parents insist upon it and——

Senator PELL. It seems that, with the exception of Joseph Conrad—all great creative works have been produced by people usually in their

30's or 20's, and afterward you are just trying to keep up with the standards established.

Dr. NEWMAN. It may not be, though, that creativity in and readiness to learn can easily be equated because most people are not in the Conrad category.

But one of the things is the expansion of the concept of the GI bill. Right now we assume, it seems to me, a very fundamental concept—a student if he serves his country—and serve in this case means serve in the military—that one way to reward him is educational benefit, and this has the advantage of providing useful student aid, of bringing into college students ready to learn, who have had outside experience.

And I would argue it would be very important for us to consider expanding that to other kinds of service.

AVAILABILITY OF STUDENT AID

Senator PELL. You advocate making student aid available over a broader range of time.

Would you have the same kind of aid going to a 19-year-old student as to a 29-year-old student?

Dr. NEWMAN. That deserves some serious consideration and it may be that one—I think we are really just beginning to think about that issue. I think we need to think that through.

We could make some simple adjustments. If a student is on the EOG, he then is locked in and must go 4 years. There are some students that ought to stop at the end of 2 years and come back later. That is a kind of modest change I think to create very useful progress.

Turning from student aid to the question of institutional support, if I can, it seems to me that we are in a period of uncertainty. I think as a result of the studies they were mentioning, the dimensions are more clear of the financial problems.

But I think it is still unclear as to how to best resolve these. I also think there is a very uneven effect of the financial crises. Not only certain categories but certain institutions themselves. For some institutions it is more a period of warning, a sense that things are not good and something should be done.

Not all institutions are in equal trouble but the trend is not very encouraging.

But another category ought to be examined. We were very concerned about the question of whether the institutions of higher education are in fact meeting the needs of society as best one can analyze that. That is a very hard question. I think it is very hard to define that.

But even so I think it is important to ask the question and part of this comes to the question of diversity. You mentioned the problem in dealing with the student who is poorly prepared academically or the problem of the student who is reasonably prepared but does not like academic work.

Many of them are among the most effective people in our society. Some of the most effective people just don't like academic style learning. Many students learn very well by learning by doing. Many learn by teaching. You give them a task to teach and they learn. Many learn by some very task-oriented process but we are increasingly encouraging one style of academic learning.

I think this trend is accelerating if anything and we were very concerned about how can one create a sense of diversity. We discovered a number of institutions around the country that had very different styles of learning and dealt very effectively with the student you described.

It is always remarkable to me—you take a student who does very poorly at psychology, algebra, barely hanging on in school and you explain to him that he is going to be the quarterback and he learns the system of operation, how to think about a complex variable in an extraordinarily difficult situation, and for a couple of reasons.

One, his motivation is very high and we teach him very differently. The coach does not say we are going to have a 3-year course in football, the first course will be fundamentals of strategy, and then brings somebody from the faculty to lecture on this.

He takes him out on the field and says try running it your way and after the fellow gets up off the ground he says now let show you what was wrong. There is some great advantage.

I don't recommend that that is the way we teach everybody but there are alternate styles.

Senator PELL. In other words, the difference between cognitive learning and associative learning.

Dr. NEWMAN. Particularly in the degree of abstractness of it.

Senator PELL. Right. But how one learns football is by associative learning.

Dr. NEWMAN. Right. There is absolutely no reason—there are a number of very successful institutions that work on the assortative style in teaching, not football, but English, for example, and the services have been extraordinarily good using this style of learning. We don't like to think of the Defense Department on campuses these days as excelling in any category that we are in, but, in fact, they often do a superb job in training people to think about problems who are not academically oriented.

So my point is that there ought to be a great many different styles of institutions and, when one thinks about the problem of institutional aid, a question that ought to be asked is, Will this style of aid provide and encourage that diversity?

One of the things that troubles me greatly is it tends to discourage it.

You mentioned earlier the question of competition, and it seems to me that an essential element of encouraging diversity is that element. I think there is every evidence that in fact competition within higher education is an effective force. It can be an effective force not only in creating diversity but in creating change.

A lot of the change that has come about in higher education in the past 10 years or so has come through the mechanism of competition, States wanting to have a better system than the others, public institutions competing with private institutions.

You mention, Senator, grants following students. I think we came to the conclusion that this is a very beneficial way of thinking about institutional support.

INSTITUTIONAL AID—METHOD

Senator PELL. You rather like the idea of the institional aid following the student?

Dr. NEWMAN. Absolutely. And I disagree entirely with the point that this is not effective. The National Science Foundation provided this kind of mechanism. And even though the cost of education in the field was way, way beyond the grant, the fact that that student carried about $1,000 provided a very strong incentive and in fact the institutions did compete for that student.

But it seems to me that what we want is all sorts of different prestiges. Not one but many. One might deal with training people who are not very skilled, one in training people in a professional career sense. There ought to be many different ways.

I think the kind of grant you are talking about, if it goes to the institution as a piece of money following a student, can be very effective.

There are other categories one could identify. Here is a GI student that we would like to see go back to college. And if the grant also goes with that student it seems to me there would be a great deal more tendency to recruit those students and adjust the curriculum to be effective for those students.

So at any rate—incidentally, one can think of other kinds of students. There is a great deal to be said for thinking in terms of a broader set of problems, at least a couple of which are how can a pattern be established that encourages a student to go to college and stay out when he is not ready. How can we encourage diversity and change and differences in institutions?

S. 659

Senator PELL. Then in broad outline, you would support the concepts of S. 659, the bill that the subcommittee is reviewing at this time.

Dr. NEWMAN. I have one difference with it and I think the principal strikes me as very appropriate. One difficulty with it is it makes essentially a payment or a fee or an amount of money cover the combined subject of institutional support and student support, and I think there is a great advantage in separating those.

One of the difficulties is that first there is no incentive to an institution that has tuition higher than that amount and yet if one merely——

Senator PELL. I must add here that the present amendment calls for a flat thousand dollars to the institution going with any student getting the basic education opportunity grant, period.

Dr. NEWMAN. I wasn't aware of that. That, seems to me, is an excellent way of going.

And I think you would find a very real incentive on the part of those institutions. I come from an institution not known for its low budgets but we are reducing our budgets and I think one of the things

to be said in our favor which I am very proud of is that we have been early in seeing the financial crisis in the determined effort of reducing our own budget.

But what I mean is our tuition is not low. Since I paid it many years myself I can testify personally. Our Governor believes that taxes and tuition should hurt and they do hurt.

But in spite of that when we see a student who brings to the institution a thousand dollars, after all that student is going to have to find himself somehow. He is going to have to. But that thousand dollars comes to us. We are very interested in that thousand dollars.

I have been to many, many community colleges in recent years and I am sure that community colleges—seeing a student coming in who carries with him a thousand dollars along with a student who carries nothing, there is a very strong incentive——

Senator PELL. The competition would also raise an important point: Are we serving that student's needs? The difficulty of the per capita formula is that the student's needs and the society's needs are essentially ignored as long as one can fill up the place with bodies.

However, for example, in the graduate field, where we have provided most of the money on an institutional basis and then allowed the institutions to give out the money, we have had a steady, very sharp growth in graduate education. The growth in graduate education has tended to be growth that is most comfortable for the institutions themselves, rather than most desirable for society.

There is now a great deal of furor over oversupply of Ph. D. candidates. But long ago it was apparent in certain fields the number of Ph. D.'s being turned out was in excessive demand anyway.

UNIFORM MANAGEMENT PRACTICES

Senator PELL. I read your report very carefully and one of the things that struck me was your section on cost accounting, and we are working on an amendment to try to bring about some form of uniform management practices in higher education. So that we will know what the cost effectiveness is, what the cost of a course is, the effectiveness of an individual professor.

But as you can see there can be certain objections. What is your thought?

Dr. NEWMAN. I think that deserves very careful attention because there is a danger here. There are several groups working on it. WICHE, which is a Western States' consortium, has a determined effort and I think they will do some very good things but they face a problem.

The real benefits from this are going to come when we make it an intellectual problem that the faculty member recognizes there is not one standardized way of teaching. Some are more effective and cost somewhat more, some are equally effective but cost less.

One of the difficulties is that he will see cost effectiveness as something that those fellows off in the comptroller's office are struggling with. Until we make it an intellectual problem in the classroom that education can be measured even crudely, but effectively when it is doing more with less resources, that is what we have got to get to and one has to be careful that in writing such an amendment we don't drive the professor further way.

It is a real challenge.

Senator PELL. It is. We don't necessarily follow the most cost effective method of choosing food or entertainment. But by the same token we do crank it into our mind as we make our decisions.

Dr. NEWMAN. I was in England last fall. I had some other things to do, but I also wanted to do some research, and I had the chance to visit a number of friends from Minnesota who were involved in this marvelous debate about the expansion of the enrollments was forcing them away from their traditional teaching method of tutoring.

But at any rate the conversation turned to this question of couldn't one find better methods. So I said why don't you consider instead of going to seminars—they have TA's—why don't you have your TA's run large lectures and keep the faculty solely devoted to the question of tutoring.

And in the process of that they tried to then respond to that, as to what was wrong with that, and they kept coming back to me with they couldn't do that, and finally the response was: Mr. Newman, I just have to put it in these terms, we could not do that in an English university. And it is that absolute refusal which keeps us in prison.

Senator PELL. I am delighted that you were able to be here today for the report is a very sound one indeed.

I understand in general you would support S. 659 in preference to the other alternatives.

Dr. NEWMAN. Strongly.

Senator PELL. I am delighted to hear that and in view of the fact that your report comes out under the Department of Health, Education, and Welfare, I wish you would try to make your views known to them as well. [Laughter.]

Dr. NEWMAN. Thank you, sir.

Senator PELL. We will now receive a statement for the record from the Senator from Florida, Mr. Lawton Chiles, who has a great interest in this subject.

STATEMENT OF HON. LAWTON CHILES, A U.S. SENATOR FROM THE STATE OF FLORIDA

Mr. CHILES. Back in 1787, our country made a commitment to education with the Northwest Ordinance. To fulfill that commitment requires new ideas and dedication to the difficult job. We need to remove existing financial barriers to attendance; we need to increase the resources flowing into higher education; but at the same time we must maintain the uniqueness and diversity and autonomy of the individual institutions.

It would be too much, I am sure, to expect State and local governments to provide necessary funds to do the job. Even if it could be done at those levels, the major source of funds would probably be increased sales and property taxes, and this would hit another lick at low- to moderate-income families.

Recognition of the benefits of increased education should compel us at the Federal level to provide the needed funds and resources for higher education because the States and localities by themselves cannot subsidize education at a desirable rate and because the methods they will most likely choose will not be the best one from the point of

view of insuring the equality of opportunity and preserving the diversity of a partially private system.

Helping students finance their education through loans has been a practice of the Federal Government for a number of years. Presently, the most significant loan program is the federally insured student loans of the Office of Education in the Department of HEW.

This is an interesting program because it involves the cooperation of American business with the Federal and State governments. The loans are obtained directly from a bank or other commercial lenders. The loan is guaranteed by a State or private nonprofit agency or is insured by the Federal Government; this protects the lender against loss by death or default of the borrower; second, the Federal Government assists some students with interest payments on their loan. Regulations governing the program vary from State to State but follow Federal guidelines.

Since 1966, when the program began, the number of loans has increased from 48,495 to 879,308 in the first 9 months of this fiscal year. The amount in loans has grown from $77 million to $863 million at a cumulative cost of around $225 million for the 5 years of operation. This includes the special incentive allowance made to lenders. Seventy-one percent of these loans have gone to students with adjusted incomes of less than $9,000 and 45.3 percent to those with less than $6,000. Sixty percent of all the students are between 21 and 28 years old and 34 percent are between 18 and 20 years old. In the fiscal year 1970, 921,325 students received aid totalling $840 million which costs the taxpayers less than $74 million. The three other major programs—NDEA loans, college work study and education opportunity grants provided aid to 1,121,000 a cost of $512 million. It is obvious that for each dollar expended there appears to be more aid generated by the federally insured loan program than practically all three other programs combined.

In the next 10 years the growth in the total higher education student population will be around 8 million with most of these students coming from low-income families. The need for available resources is growing dynamically and the $3 billion that we have loaned out will seem trivial.

At the same time, banks and private lending institutions are becoming increasingly cautious about lending out more money.

The reason for this can be seen in the nature of the loan itself and in the failure to provide for a secondary market for the lending institutions. The loans can amount to $7,500 and it might be 5 to 10 years before payments begin on the principle and 15 to 20 years before they are paid off. The thin profit and long-term nonliquidity nature of these loans often prevent the lenders from even providing funds for their own customers.

Then, too, when a few banks in an area fail to participate in the program, their nonparticipation puts an increased burden upon other banks to service the needs of their own customers as well as the nonparticipating banks. In this way many banks have become overloaded with loans and loan requests before they have been able to take care of their customers.

In the biggest county in Florida, before this past March, only 12 out out of 67 banks participate in the program and the few that do cannot meet the overflowing demand.

This kind of program has done an initially effective job with limited program resources. It has grown amazingly in an extremely difficult economy. What it has been able to do in the past is only an indication of what it can do in the future.

Considering the nature of our society, its divergencies of resources, needs, desires and capabilities, any program that will provide aid to our students will of necessity have to be extremely flexible. Without the flexibility to change as the economy changes and the needs of the students change, any program of aid will become highly structured and thereby result in aid being available to a limited number of students who fulfill certain requirements or to students who were just lucky enough to get some money before it ran out.

By adding to the capabilities of the present student loan programs, namely the federally insured loans, we can manage the problem of getting money to the great many students who need it by using our present free enterprise structure of banks, savings and loan institutions and other private lending agencies without an overwhelming dependence on a Federal bureaucratic structure.

By providing a release valve for the lenders it will be possible to encourage many of the more hesitant institutions that have not cooperated in the past to join in the enterprise of seeing to it that the future of our country is in the hands of a more highly educated citizenry.

Senator Pell, last summer I spent a lot of time talking with people around my home State of Florida. I talked with a lot of college students who were in a bind over finding enough money to pay their next year's expenses. They talked about federally insured loans and about how difficult it was to obtain one even though they had heard that this was the only program available to them in the State. Practically every single student I talked with was either putting himself through school or with a little help from his family was picking up the largest portion of his expenses.

Today, the expense of continuing one's education seems to be getting out of the reach of even solid middle-income families and it is doubtful that these costs will decrease at any time in the near future. What's more, summer jobs and opportunities to earn next year's expense money are becoming scarcer, in fact I'm reading more everyday where even graduates are having the most difficult time finding employment than any recent graduating class has faced. Yet, we simply can't stop students from continuing their education by closing off sources of financial assistance, the societal costs we would have to pay later would be too great.

The problem as I see it boils down to the fact that given the present costs of education, minority and disadvantaged students are going to need massive financial assistance, most likely in the form of direct grants but the students from low- and middle-income families that don't qualify as disadvantaged need financial assistance as well. In Florida, this particular group is sizable, as I am sure it is in many States.

The guaranteed student loan program has served those students well who have managed to participate in it. To overlook providing any form of financial assistance to this group of students and parents would only enhance the idea present in the minds of many that higher education is only for the very well-off or the very poor. Obviously, trying to finance the needs of this lower to middle income group directly from

Federal sources would quickly drain tremendous amounts of money that are needed for other services, while at the same time not involving the student or any other sector of the society and economy in the effort of securing increased financial assistance to students.

The guaranteed student loan program and the federally insured loans provide the means to get the needed assistance to that group of students who need them, students from low- to middle-income families. They also involve the student in assuming a greater part of the responsibility of paying for his education at a time when young people are making tremendous strides in all fronts in assuming the mantle of responsibility and leadership. Furthermore, the resources that would be used for providing the funds to students would come from the commercial banking and lending community. But in order to encourage and assist the financial community, it is most important that the loans and the servicing structure be developed so as to minimize the problems that arise out of the nature of loans to students who are continuing their education. Many banks and lending institutions have been hesitant to participate or to continue their participation because the loans can amount to $7,500 and it can be 5 to 7 years before the payments begin on the principle and 15 to 20 years before the loan is paid off. The thin profit and long term nonliquidity aspect of these loans often make bankers and lenders hesitate in even providing funds for even their own customers. As the program has been in operation now for 5 years many banks, savings and loans, and credit unions, etc. have built up their student loan paper to the point where it has become impractical from an operating standpoint to continue making these loans especially when the Federal Government seems to be so undecided as to the direction it will take in providing financial assistance to students.

If the Guaranteed Student Loan Program is to be continued, and I believe it should, its effectiveness at this time will to a great extent be determined by the presence or absence or a secondary marketing facility with an adequate warehousing feature.

Since taking office in January, I have been deeply involved in this entire situation. As an example, in the biggest county in Florida, only 12 out of 67 banks were participating in the program as of last March. I have visited that county several times and have picked up commitments from many of the bankers that they will begin participating in the program. Already, they are being deluged with applications. I have also sought the cooperation of the banking and lending communities throughout the State. The response of these activities is reflected in some of the correspondence that I am providing with this statement.

In conclusion, let me say that last year I found there was a workhorse element in our society who among other things would like to see his children continue their education, but because he doesn't qualify as disadvantaged he can't obtain grants for his children's education yet he can't afford the high costs at even State institutions, his children have a hard time finding summer jobs, and the avenue to obtain a loan through the banks, savings and loan, and credit union, where he does business is blocked because the 5-year-old program has built up a long-jam of nonliquid paper which the institutions can't move so that they might be able to supply a continuing resource of funds. Because of all this and much more, he is frustrated and his children are frustrated. In one small but significant way the Congress of the United States can help. The purpose of S. 1755 and S.1756 is just that, to help.

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United States Senate
COMMITTEE ON
GOVERNMENT OPERATIONS
WASHINGTON, D.C. 20510

May 24, 1971

Honorable Claiborne Pell
Chairman
Subcommittee on Education
Senate Labor and Public Welfare Committee
Washington, D. C.

Dear Senator Pell:

In order to facilitate the deliberation on the two bills I have introduced, S. 1755 and S. 1756, which were referred to your Subcommittee, I would like to provide the following explanation of each piece of legislation.

S. 1755 establishes a Secondary Student Loan Marketing facility that is designed to assist the proven effectiveness of the Guaranteed Student Loan program in helping students finance their continued education after high school.

The Guaranteed Student Loan Program is designed to utilize private capital for student financial assistance. Unlike other government sponsored programs, private lender participation is voluntary and discretion in making loans is left to individual banks, savings and loan associations, credit unions, etc. However, the requirements of long periods of deferred repayment, modest yields, and overall program complexities have made these loans unattractive to lenders--thus loan accessibility has suffered. To insure adequate participation, lenders must be given a "break-even" rate of return and relief from liquidity problems caused by these long-term loans. While the rate has been generally improved through the Special Allowance, the liquidity problems have reached a critical stage. The solution I have proposed is a secondary market which includes a warehousing mechanism.

The secondary market for many types of obligations purchased by commerical banks, savings and loan institutions, and other types of lenders, is an established means of replenishing their cash resources, and their reserves. For example, the banks are the largest purchasers of new issues of U. S. Government bond issues. They are able to function as a ready source of funds for the Government because the secondary market for government bonds operates so smoothly, often disposing of billions of dollars in bonds in a week. Likewise, new municipal and corporate issues are readily sold to the banks during normal money periods in the market for the banks know that these obligations can be disposed

of in a regularly functioning secondary market. In the mortgage market, FNMA has for years provided a secondary market for government insured mortgages by purchasing them in a market that reprices the insured mortgage in accordance with ever-changing money market conditions.

A critical problem in the field of student loan financing is finding an established and consistent means of financing a group of lenders who will make student loans. A secondary market for student insured notes is necessary for banks, savings and loan associations, and other institutions which need to sell or warehouse their notes to obtain liquidity. Lenders are always under pressure to meet the various other banking needs in their localities, and to have funds available for further investments in student loans.

Consistent availability of lender sources will be a definite result of the secondary market to be provided by legislation I have introduced. In doing so, the secondary market operation of the association will render a great service to the lending institutions who make insured loans, and to the economy in general, by smoothing out the peaks and valleys of capacity to make student loans among lenders throughout the economic system.

The proposed Secondary Student Loan Market must be a constant mechanism that would provide stability to the supply of insured student loans. Lenders need to know that there is a constant purchaser of insured student notes with sufficient funds at its disposal. When money is plentiful, and the banks are overloaded with funds for investment for long periods, it is probably that little supplementary financing will be required of the association. But even in such a period, the association will need to be ready at all times to provide the services which it is capable of providing, i. e., the purchase and sale and warehousing of insured student loans, and the issuance of standby commitments to lenders.

The FNMA secondary marketing principles can be readily applied to federally insured student notes. In its operations, FNMA has used commitments, which are of a type commonly referred to in secondary markets as standby commitments. These commitments have not been used for regular immediate purchase of loans. Holders of the commitments pay a fee for a standby commitment from FNMA to purchase later.

In addition, FNMA makes direct purchases of loans under its secondary market operations. FNMA purchases loans in its secondary market operations

within a range of market prices for the particular class of mortgage involved. All mortgage purchases under its normal secondary market procedures are either insured by the government, guaranteed by Veterans Administration, or otherwise backed by the Federal Government.

In creating a secondary market for any type of obligation, the object is to create a market place for the obligation, where the obligation in small units or perhaps, only in sizeable blocks, can be sold by original, or by secondary holders.

In the case of student notes, blocks of such notes aggregating $10,000, $25,000, $50,000, and other amounts, could be brought to a central point and sold for cash to a central institution, i.e., the association. The selling price might be at a pre-determined price by the Secondary Market Association or it might be an auction market price at an auction market held in the offices of the Association.

Warehousing on the other hand, would involve, as the term implies, depositing blocks of the student notes in a warehouse - i.e., a bank or depository, against cash advances by the bank (i.e., by the Secondary Student Loan Market Association) at the rate of $.80 on the dollar, or $80,000 on $100,000 of student loan notes. The notes would remain with the lenders, but would be put up as security for the advance of cash, (i.e., warehoused).

A secondary financing activity such as I have proposed is designed as I have stated to ride out the peaks and valleys in the market. Under variable market conditions or a softening in the market as opposed to tight money and high interest rates, the opportunity for the sale of paper held by marketing facilities should be excellent. As interest rates declined and sufficient money becomes available, guaranteed student loans could become attractive to an investor or servicer.

Perhaps one of the most significant considerations should be the fact that many lenders who are not currently participating in the Guaranteed Student Loan Program would participate if they knew a secondary facility was available. If at some future point in time they faced a liquidity crisis, they could obtain relief through either sale or warehousing of their paper. Many lenders, I am sure would not use the secondary facility but the mere knowledge that it was available if a crisis developed, would provide adequate incentive for their participation.

The warehousing aspect of the secondary marketing activity is essentially designed to provide for the temporary relief of a lender's liquidity problem. The purchase and/or sale of insured paper provides a more meaningful solution and permits the negotiated movement of paper in accordance with prevailing market conditions.

Warehousing only postpones a lender's liquidity crisis. The time will arise when the lender must either withdraw the paper from the warehouse and repay the amount borrowed or he must make additional loans and substitute the new notes for those which have matured to the point where repayment commences. Under these conditions and without the ability to negotiate and sell paper, his liquidity problem is compounded. The purchase and sale of paper by the secondary market would be on the basis of prevailing market condition, i.e., par, premium, or discount. The rise and fall of the market would dictate the basis for the negotiations and provide earnings to the secondary facility assuring its existence on a self-sustaining basis.

The two activities should operate in tandem. For example, when a lender is experiencing liquidity difficulty and the market would dictate that the price to be paid for paper is 97, or a 3 point discount, the lender could very well decide that he would not sell at that price but would warehouse his paper for perhaps a 6 month period in anticipation of a better market. At that time, the lender could very well withdraw his paper from the warehouse and negotiate its sale if the market had improved to his satisfaction.

S. 1756 is designed to improve the present laws providing for the Guaranteed Student Loan Program and the Federally Insured Loans.

The following is a delineation of what each amendment would accomplish.

1. Section 2(a) authorizes extension of the Federal Insured Student Loan Program for five years through June 30, 1976.

2. Section 2(b) provides that students who obtain loans prior to June 30, 1976 may obtain additional loans until they complete their education, but in no event later than June 30, 1980.

3. Section 3(a) continues the present maximum loan per academic year at $1,500, but provides that, according to regulations of the Commissioner of Education, the annual loan amount may be increased to $2,500 if the student has been accepted for enrollment or is attending an eligible institution and taking a course of study for which the educational costs are unusually high.

4. Section 3(b)(1) provides that the Commissioner will insure interest on a loan as well as principal. This will encourage lenders to make loans more liberally, as they will not have to incur any loss if a student defaults. It will also enable additional lenders to participate, since some lenders by law

may invest only in obligations which are insured 100 percent as to principal and interest.

5. Section 3(b)(2) provides that loans insured by the Commissioner will be backed by the full faith and credit of the United States Government. This will provide lenders greater assurance that their investment in student loans is sound and that they will be reimbursed in the event of default, even though the amount of insurance premiums collected might not be sufficient to pay all claims. In addition, this should provide greater assurances to the investors in obligations of a secondary market, thus reducing the cost on its obligations.

6. Section 4 amends the program of Federal loan insurance to remove the minimum 5 year repayment period and the minimum 9 month grace period prior to commencement of repayment. Under present law, the legal obligation signed by the student borrower must be written for not less than a period of 5 years commencing not earlier than 9 months, even though the borrower may wish to commence repayment sooner and to repay the loan over a period of less than five years. This amendment provides greater flexibility and will permit the lender and the student to work out mutally agreeable repayment provisions. In addition, any reduction in the length of the grace period as may be mutually agreed to will result in savings in interest benefit payments by the government.

7. Section 5(a) provides for a 5 year extension of the authority of the Commissioner of Education to pay interest subsidy and further provides that at the end of such extension, students who obtained prior loans may continue to obtain loans with interest benefits in order to complete their education but in no event later than June 30, 1980.

8. Section 5(b) provides for the elimination of the 5 year minimum repayment period and the 9 month minimum grace period under the State and private guarantee agency programs similar to the Federal Insured Student Loan Program.

9. Section 5(c) requires lenders making loans under State and private non-profit guarantee agency programs to provide interest subsidy to students on the same basis as provided for under the Federal Insured Student Loan Program. This corrects a legislative deficiency in the original law which was provided under Federal loan insurance in Section 427 (a)(2)(E) of the original Act.

10. Section 6 increases the insurance premium for federally in-

sured loans from one quarter of one percent to one-half of one percent per annum. This will make the program of Federal loan insurance consistent with the State and private non-profit guarantee agency programs. In addition, the increase to one-half of one percent should provide sufficient income to enable the Federal Insured Student Loan Program to be maintained on a self-sustaining basis.

11. Section 7 amends Section 434 of the Act to eliminate the 15 percent restriction for participation in the student loan program by federally chartered credit unions. Many credit unions have reached this limitation and are currently prohibited from making further loans, even though they have the assets and the desire to do so. In addition, it appears inappropriate for this legislation to regulate otherwise federally regulated lending institutions. There are no restrictions in this Act placed on federally chartered banks or savings and loan associations. If such restrictions are essential, it would appear more appropriate for this to be imposed by the Federal Credit Union Administration and other Federal regulatory agencies.

12. Section 9 amends the Act to provide authority to the Commissioner of Education to withdraw the eligibility of any educational institution for purposes of the Guaranteed Student Loan Program if the Commissioner determines that the educational institution is acting in a manner counter to the purposes and best interests of the program. Under present law, there are numerous ways in which an educational institution can become an "eligible institution." However, there is no provision of present law to enable the Commissioner to suspend or terminate the institution's eligibility.

13. Section 10 amends the Emergency Insured Student Loan Act of 1969 by extending the authorization to pay the special allowance for an additional 5 years through June 30, 1976.

14. Section 11 amends the Truth-in-Lending Law to exempt guaranteed student loans and National Defense Student Loans from the disclosure requirements. The major requirement (finance charge, number and amount of monthly payments, total of payments, annual percentage rate) cannot be disclosed until such time as the student graduates fromcollege and commences repayment. Thus, one of the original purposes of Truth-in-Lending (to inform borrowers prior to the loan) cannot be met. These

are the only two programs mentioned by name in Regulation Z. Both the footnotes and formal interpretations by the Federal Reserve Board have caused much confusion. Some lenders have withdrawn from the program due to the extra paperwork related to tieing truth in lending to student loans. As all terms of the loans are established by Federal law and included in the notes, there is no useful purpose served by requiring student loans to comply with this law.

I hope that this explanation will prove helpful to your committee in its consideration of these two bills. If you would like any further explanation, please do not hesitate to let me know.

Most sincerely,

LAWTON CHILES

LC/bss

P.O. Box 625
Hawthorne, Florida 32640
February 6, 1970

Senator Lawton Chiles
Senate Office Building
Washington, D.C.

Honorable Chiles:

It is my understanding that legislation is presently being considered to change the present laws concerning Federally Insured Educational Loans. As a law student at the University of Florida and one in need of financing, I attempted to obtain one of these loans. I applied at eight banks and two saving and loan associations. None of the banks I contacted were offering loans and those that had given loans were not then extending any more.

It is my understanding from one of the loan officials that when a bank gives these loans they first give them to old customers (one said that they had a requirement of 2 years in the city and a patron of their bank). However, in my fathers bank in which he has considerable money being held subsequent from his retirement, they would not consider my application.

I have talked to at least 25 people that have applied for these loans and not one has recieved any assistance. It appears that for the most part the loans are a fiction. It appears that the banks have to loan their own money, and these loans are at low interest rates, beginning after graduation. They are not anxious to loan under these terms.

I hope that something comes as a break to us students. Perhaps- this is a very unprofessional opinion- but a thought- that the government loan the money through the banks- or some such arrangement.

Thank you for your interest in this matter.

Sincerely,

Robert W. Spence
Democrats

University of Florida

13-0126 Jennings Hall
University of Florida
Gainesville, Florida
January 29, 1971

Sen. Lawton Chiles
Old Senate Office Building
Washington, D.C.

Dear Sen. Chiles:

Today, as I was glancing at The Florida Alligator, the student newspaper at the University of Florida, I came across an article which was urging students to write their Congressmen and Senators, concerning the bills dealing with federally insured loans. Since I have been turned down for what I felt was an unfair reason, I decided that I would exercise my rights through writing this letter.

I am presently a second quarter freshman at the University of Florida. I have a $1,000.00 National Defense Loan and a $450.00 Florida Regents Scholarship. I live at 2101 Northeast Fifty-first Street in Fort Lauderdale. I graduated fifteenth out of a class of six hundred from Northeast High School in the same city.

Last March I applied for a federally insured loan at Guaranty National Bank in Fort Lauderdale and was promptly turned down because my parents had filed bankruptcy five years ago due to an investment in a travel agency. Feeling that this was an inequitable decision, I wrote a letter to Presidnet Nixon, stating my feelings that a politician's rhetoric was of no use to a student who was unable to afford a college education. I waited several months and had just about given up any hope of obtaining a reply when I received a telephone call from a Mrs. Mallory in the Department of Health, Education, and Welfare. She asked me if I would like her to call Mr. James Turner, financial aid director at the University of Florida, to see whether the school would increase my National Defense Loan from $750.00 to $1,000.00. I told her that I would appreciate it very much. She did

this, so when I arrived at the University, I talked with my financial aid counselor, Mr. William Wall and my loan was increased the $250.00.

Mrs. Mallory also suggested that I try once more to obtain a federally insured loan, which I did in November. However, when I spoke with Mr. J. Ronald Fisher of Guaranty National Bank, he was extremely smug. He informed me that what the government said they guaranteed was one thing and what they really guaranteed was another. My father also reminded him that once I graduated, I would be twenty-two years of age; therefore, my parents would have no legal responsibility for repayment of the loan. He merely replied that my intentions to complete college may be excellent now, but what about next year.

I am in desperate need of this added assistance, as a year ago my father broke his ankle on a construction job and was out of work for eight weeks. During this eight weeks, he was receiving the paltry sum of $49.00 per week from Workman's Compensation. In addition, this past June, due to the state of the economy, he was laid off his construction job with the idea that in September he would return to it. However, as of yet, he has not returned to it and has therefore been forced to take a job as maintenance man for a condominium, receiving a salary of $76.00 a week.

Next year the Board of Regents are planning to raise tuition anywhere from $15.00 to $45.00 per quarter. I also have a brother who will be entering college a year from this September. With all of these things taken into consideration, it will be increasingly more difficult for my parents to assist me in obtaining my education.

Consequently, I urge you to do everything in your power to aid the college student in his plight. As Ely Chinoy states in his book, Sociological Perspective, "...it is simpler to make political speeches lauding America as a land of opportunity than to try to assess how much opportunity exists, for whom it exists, and whether it is increasing or decreasing."

Thank you for your time and any help which you may be able to give.

Sincerely,
Yvonne Rauch

Miss Diana Peeples
R.R.#1, Box 185
Titusville, Fla. 32780

March 19, 1971

Senator Lawton Childes
Washington, D. C.

Dear Senator Childes:

I know this is just one of your minor problems but to us teenagers of today it is a great major catastrophe.

The general public probably can not see the need of additional space exploration. What they do not see is that since is did get a start and families got a foothold in job security it then not only served as scientific progress but a help to the economy as well. Now that many thousands have been laid off at Cape Kennedy, many hate to distrupt their families and move if a job could be found elsewhere, but are hanging around town taking odd jobs, hoping for additional space contracts and a return to their Cape jobs. So consequently many of the wives have gone back to work to help keep food on the table. So who wants to hire an unexperienced teenager when they have all these desperate unemployed experienced people. I myself am getting very discouraged trying to find a summer job to put myself through college but don't intend to get into trouble while roaming the streets looking for work. But I can see that it definitely isn't any help to Juvenile Delinquency at all.

My father is lucky enough to have a job although his take home pay is only $63 a week for a family of four. His is a very responsible job guarding all the secrets to the Missile program and after the Assistant Security Manager was laid off he assumed parts of his job too. But the pay is so low that my mother went to work at our school cafeteria. But still their combined salaries for 1970 were only $4500 - not much over Relief or County Welfare payments.

I want very much to become a teacher and am maintaining a near straight A average and was tapped for National Honor Society, but hopes seem so slim.

I admire your technique of getting directly to the public by your walking campaigns. Us little guys appreciate it rather than these $100 a plate dinners that we couldn't afford anyway. Keep up the good work and keep plugging for Cape Kennedy and the space program.

Sincerely yours,

Diana Peeples

Dear Senator,

I am writing this letter because I feel perhaps you may be able to do something for me. I am the father of four girls, one of which is in her third year at the University of Florida. My other daughter is graduating from high school this June and is in the top 10% of her class. She would also like to attend the university but I find it financially impossible to send her. I have been trying to get a student loan through various lending institutions in Miami but none are available. I would appreciate a reply from you as to what can be done pertaining to this situation.

Sincerely yours,
Sam Lager

My adress is:
1341 N.W. 174 St.
Miami, Florida 33169

March 12, 1971

Sen. Lawton Chiles
Senate Office Building
Washington D.C.

Dear Sen. Chiles,

I have heard of the Federal Student Loan Program for college. My father has checked with several banks and was not able to find a Miami bank that loans money on this program. Could you tell me which bank, in the Greater Miami Area, to place an application. It's a fine that there is such a program set up, but what good is it if local banks will not help??
So, I ask you, what should we do?

I thank you for your time and effort.

Sincerly,
Philip R. Brown

NEWS OF THE
SOUTHEAST
Empire
The Atlanta Journal and CONSTITUTION
2-D SUNDAY, MARCH 14, 1971

FLORIDA

Even with New York City's nearly 50 per cent hike in taxi fares, Miami's are still the highest in the nation. A $2 ride in NYC costs $2.30 in Miami . . . Three firms involved in a Tampa Bay oil spill paid the state $150,000. The state originally sought $10 million in damages . . . Former Gov. Haydon Burns failed to even carry his home precinct in his losing bid for a return to politics as mayor of Jacksonville, a job he held for 16 years before becoming governor . . . Florida's new junior U.S. senator, Lawton Chiles, has a promise of 10 million for student loan programs from Greater Miami bankers and savings and loan associations. The program had been lagging badly in Dade County and throughout Florida . . . The Florida Turnpike is going to experiment with artificial turf on its median strips. Officials say they can't hire sufficient employes any more to mow grass along the turnpike . . . Land has been cleared and site improvements are being made for Dade County's first modular public housing, 328 prefab townhouses at three sites . . . Miami Public Defender Phillip Hubbart is using teams of law students from the University of Miami to look for "lost cases" — prisoners who may have been behind bars for weeks or months because paperwork is going undone somewhere in the judicial process . . . Elwyn K. Thomas, who served on the Florida Supreme Court for 22 years, died at the age of 76. . . . U.S. Sen. Adlai Stevenson III, in Miami for a series of appearances, criticized President Nixon for making "incompetent and mediocre" high level appointments. He described George Bush's elevation to the United Nations as "an insult" to the world organization.

I am a graduate of Bucknell University in Lewisburg, Pennsylvania. I am now attending Emory University School of Medicine in Atlanta, Georgia. I am married and have one child and at the present time money is hard to come by since my wife only works parttime and I can not work till this summer.

Could you also tell me where to write for my loan application so that I may get the ball rolling as soon as possible?

Thank you for showing concern about the student loan program and thanks for any help you can offer me.

Sincerely yours,
William J. DeVaul
858-1 Clifton Court Circle, N.E.
Atlanta, Georgia 30329

March 16, 1971

Dear Senator Chiles,

This is the first occasion I have to write you and I want to tell you that it was very exciting to see you elected to the Senate. In the beginning I thought it looked as though it would be impossible for someone as young and foresighted and truly concerned about people as you are, to ever be elected by Floridians. I am happy to say that I was so concerned about your running that I registered on the last day of registration and when I voted for you in September it was the first time I ever voted at all. I also voted for you in both runoffs by absentee ballot since I am a Floridian away at school. There was a lot of personal satisfaction for me to see someone ~~with~~ win who had the support of the little guy and the often disenchanted people who are written off by most politicians as unimportant.

If you have a newsletter for constituents could you put me on your mailing list? I am anxious to follow your performance while I am away at school and at present the only news I get about what's happening is the little column that I've enclosed. It appears in the Sunday Atlanta Journal

and Constitution.

I am very pleased to read that Miami bankers and loan officials are finally becoming Concerned ~~in~~ about something other than big business and condominiums. Education is an investment in the future and I've been repeatedly turned away by banks and savings and loan associations because I could give them no immediate return. My father's bank would only offer us educational support on an installment basis but if we could have afforded an installment loan we would not have been applying for educational assistance. What we needed was a long term loan ~~tht~~ that was payable when I finally became a wage earner. My father banks with one of the biggest bank - I think First National Bank of Florida (or of Miami) - the only thing I can remember is that their symbol is the sun.

Anyway, could you send me a list of the banks and savings institutions which have promised $10 million in loans. I wish to test ~~there~~ their promise since I am in desperate need of funds to continue my education and I'm a little bit suspicious of this sudden change of heart.

3084 S.W. 27 Avenue
Apartment 3
Miami, Florida 33133
March 4, 1971

Senator Lawton Chiles
United States Senate
Senate Office Building
Washington, D.C.

Dear Senator Chiles:

After reading in the Miami Herald of your efforts to secure monies for college student loans, I wish to inquire as to your success in this endeavor.

If you have arranged for such loans to be made, I would certainly appreciate your supplying me with the names of banks in the Miami area participating in the program in order that I might apply as soon as possible.

Thanking you for your efforts and wishing you a successful term, I remain,

Respectfully yours,

Robert F. Gale

Robert F. Gale

265 Ridgewood Road
Key Biscayne, Fla. 33149
March 5, 1970

Dear Senator Chiles:

I should like to express my sincere gratitude for actively supporting more loans for students from South Florida banks. You certainly did a wonderful job persuading the bankers to pledge ten million dollars when they had only been loaning one hundred and fifty thousand.

As a recent Duke U. grad who wishes to attend Law School at your alma mater, U. Fla., this greater availability of loans will be a great help for me. I won't forget your efforts six years from now.

Please continue the good work.

Sincerely,
Charles McL Hadley III
Charles McL Hadley III

March 4, 1971

Debbie Jacobson
740 Majorca Avenue
Coral Gables, Florida 33134

Senator Lawton Chiles
House of Representatives
Washington, D.C.

Dear Senator Chiles:

I sincerely appreciate your concern and interest in the financial needs of the students. I am one of these students and I am writing to you in hopes that you will inform me on how I may receive a loan for college. I am presently attending Miami Dade Junior College, South Campus. In the fall I plan to go to University of Florida. My major is special education . My ultimate goal is to teach mentally retarded children. Right now there are 5.4 million mentally retarded children in the U.S. and the level will never decrease but steadily rise. They don't have proper teaching and sanitary facilities let alone willing and helpful people.

As it stands now, Miami Dade doesn't have enough funds to grant me a loan. They didn't have enough for me last summer and probably hundreds of other students. My father is a DAV. He hasn't worked since April due to the fact that he was in the hospital and our income isn't enough to put me through four years of college plus the additional time to get a masters degree. Also, I have gone to a few banks and they claim they don't have enough money. Truthfully speaking, I can't conceive of a bank not having money.

Again I must say, I want to dedicate myself to these children. I have been to different institutions and I have enough experience to know that drastic changes must be made or at least attempted. I am in a dilemma and don't know where to go from here. I would more than appreciate your help in any way possible.

Sincerely,

Debbie Jacobson

Debbie Jacobson

Honorable Senator Chiles:
A few months ago I wrote you about how difficult it was to try and get a student loan for my daughter. I told you that I have one child who is in the junior year at the University of Fla., and another child who is preparing to go this fall. You wrote me giving a list of banks that you said were participating in these loans, I have called these banks for the past two months, and none of them have given me any definate information. The City National Bank says that they will probably go into it but don't know when, they also said, if they do go into it, it will probably be for only their customers. The

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First National Bank of Miami, as of today still hasn't gone into it. They said their waiting for Atlanta to clear up some details. The other banks have similar excuses, meanwhile time is running out and I would like to know what I should do. I have four daughters who are very eager to go to college. What do you tell a child that wants to go to college? I would like to hear from you as soon as possible.

Sincerely yours
Samuel Sager
1341 N.W. 174th ST.
Miami, Fla. 33169

MAX DOBRIN, M. D.
520 WEST DILIDO DRIVE
MIAMI BEACH, FLORIDA 33139

May 6, 1971

The Honorable Lawton Chiles
Senate Office Building
Washington, D.C.

Dear Senator Chiles:

I wish to commend you in your efforts to expand the government's program of guaranteed loans for college students.

When my husband & I went to speak to our local bank (where we have been depositors since 1933) regarding a student loan for our granddaughter, whom we are putting through college - even though she was born on Miami Beach & is an honor student - we were laughed at. They refuse to grant any student loans.

We are praying all your efforts - & trust ~~that~~ this one will produce concrete results soon -

Sincerely -
(Mrs. Max) Rae F. Dobrin

Donald R. Fox
4610 S. W. 13th Street
Miami, Florida 33134

Hon. Lawton Chiles
Senate Office Bldg. (Florida)
Washington, D. C. 20510

Dear Senator Chiles:

In reading the May 6th Miami Herald I noticed an article whereby you are introducing two bills, one to raise the loan limit for college students, the other to achieve a secondary market for loans that will make them more appealing to loan institutes.

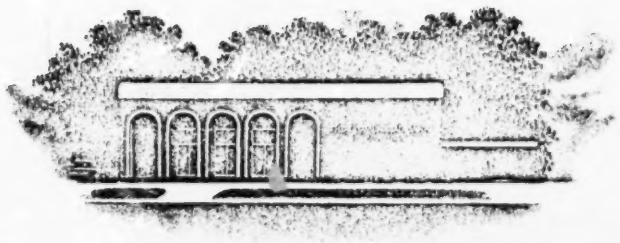
I am most interested in this, as I have one son who is now attending the University of Florida. We tried to obtain a student loan from banks in Dade County and could not find a single bank w hich said they participated in this program. I even called the local Health, Education and Welfare Board, but they told me they could not give me any information as to which bank did or did not participate in student loans.

Would it be at all possible for you to give me the names of some of the banks in Dade County that participate in this program? It is most urgent that we have financial assistance in this matter.

I know you are one who has the people's interest at heart and so do not feel that this letter is just a waste of time. I pray that you have strength and courage in your new role as a United States Senator from the State of Florida, and do not let problems discourage you.

Sincerely yours,

Donald R. Fox Sr.



THE *Commercial Bank*
OF GAINESVILLE
1717 NORTHWEST 13TH STREET • POST OFFICE BOX 969 • GAINESVILLE, FLORIDA 32601

June 7,1971

Sen. Lawton Chiles
United States Senator
Washington, D.C.

Dear Sen. Chiles:

Regarding your bill S 1755 providing for a secondary market, you certainly have our support. We have 3-4 applications per week here, and many would be made if the repayment terms were better.

Would like to know more about the mechanics of the secondary market, but overall the bill seems sorely needed.

Sincerely,

H.R. Davis
Vice President

HRD:jb

LAW OFFICES
RICHARDS, NODINE, GILKEY, FITE & MEYER, P. A.
LINCOLN & PARK
CLEARWATER, FLORIDA 33516
TELEPHONE 442-5103

RALPH RICHARDS
WILLIAM E. NODINE
WILLIAM W. GILKEY
JOHN D. FITE
LARRY K. MEYER

June 3, 1971

Honorable Lawton Chiles
United States Senator
Washington, D. C. 20510

Dear Senator Chiles:

I received your recent letter and have read with interest your two bills, S. 1755 and S. 1756. As you know, the general purpose of these bills is to make it easier for college students to borrow money to cover the cost of their educations. While I know you had the best of intentions in introducing these bills, I must say that I do not think the general idea of lending money to students in order to finance their college educations is a good one. And I hasten to say that this conclusion is not just a general idea on my part, but is based on many long years of experience.

I have practiced law in Florida for nearly fifty years. During these years I have had several clients who had no close heirs, who had money to leave, and who wanted to leave it in a way that would accomplish some good in the world. Several of these clients have left funds to a trust of which I am serving as Trustee, and over the years this trust has probably had something over $100,000.00 in it. Consequently, I have had a lot of experience in disbursing these funds.

One of the first things I started to do with these funds when they first came under my control was to lend them to students who wanted to attend college. I have made a great many loans of this kind, and I regret to say that they have not proved to be very successful. It is easy for a young man who wants to go to college to promise to repay a loan just as soon as he finishes college and gets a job. Usually he has the best of intentions in making such promises, but in a great many cases the promises

are simply not kept.

When a young man gets out of college, one of the first things he needs is an automobile if he doesn't already have one. He usually buys one on time, and the monthly payments frequently extend over a period of years. The next thing he does is to get married, and of course this takes money. Then before long a baby comes along, and of course that means more expense. The net result of all this is that the young man pays his current expenses as he goes along, and simply does not have any money to make payments on the loan he negotiated to pay his college expenses. Over the years I have received dozens and dozens of letters from young men and young women to whom I have made loans for their college educations, telling me how badly they would like to repay the loan but why they cannot do so. And I regret to say that in some cases the young man seems to feel that paying for his college education is like paying for a dead horse, and that there is something unethical in expecting him to repay the loan. In other words, a large number of young people seem to feel that they are entitled to a college education and that they shouldn't be required to pay for it.

In addition to the conclusions I have reached because of my own long experience in this field, I am convinced that our colleges and universities are overcrowded and are getting entirely too large. I think the idea that every young man and young woman is entitled to a college education is not a sound one. I feel that college educations should be available only to students who have the mental capacity to absorb them and get the most good out of them, and that such students should be given outright grants instead of loans to enable them to attend college.

In conclusion, let me say that I voted for you, I think you are making a United States Senator of whom Florida can be very proud, and I wish you the best of everything.

Sincerely yours,

Ralph Richards

Ralph Richards

RR/mm

FIRST
FEDERAL
SAVINGS
AND LOAN ASSOCIATION OF ST. PETERSBURG

MAIN OFFICE
CENTRAL AVENUE AT FOURTH STREET
POST OFFICE BOX 1509
ST. PETERSBURG, FLORIDA 33731

Telephone 893-1221

OSCAR R. KREUTZ
CHAIRMAN OF THE BOARD

June 7, 1971

Honorable Lawton Chiles
Senate Office Building
Washington, D. C.

Dear Lawton:

I have read with interest your Bills S. 1755 and S. 1756. They appear to be a step in the right direction although I assume you are not sanguine about early action on them. But, here are my wishes for the best of luck with them.

Warm personal regards, I am,

Sincerely,

Oscar R. Kreutz
Chairman

ORK/mem

2501

AMERICAN NATIONAL BANK AND TRUST COMPANY
of Fort Lauderdale
FORT LAUDERDALE, FLORIDA

FOY B. FLEMING
CHAIRMAN OF THE BOARD

June 4, 1971

Honorable Lawton Chiles
United States Senate
Washington, D.C. 20510

Dear Senator Chiles:

Thank you for your letter with regard to the Student Assistance Act and the Secondary Student Loan Market Act. I think this is excellent legislation.

At the American National Bank, we have interest in helping students with loans. At the present time, we have approximately $700,000.00 outstanding in loans to students.

If your bills are passed, I think it will encourage other banks to enter into this area.

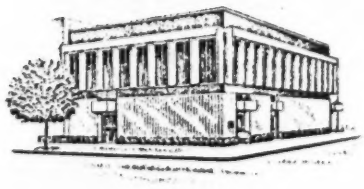
Sincerely yours,

Foy B. Fleming

Foy B. Fleming

FBF:mb

ESTABLISHED 1889



The Bank of Pasco County

Dade City, Florida 33525

June 4, 1971

The Honorable Lawton Chiles
United States Senator
State of Florida
Washington, D. C. 20510

Dear Senator Chiles:

Thank you for your letter in regard to the Student Assistance Act which you have introduced. I am pleased to advise you that the Bank of Pasco County has participated in the Student Loan Program since its inception and continued to do so through the tight money period in '69 and early '70. We have presently outstanding 127 student loans in the total amount of $155,900.00. Earlier this year our Board approved a plan whereby we allocated 1½% of our total deposits to the Student Loan Program. We felt that by putting it on a percentage basis it would allow us to increase our available funds for the Student Loan Program as our bank, our area, and our student needs grow. We wholeheartedly support the legislation you have introduced.

I have heard many favorable comments on your visit here two weeks ago, both on your remarks at the Court House as well as your speech at the F.F.A. Banquet.

Please let me say thanks for the job you are doing, and best wishes from all of us.

Sincerely,

Hjalma

Hjalma E. Johnson
President

HEJ/kr

FIRST FEDERAL
Savings and Loan Association of Orlando
P. O. Box 2073 • Orlando, Florida 32802 • Telephone 841-3430

MAIN OFFICE . . . DOWNTOWN
Corner Magnolia & Church

J. M. CROSON
PRESIDENT

June 3, 1971

RECEIVED
JUN - 7 1971
Washington, D. C. 20510

Senator Lawton Chiles
United States Senate
Washington, D.C. 20510

Dear Senator Chiles:

In response to your letter regarding the two bills you introduced concerning assisting students in financing the cost of education, it is our opinion that the current amount of $1,500 a year is ample. I realise the cost of education has gone up but I do not believe that any government program should provide for practically all the students expenses while going to college.

It is possible that a graduate student in the professional field such as law, medicine and so forth would need up to $2,500 but I can't see how an under-graduate student would require so much assistance.

We agree that the elimination of some of the now approved schools is a good move and that the secondary market warehousing feature is also a good idea.

We have made approximately $325,000 in student loans so far and to date we have not had a complaint about the $1,500 being insufficient.

When I left college I know I had some money to repay from a program that they had and it was a burden on me for several years. I am afraid that a young person going to college would not be aware of the fact that he would have to repay $10,000 plus interest after he got out of school.

To summarize, the bill appears fine to me with the exception of the $2,500 for under-graduate students.

Yours very truly,

J. M. Croson
President

OTHER OFFICES: DIXIE VILLAGE • DOVER SHORES • COLLEGE PARK • WEST COLONIAL • APOPKA • CROSS COUNTY

ROBERT V. RUCKMAN
PRESIDENT

Southeast Everglades Bank of Fort Lauderdale
1710 SOUTH ANDREWS AVENUE
FORT LAUDERDALE, FLORIDA 33310
(305) 525-3411

June 2, 1971

Honorable Lawton Chiles
United States Senator
Washington, D. C. 20510

Dear Sir:

In reply to your letter received June 1, 1971, where you referred to the Student Assistance Act of 1971 and the Secondary Student Loan Market Act of 1971, I would like to advise that Southeast Banking Corporation and The First National Bank of Miami are reviewing these Bills. Southeast Everglades Bank of Fort Lauderdale is an affiliate of Southeast Banking Corporation and also The First National Bank of Miami is an affiliate. When this review has been completed this bank will be so advised and we will act accordingly.

This bank was one of the few banks in Broward County that made available loans to students under the USAF and also the USGL Plan. We had commitments under these two Programs exceeding $100,000.

I believe the two Bills introduced by you to the United States Senate are good Bills and I sincerely hope that proper action can be taken on them.

Very truly yours,

Robert V. Ruckman
President

RVR:db

THE FIRST NATIONAL BANK IN FORT LAUDERDALE
FORT LAUDERDALE, FLORIDA 33310

GEORGE N. BUTLER
EXECUTIVE VICE PRESIDENT

June 1, 1971

The Hon. Lawton Chiles
United States Senate
Washington, D. C. 20510

Dear Mr. Chiles:

This acknowledges your letter addressed to Mr. Millsaps, President of our bank, and to me, with reference to The Student Assistance Act of 1971 and the Secondary Student Loan Market Act of 1971.

While we are not fully informed as to the detailed activities of other banks in our area insofar as student loans are concerned, we have been reasonably active in the program, even though in most instances we have handled loans for students whose parents have a banking connection with us. At the moment I know of no reason why we will not continue the program on the same basis. I presume that as an organization we will give reasonable support to legislation on the subject.

Now, on a personal note, I lean to a more conservative type of government than we have in some areas of our national politics. I feel that we will all concur that there has been too much unrest and radical behavior on our campuses; and, while we do not have full facts, it appears that a good number in this movement are perhaps in school on scholarships or student loans. I have a strong personal feeling that thus a number of so-called "students" in colleges "with public support - taxes" would be much better off in either trade schools or on a job more fitted to their inclinations. Isn't it likely that we are not placing enough responsibility on these young people and are, to the contrary, handing them too much on a silver platter, thus, not teaching them the basic responsibilities of life.

THE FIRST NATIONAL BANK
FORT LAUDERDALE, FLORIDA

The Hon. Lawton Chiles -2-
June 1, 1971

Somewhere along the line, the public might rebel at spending billions of dollars on unworthy causes.

I feel that government is already much too much involved in matters which should be turned back to Municipal or State level responsibility. Education is over-played and over-protected.

Am pleased that you are on the Florida Bankers' schedule at the Americana, and look forward to your participation.

Sincerely,

G. N. Butler
Executive Vice President

GNB:tr

FIRST NATIONAL BANK
P.O. DRAWER 1327 • FORT WALTON BEACH, FLORIDA 32548

June 3, 1971

Senator Lawton Chiles
United States Senate
Washington, D.C. 20510

Dear Senator Chiles:

We appreciate the letter sent to us recently concerning two bills directed to the problem of assisting students in educational costs in college. The Student Assistance Act increasing the amount that could be borrowed to $2,500 for high cost courses of study, insuring the principal and interest of the loan, providing for interest subsidy and strengthening participation restrictions meets with our approval; however, we feel that repayment limits should remain as they have been in the past. We wholeheartedly support the Secondary Market Act since this would give us an opportunity to further serve students. It is my understanding that 80% of our outstanding student loans would be purchased thereby enabling us to make additional student loans.

I feel that passage of these bills would revive our interest in making further student loans since we have been refusing these loans recently.

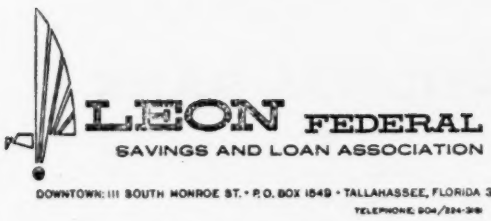
If you are ever down this way, please feel free to call on us and thanks for the fine work you are doing for these students as well as our organizations.

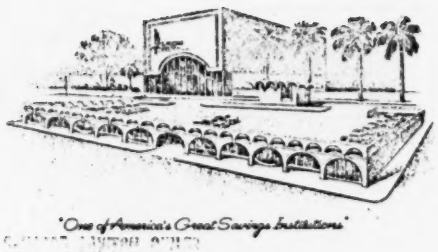
Very truly yours,

Theodore P. Booras

Theodore P. Booras
Vice President

TPB/mis





June 4, 1971

RECEIVED
JUN - 7 1971
Washington, D. C. 20510

The Honorable Lawton Chiles
United States Senate
Washington, D. C. 20510

Dear Lawton:

Thank you for sending me a copy of the bills you have introduced which will assist students in financing the costs of their higher education.

Both pieces of legislation are excellent and I have several suggestions that may be helpful:

1. The amount that could be borrowed should be increased to $3,500 (rather than $2,500). This would be of great assistance to those students attending privately-owned liberal arts colleges, where the cost runs 30-40% higher than state-owned universities.

2. I do not think the interest subsidy is necessary. Once these students graduate, the highest majority will be happy to repay the true cost of their educational loans.

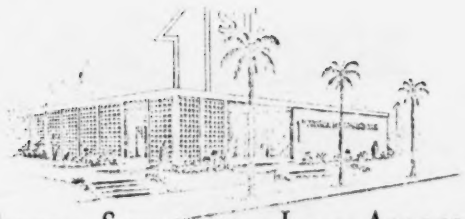
3. The Secondary Market idea is excellent. It might be helpful to allocate quotas to lending institutions to ensure an equitable spread of the money available. (There will never be enough.)

Come see me on your next trip to Tallahassee. I miss you in the Florida Senate.

Cordially,

SAM TEAGUE
Executive Vice President

ST/ps



FIRST FEDERAL SAVINGS AND LOAN ASSOCIATION
OF PLANT CITY
PLANT CITY, FLORIDA

ROY E. THACKER
PRESIDENT

TELEPHONES
PLANT CITY 752-6193
TAMPA (DIRECT LINE) 229-1421

June 4, 1971

SENATOR LAWTON CHILES
RECEIVED
JUN - 7 1971
WASHINGTON, D. C. 20510

The Honorable Lawton Chiles
United States Senate
Committee on Government Operations
Washington, D. C. 20510

Dear Lawton:

I appreciated your letter and the copies of the two bills -- the Student Assistance Ace and the Secondary Student Loan Market Act which you introduced. We have been active in this field since the beginning and know that these two bills meet a definite need. First, the present loan ceiling often gets the student into trouble because it is insufficient to meet the needs. And, of course, one of the problems in this type of lending is that the money is tied up for a long period of time and there is no liquidity in it. As you suggest, the secondary market will enable us to stay active in the market. We congratulate you.

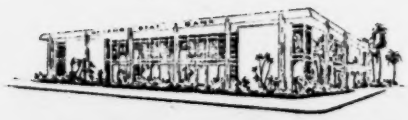
Keep up the good work. You're off to a good start!

Sincerely,

Roy

Roy E. Thacker
President

RET/ecp



DELAND STATE BANK

WENDELL JARRARD, JR.
EXECUTIVE VICE PRESIDENT

P. O. DRAWER 128
DeLand, Florida 32720

TELEPHONE
734-8511
AREA CODE 904

June 2, 1971

The Honorable Lawton Chiles
United States Senate
Washington, D. C.

Dear Senator Chiles:

Thank you very much for your recent letter and copies of the two bills you introduced in the United States Senate which are directed to the problem of assisting students in financing the cost of continuing their education after high school. I am highly enthused by these bills and the actions you have taken.

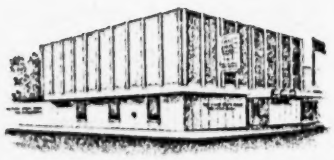
I have discussed these with my colleagues who, in the past, have handled student aid loans. They agree that the bills you have introduced cover the type of program banks need in order to provide students with loans, particularly those students who live outside a bank's trade area but attend a university in the town where the bank is located. At present it is only sound business practice for a bank to invest in students who live and who will return to become a useful citizen in the bank's community.

I whole heartedly endorse the legislation you introduced and will be happy to assist in its passage in any way I can.

Sincerely,

Wendell Jarrard, Jr.

WJjr:ln



THE *First* STATE BANK
FORT MEADE, FLORIDA.

June 2, 1971

Honorable Lawton Chiles
United States Senate
Washington, D. C. 20510

Dear Lawton:

I am in receipt of your letter and the copy of the Congressional Record pertaining to The Student Assistance Act and Secondary Student Loan Market Act.

Our bank has been making "Student Loans" of one nature or another since 1964 and we were certainly relieved when Title IV of the Higher Education Act of 1965 became operative. Like other lending institutions, however, we had to stop consideration of these loans some eight months ago because of the large amount outstanding and the long repayment period involved.

I am gratified that the Senator from Imperial Polk County has had the foresight to try to alleviate some of the major roadblocks in the existing bill, enabling us to reopen this important segment of our loan portfolio.

Please rest assured that we will contact the other members of Congress from Florida, asking them to support you in this legislation and please call upon us if we can be helpful in any other way.

Keep up the good work and stop to see us when you're "home".

Yours truly,

THE FIRST STATE BANK

Don Rogers

Donald C. Rogers
President

DCR:ws

FIRST FEDERAL SAVINGS
AND LOAN ASSOCIATION OF WEST PALM BEACH
FLORIDA-33402

215 SOUTH OLIVE AVE.

FROM THE OFFICE OF
THE PRESIDENT

June 1, 1971

The Honorable Lawton Chiles
United States Senate
Washington, D. C. 20510

Dear Senator Chiles:

Your education bills, just introduced, should prove quite helpful to eligible, deserving students who might otherwise be unable to continue their education.

You have asked for comments and I have just two. Section 477 apparently does not provide for direct sale of obligations on the open market, but rather it seems to require that any sales be made by the Secretary of the Treasury. Perhaps authority for direct sales could be given directly to the Secretary of Health, Education and Welfare after advice and consent of the Secretary of the Treasury if you agree this might prove important in the future. Of much lesser importance, the second sentence of Section 481 apparently has misprinted the word "American" where "Association" was intended.

As you know, Savings and Loan Associations have been empowered for quite some time to make education loans and, yet, many have been reluctant to do so for a variety of reasons.

Your proposals should make this type of paper more desirable while at the same time providing means for moving money from areas of surplus to areas of need.

You can be sure we will follow your bills with interest since, if they are passed, we will certainly want to reevaluate our posture in this important area of activity.

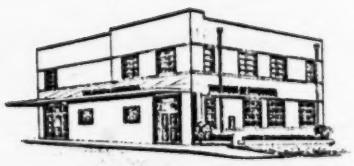
Very truly yours,

Loy Anderson

H. Loy Anderson

HLA:gs

2513



THE BANK OF INVERNESS

INVERNESS, FLORIDA

GEORGE H. BRANNEN
PRESIDENT

June 2, 1971

Senator Lawton Chiles
U. S. Senate
Washington, D. C.

Dear Lawton:

This will acknowledge receipt of your letter with reference to two bills that you have introduced in the U. S. Senate dealing with the Student Loan Program and the Federally Insured Loans. I think you are to be commended in taking the lead in this matter for it seems to me that it has been poorly handled in the past.

Mostly all these loans we have made in the past have given us constant trouble and I hope your bills, if passed, will clarify the situation for the public and banks.

Lawton, I want to thank you for the fine work you are doing in the Senate, and be assured if I can help you in any way do not hesitate to call on me.

Sincerely yours,

George

George H. Brannen
President

GHB:kd

Orlando Federal Savings
AND LOAN ASSOCIATION
MAGNOLIA AVENUE AT LIVINGSTON, TELEPHONE 423-5541
Orlando, Florida

JAMES H. SNELLINGS
EXECUTIVE VICE PRESIDENT

June 1, 1971

Honorable Lawton Chiles
United States Senate
Washington D. C. 20510

Dear Senator Chiles:

From the information you have in your letter concerning your Student Assistance Act, it appears to us that this would improve the student loan situation to a great extent.

We are pleased that you have introduced this legislation.

Sincerely yours,

James H. Snellings

JHS:mc

JACKSONVILLE FEDERAL
SAVINGS AND LOAN ASSOCIATION
TELEPHONE 398-8633
2107 HENDRICKS AVENUE
BRANCH · 3200 EMERSON STREET
JACKSONVILLE, FLORIDA 32207

W. M. MASON, JR., PRESIDENT
HARRY G. KINCAID, SECRETARY
EUGENE BROWN, VICE PRESIDENT
KENNETH A. MERRILL, TREASURER

INSURED

An Insured Association
MEMBER FEDERAL HOME LOAN BANK SYSTEM
MEMBER FEDERAL SAVINGS & LOAN INSURANCE CORPORATION

June 2, 1971

The Honorable Lawton Chiles
United States Senate
Washington, D. C. 20510

Dear Senator Chiles:

I was interested in looking over the information you sent the other day, on the two bills relating to financing the cost of education.

It would seem that the best way to encourage higher education, and thereby increase the earning capacity of our oncoming generation, would be to grant a tax deduction for money spent on college education. I would imagine that some government body, somewhere, either has or could develop figures that would show that this would actually make money for the Treasury Department in the long run.

If this idea appeals to you, would it be possible for you to introduce such a measure in the Senate?

Very truly yours,

W. M. Mason, Jr.
President

WMM:csl

HOME
FEDERAL
SAVINGS
and Loan Association of Palm Beach

SOUTH COUNTY ROAD AT ROYAL PALM WAY
PALM BEACH, FLORIDA 33480

DIRECTORS
WILLIAM E. APPEL, M.D.
JAMES S. BRANCH, JR.
PILLY S. BURNS
JOHN H. COUSE
MARSHALL M. CRISP
WADE D. KEY
JAMES E. SIMMONS
JOHN STETSON

May 28, 1971

Senator Lawton Chiles
Committee on Agriculture and Forestry
Washington, D. C. 20510

Dear Senator Chiles:

I appreciate very much your letter of May 25, relative to the guaranteed student loan program. I also appreciate the interest you are already showing in this program in the Senate.

The student loan program is already helping a great number of students who might not be able to attend college otherwise. It is also appreciated by the rank and file taxpayer.

Our program was implemented with a view toward service and wide public acceptance of our institution as opposed to a profit motive. We have made loans totaling approximately $300,000, in the past 2 years, and have authority to grant an additional $250,000. It appears that servicing will certainly be a major problem as the program matures. I hope you will make sure that the rates permitted will enable the lender to break even, since many banks and savings and loan associations are not participating for this reason. A second market and a proper fee for servicing would insure the continuing success of this program.

Again thank you for your interest.

Very truly yours,

Wade D. Key
President

WDK/bhw

First Federal Savings and Loan Association
OF DELRAY BEACH

645 EAST ATLANTIC AVENUE · POST OFFICE BOX 430
Delray Beach, Florida
TELEPHONE 276-6311

C. HARRISON NEWMAN
EXECUTIVE VICE PRESIDENT

May 28, 1971

Senator Lawton Chiles
United States Senate
Committee on Agriculture and Forestry
Washington, D.C. 20510

Dear Lawton:

I was glad to receive your letter today regarding The Student Assistance Act of 1971 and the Secondary Student Loan Market Act of 1971. I have read your proposed legislation in this regard, and my Board and I would support it and participate in it upon its successful passage.

I am sure you will be interested in knowing that the First Federal of Delray is committed to a student lending program in the Delray Beach, Boca Raton, and Boynton Beach areas, and has been successful in helping local students further their education. The legislation you propose would give it even greater latitude than in the past.

Please let me know if I can be of any additional assistance to you.

Sincerely,

Harry

C. Harrison Newman
Executive Vice President

CHN:cn

cc: Senator Edward J. Gurney
5105 New Senate
Office Building 20510
Washington, D.C.

First Federal Savings AND LOAN ASSOCIATION
COCOA, FLORIDA 32922 PHONE (305) 636-1731

Main Office 505 Brevard Avenue • Cocoa Beach 505 North Orlando Avenue • Merritt Island 250 North Courtenay Parkway

May 28, 1971

The Honorable Lawton Chiles
United States Senate
Committee on Government Operations
Washington, D. C. 20510

Dear Senator Chiles:

We have been active in the student loan program for approximately the past year and continue to grant loans to students, whether they or their families are customers of this institution or not. We intend to continue to be as active in this program as we can.

We have communicated our thoughts on the program to a member of Congress in the past and your legislation seems to strengthen the exact areas that we felt needed to be strengthened.

I have felt that from strictly a business standpoint that the financial institution needed to be assured that funds it had invested in student loans would earn for it an interest rate from time to time that would be competitive with other investments. This would be especially true during economic periods when interest rates could fluctuate. The other area, of course, was the establishment and maintenance of a secondary market in these loans.

We will be happy to support your legislation.

Sincerely,

J. R. Shirek
President

JRS:kp

Member: Federal Savings and Loan Insurance Corporation

THE
FLORIDA NATIONAL BANK
AT GAINESVILLE

ADDRESS
P. O. BOX 700

TELEPHONE
378-2621

GAINESVILLE, FLORIDA 32601

April 15, 1971

The Honorable Lawton M. Chiles
Old Senate Office Building - Suite 421
Washington, D. C 20013

Dear Lawton:

Thank you for your recent letter, for your active interest in the Federally Insured Student Loan Program and for forwarding the copies of the bills that you plan to introduce in the Senate.

To assist in proper communication I am returning the bills with my humble remarks and suggestions for your review. I trust that you will find them of some benefit.

First, I will refer to the bill that I have labeled "A". I feel that the title of the Act is most appropriate for I like the word "loan" as opposed to "give-away".

In Section 2 of your Bill and Section 424 (a) of the Higher Education Act should not the ceiling of $1,400,000,000 be increase accordingly to accomodate the great increase in student loans that may be anticipated?

Perhaps in Congressional Bills specific dates must be included but, I feel that by 1980 we will really be moving in this area and I would dispair seeing another delay such as the one we are faced with now. This is specified under Section 2 (b)of your bill.

Under Section 3 of your Bill and Section 425 (a) of the Act I would insert the maximum loan allowable in any academic year to $2,500.00. However, some criteria must be established for eligible institutions where fees are unusually high! Still under Section 3 (2), I would increase the aggregate to $12,500.00 to accomodate those students who are enrolled in five year courses such as pharmacy or engineering in high cost institutions.

The Honorable Lawton M. Chiles
Old Senate Office Building - Suite 421

April 15, 1971
Page 2

Under your Section 3 (b) (1) I definitely concur that interest should be included. I believe most lenders would take the same stand. Why lose money on a program that is now difficult to market?

Under Section 427 (a) (1) (C) I believe the institution should be more realistic and accurate in their estimate of a student's expenses. Too often I receive applications where the student has obviously completed this item.

Under Section 4 of your Bill and Section 427 (a) (2) (B) of the Act I firmly believe this should read as follows "(B) provides for repayment---of the principal amount of the loan in regular monthly installmants over a period to be determined by an agreement between the student borrower and the lender but no more than ten years beginning not later than one year after the date---."

Under Section 4 (b) I am definitely in favor of including the accrued interest on a loan under the insurance liability.

Under Section 427 (b) I am definitely opposed to a fixed interest rate but if we must live with this philosophy then we must assuredly continue with the subsidy program established by the Secretary of H.E.W. The recent quarterly subsidies are probably quite adequate with Northern banks but here in the South it leaves much to be desired.

Under Section 428 (a) (1) (ii) (b) I would certainly recommend that the adjusted family income of $15,000 be increased to $20,000. I am basing this recommendation on the continually increasing cost of living and the increased cost of education. Also, consider that many families have more than one child in college. To reduce this figure would do a great disservice to numerous families and to increase it would be more equitable.

Under Section 5 (b) of your Bill and Section 428 (b) (1) (D) of the Act, I would once again recommend strongly that repayment be arranged between the borrower and the lender. I feel strongly on this subject for the present Act makes it extremely difficult for lenders to service the loan and for the student borrowers to repay their obligations promptly, in an orderly manner, and in accordance with their income.

Under Section 5 of your Bill and Section 428 (b) (1) of the Act, I am in complete accord that the insurance premium should be increased to one half of one per centum in order to properly administer the program and to provide a reserve for anticipated defaults that will increase as the number of loans increase.

The above concludes my remarks on your proposed Bill identified as "A". I think it is an excellent Bill, far superior to any of the many others that I have read.

Your second Bill which I have referred to as "B" is exactly what the banking community needs to inspire participation in the program. As a result I have no suggestions to add to the Bill itself. However, I would like to offer the following comments.

On Page 5, Line 18, I am in complete agreement with the warehousing provision.

In conclusion allow me to add the following points. Earlier I mentioned the necessity for continuing with the subsidy program on qualified loans. I feel that without such a subsidy and with our "roller coaster" interest rates that a lenders incentive to get into the program or to stay in the program would be considerably reduced.

With this program I feel that there are a great many lenders who are not aware of the program. Letters or bulletins from the American Bankers Association, State Banking Associations and personal contact with lenders encouraging participation would help a great deal.

It is my understanding that some plans have been suggested in regard to the operation of a Student Loan Marketing Association, plans to the extent that a student loan will be sold at a discount. If this is correct I do not think you will find many lenders willing to sell a low yield loan at a discount but, if this discount is necessary in order to establish the marketing arrangements then I would like to offer the following recommendation: (1) that student loans will be purchased at par by the association if the proceeds of the sale will be invested in new student loans and, (2) that if a student loan is sold to the Association at a discount, the proceeds of the sale may be invested in any manner by the lender.

I believe that the student loan program should in no way be construed as a give away program even though the government will subsidize or pay a portion of the interest. I would hope that the advocates of the program would consider that this program will make college and vocational school possible for many hundreds of thousands of students and that with this improved education the intellectual and economic wellbeing of our country will be considerably improved. Also, economically speaking, if such an improvement exists the income of today's students students or proposed students will increase substantially over their average working life time and the government will benefit by the collection of income tax on these higher earnings. I believe a statistition could determine the amount that the government will pay out in subsidies and interest as opposed to the amount that will be returned by taxation and I feel that the taxation will far out weigh any government payments.

With the adoption of a sound and reasonable student loan program I feel that the financial aid advisors of the colleges and universities should emphasize to

student applicants that this is basically a hometown program and that they should contact the bank in their hometown in order to obtain the student loan. This would take the pressure off small banks in large university cities such as Gainesville. I realize that Congress works slowly in some areas but I would hope that a student loan bill would be passed in the immediate future in order that prospective students may make their plans for attending the college and/or university of their choice in May or June. If action is delayed until the latter part of the summer or September there will be many hundreds of thousands of students unable to attend college because of the necessity of completing the required paperwork.

I hope that these suggestions will in some small way be of assistance to you and if I may help in any way, please let me know.

Sincerely,

Dick

G. Richard Flamand, Jr.
Vice President

sr

Enclosures

VALENCIA JUNIOR COLLEGE
P. O. BOX 3028
ORLANDO, FLORIDA 32802

June 21, 1971

Senator Claiborne Pell
325 Old Senate Office Building
Washington, D. C.

Dear Senator Pell:

I respectfully request your support for Senate Bills 1755 and 1756 which would create a secondary money market and provide a warehousing vehicle for Federally Insured Student Loans. Many of our local banks do not participate in the Federally Insured Loan Program because they are required to hold all papers for 5 to 10 years. These Bills would attempt to correct this problem.

I would like to also request that you hold hearings at which college administrators could testify concerning this program.

Any assistance you might render concerning this matter would be greatly appreciated.

Sincerely yours,

Ronald W. Reinighaus

Ronald W. Reinighaus
Coordinator of Federal Programs

RR/jw

Tampa Technical Institute

TRAINING ENGINEERING TECHNICIANS SINCE 1948

1005 E. Jackson Street
Tampa, Florida 33602
Phone 223-1637

June 14, 1971

Senator Claiborne Pell
325 Old Senate Office Building
Washington, D.C.

Dear Senator Pell:

Tampa Technical Institute is an eligible institution to participate in the Federal Insured Student Loan Program. As I see it, student loans are specifically designed to enable children of low income families to afford an education. Our experience is that the local banks refuse to lend to students unless their families have "experience" with the bank, however, those students which need the most assistance from this program are in the poorest position to secure a loan.

Perhaps what the Senate needs most is to have hearings held in which college administrators could bring testimony that would reflect the local banks attitude on Federally Insured loans.

The bills introduced by Senator Chiles #1755 and 1756 creating a secondary market and providing warehousing for FISL will strengthen the Federally Insured Loan Program in the area of low income families.

I strongly urge you to support the passage of this bill.

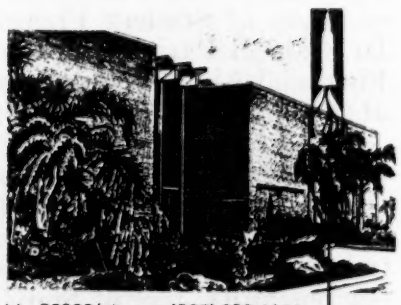
Sincerely,

E. Begue'

E. Begue'
President

EB:aml

ACCREDITED SCHOOL
National Association of Trade and Technical Schools



BREVARD
JUNIOR
COLLEGE
cocoa, florida 32922/phone: (305) 632-1111

June 16, 1971

The Honorable Claiborne Pell
325 Old Senate Office Building
Washington, D. C.

Dear Mr. Pell:

It is our understanding that Senator Chiles has recently offered two bills (Senate Bills 1755-1756) that would tend to alleviate the problems our students are experiencing in obtaining Federally Insured Loans.

I would like to advise you that it is very difficult, and many times impossible, for a community college student to find a willing lender in Brevard County. My office has widely advertised the fact that this program exists; however, we repeatedly find that students are simply unable to obtain these loans. The banks that are participating in the program in a very limited way often tend to restrict the loans to students in their junior or senior year at college or to students whose parents are favorable clients of the bank.

I recommend that you support these bills. I would be willing to provide additional information, if needed.

Further, I recommend that you hold hearings at which college administrators could testify as to the nature and extent of the problem.

Very truly yours,

BREVARD COMMUNITY COLLEGE

William C. Taylor

William C. Taylor
Director of Financial Aid and
Placement

WCT:mt

cc: Mr. Gilfilen

.... a multi-campus college serving the dynamic cape kennedy area

60-433 O - 71 - pt. 5 - 23

Senator PELL. The final witness today will be Mr. Allan W. Purdy, chairman of State and Federal program relations of the National Association of Student Financial Aid Administrators, accompanied by Dr. Carroll Parish, president of the National Association of Student Financial Aid Administrators and Mrs. Eunice L. Edwards, president of the Southern Association of Student Financial Aid Administrators.

I look forward to hearing from this panel who represent individuals who have to implement the legislation after it is passed.

They, too, are Indians and not chiefs, and have the responsibility for making some sense and order out of the sometimes imperfect legislation that comes from the Congress. On their shoulders rests very real responsibility, too, of finding the fraction amount of aid to each student that they have in their area of cost.

I know the subcommittee will benefit from your views.

STATEMENT OF ALLAN W. PURDY, CHAIRMAN, STATE AND FEDERAL PROGRAM RELATIONS, NATIONAL ASSOCIATION OF STUDENT FINANCIAL AID ADMINISTRATORS; ACCOMPANIED BY DR. CARROLL PARISH, PRESIDENT, NATIONAL ASSOCIATION OF STUDENT FINANCIAL AID ADMINISTRATORS, AND MRS. EUNICE L. EDWARDS, PRESIDENT, SOUTHERN ASSOCIATION OF STUDENT FINANCIAL AID ADMINISTRATORS

Mr. PURDY. Mr. Chairman, we three Indians are pleased to visit with you today concerning the operation of these programs where the students are——

Senator PELL. Before he leaves, I would like to welcome Dr. James E. Allen, former Commissioner of Education, who was kind enough to listen and whom we all enjoyed working with so much.

Mr. PURDY. We have a prepared statement which I will go over and then we will welcome questions.

I might call attention to the error of the date. This was prepared for a earlier hearing which needed to be postponed so this is our statement and we will follow it for the first few minutes.

Mr. Chairman and members of the committee, the National Association of Student Financial Aid Administrators appreciates your invitation to discuss legislative proposals concerning financial assistance for institutions and for worthy students in post-secondary education.

Ours is an organization of more than 2,000 student financial aid officers who administer the aid programs at the local level. It is composed of representatives of schools, colleges and universities both large and small, public and private, black and white.

We were particularly encouraged by the President's commitment that we move to make aid to students a reality now, so that our youth will have the assurance that, indeed, they do have an opportunity for additional education. We agree with the concepts expressed in S. 1123 that there should be no insurmountable economic barriers to obtaining postsecondary education and training for all who are able to benefit by attending college or by going to a vocational, technical, or trade school.

The intent and the objectives of this bill have been the objectives of Congress for a number of years. You have already provided basic

programs of assistance toward meeting these needs. The fact that we are still short of our goals reflects not so much that the existing programs are inappropriate, but that they have not been adequately funded to keep pace with the increasing needs.

Workable programs of grants, work-study, and loans have enabled millions of young people to advance their education and training and thus become more productive citizens in our society. We are pleased to see that the legislation introduced by the chairman and other members of this committee proposes the continuation of these programs.

Due to the success of current programs we support your desire that they be extended. Previous testimony before this committee indicates we have suggested revisions which can make these programs more effective. These are listed at the end of this statement.

The educational opportunity grant and the work-study programs each use federal appropriations which do not return to the U.S. Treasury. It was your intent in each program that the funds go to students who had a genuine need for help. On the final page of this testimony are the U.S. Office of Education summaries of the four fiscal years 1966 through 1969, showing how this money has been used. Approximately one-third of it went to students from families with annual gross incomes of less than $3,000 which is poverty level and below. In 1969, the latest year for which data are summarized, 73 percent of the work-study money, and 91.8 percent of the EOG funds went to students from families with annual gross incomes of less than $7,500.

Money used above the $7,500 level was received by students who had real need, when we take into account the number of dependent children, the number in college, unusual medical expenses, and other pertinent factors. Few social service programs can show a better record of having used the money more effectively as Congress intended.

We have encouraged high school graduates and college students to plan ahead and get their written applications in early so we would have time to evaluate their needs and inform them of the help which would be available. They have followed our instructions and we need to be able to give them an answer. From a practical standpoint it is late indeed to consider major program changes for 1971–72.

There are some 250 more institutions including vocational schools and community colleges which are eligible and have been approved to participate in the financial aid programs for 1971–72. This fact, combined with the realities of inflation and unemployment, have created a combined need considerably greater than that of last year.

The administration has recognized these facts and has asked for increased funding. Therefore, if action could be taken to provide this increase along with forward funding, it would permit us to administer these programs with greater effectiveness.

WORK-STUDY PROGRAMS

The work-study program, now in its seventh year, has proved to be an excellent student aid program. It has provided an opportunity for deserving students to earn a portion of their educational expenses, and thereby become partners in sharing the responsibility for developing their own potential.

The students gain meaningful work experience, and at the same time make a valuable contribution to the operation of the school, or to

off-campus community projects. A program which will help to develop skills, maturity and responsibility certainly is one which should be continued without change. This is particularly important at this time of high unemployment when jobs for students are difficult to obtain.

The NDEA loan program has also proved to be a very successful method by which a student is enabled to carry a portion of the responsibility for his educational costs. Repayments are now making an estimated $105 million available annually for relending. This is helping to create a revolving fund which is one of the most practical means of providing loan funds for students in real need. We realize that annual appropriations of NDEA funds do show on the budget, but with an adjustment in teacher cancellation the cost of this program in the long run could be made less than that of the guaranteed loan programs. Hence, we strongly favor continuing the NDEA loans.

Another of our concerns is that the administration's bill does little to brighten the hopes of the lower middle income families who would be able to provide some assistance for their children to get an education. For example, when the income goes above $7,500, indicating that one or both parents are working and making an honest effort to aid their children, then the grant and work benefits are eliminated and subsequent aid depends entirely on loans. Full funding of the present programs and improvements we have suggested will assist the needy student from these families to secure a postsecondary education.

Historically the U.S. Senate has sponsored excellent educational programs and has given strong support to legislation providing financial assistance needed by millions of young people; S. 659 proposes to add to this tradition. The provision that each student be assured a grant of $1,200, less the amount of his parent's income tax, is directed to the principle that every high school graduate will have the assurance of financial help toward further education. We support this principle to the fullest extent.

Senator PELL. Thank you for that support.

Mr. PURDY. There is a high degree of correlation between the family income tax paid and the amount which the parents can provide toward education beyond high school. However, there are cases where the income tax does not reflect the family assets, certain nontaxable income, and family financial emergencies. Hence, it might be helpful to add some flexibility in order to assure that the real objective is attained.

Financial problems for schools and colleges have mounted rapidly in recent years. The provision of the $1,200 grant to the institution, less the amount of fees or tuition, is recognition of the acute need for help in higher education. In practice it would appear that these particular guidelines would be of significant help to the public institutions, but in most cases would be of no help to private colleges. Therefore, a change in this provision would assure assistance over a wider spectrum of the educational community.

Senator PELL. I am glad to say that we have an amendment that does this and provides a flat thousand-dollar grant that would follow the student. It is a simpler way of handling the problem and also meets the very point you are making now.

Mr. PURDY. Previously we have backed the idea of a "secondary market" or a "warehousing" plan to provide liquidity to the private

lender in the guaranteed student loan program. We recognize the contribution of the commercial lending community in providing access to higher education through the availability of insured student loans. It would be unfortunate if this source of student aid funds were allowed to dissipate due to a lack of liquidity on the part of these lenders. Not only would such an occurrence place an additional and perhaps unbearable demand upon other aid programs, but it would dissolve an effective partnership of Federal, institutional, and private resources.

As financial aid officers, we do not have a particular preference as to the vehicle utilized to safeguard against such liquidity problems. We do urge that the mechanism employed be as uncomplicated as possible in order to maximize its usage by the commercial lender. Any method with complex administrative demands will be of limited benefit to lenders, and in turn to potential student borrowers.

In this regard, it is important to recognize that the success of the insured loan program thus far has been brought about by the voluntary participation of the commercial credit community. There is every reason to believe that this cooperation will continue as long as the conditions of participation do not become unduly restrictive.

Although the availability of these loans has not been uniformly good throughout the country, the contribution to the overall financing of higher education is obviously substantial. In our opinion, it would be undesirable to place strictures on the program which might jeopardize the willingness of the private sector to participate in this venture.

Again, in our opinion the provision contained in S. 659 which prohibits the lender from restricting loans to students with a previous business relationship will be harmful to the present level of participation in this program. Rather, we would prefer to see the problem of accessibility approached from the standpoint of encouraging each member of the lending community to do his part, in which case such lender restrictions would be of little consequence.

We commend the ideas contained in S. 659 aimed at furtherance of educational opportunity. We recognize that the funding requirements may go beyond the current budget capabilities. The intense competition for Federal funds necessitates the establishment of priorities in educational aid as well as in other areas. Hence, our first priority would be to adequately fund the present programs at a level commensurate with demonstrated needs and then add basic grants and institutional aid to the extent that additional resources are available.

RECOMMENDATIONS FOR STUDENT ASSISTANCE PROGRAMS

Our recommendations for improvement of Federal student aid programs are:

General recommendations:

(1) Authority for NDSL, EOG, CWSP, and GLP should be continued for 5 years.

(2) All programs should be on a fiscal year basis and forward funded at least 1 year in advance.

(3) Each program should provide for a carry over of funds under such terms and conditions as may be established by the Commissioner.

(4) Exempt college and Federal loan program from provisions of the Truth-In-Lending Act.

(5) Institutional authority to transfer funds between programs is requested.

National defense loan recommendations:

(1) Increase the undergraduate loan limit from $1,000 per academic year to $1,500 or more, and raise the total which a student may borrow as an undergraduate from $5,000 to $7,500.

(2) Allow an institution which determines a defense loan is uncollectable after 18 months of due diligence, to assign the note to the Comsioner and thus remove it from the institution's accounts.

(3) Cancellation provisions for national defense loans for all first-time borrowers should be limited to death or permanent disability of the borrower, and to teachers in rural and urban deprived areas.

Educational opportunity grant recommendations:

(1) Extend an additional year of EOG eligibility to students enrolled in curriculums where the normal completion period is 5 years.

(2) Extend EOG eligibility for a period of one academic year, or its equivalent, beyond the normal time required for the completion of the regularly prescribed curriculum when it is necessary for the student to carry less than a full-time academic course load and the institution approves the program of study.

(3) Eliminate any matching requirement for EOG.

(4) Provide for a single authorization of funds to include both initial year and renewal awards with the proviso that the renewal commitments must be honored first.

College work-study recommendations:

(1) College work-study funding and all accounting procedures attendant thereto should be placed on a fiscal year basis as are the other programs.

Guaranteed loan recommendations:

(1) The mandatory grace and minimum repayment provision should be permitted to be accelerated at the student's discretion.

(2) Graduate or professional loans should be increased to a maximum of $2,500 annually, with a total aggregate of $10,000 allowable during both graduate and undergraduate years.

(3) A satisficatory secondary market be established for guaranteed loan paper.

(4) The institution in certifying an application for a guaranteed loan should be permitted to make a recommendation concerning the size of the loan and the student's eligibility for interest subsidy.

Thank you for your thoughtful attention and we will welcome your questions.

We call your attention to the statistics on the back page which perhaps is the best single set of figures showing the effectiveness of the current programs.

(The statistics referred to follow:)

*Distribution of Federal Funds to Students from Various Family Income Levels Under the EOG and Work-Study Programs 1966-1969

	EDUCATIONAL OPPORTUNITY GRANTS				WORK-STUDY			
Fiscal Year	1966	1967	1968	1969**	1966	1967	1968	1969
Percent distribution of students aided by gross family income category	100	100	100	100	100	100	100	100
$ 0-2,999	28.3	27.7	29.0	33.3	35.5	31.1	28.0	28.0
$ 3,000-5,999	42.4	40.4	40.0	44.6	42.3	36.6	32.6	29.5
$ 6,000-7,499	16.7	17.2	16.0	13.9	16.3	15.1	16.0	15.5
$ 7,500-8,999	8.8	10.1	10.0	5.7		8.1	10.6	11.2
$ 9,000 or more	3.8	4.6	5.0	2.5	5.9	8.9	12.8	15.8

*Data from the U. S. Office of Education

**Based on a tabulation of initial year awards for the period July 1, 1969 to June 30, 1970.

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Mr. PURDY. The question has been asked whether the current programs are meeting the needs of low-income students. I think one of the answers to that question, Mr. Chairman, is to note where the money is going that is now being administered under the three campus-based programs.

We said earlier a sizable percentage of it is going to those under the $3,000 family income level and the most of it is certainly going to those who are under the $7,500 annual family income.

So with that brief statement, we would welcome your questions.

Senator PELL. Thank you very much. You are very good to come.

Are the students having difficulties under the new regulations for educational opportunity grants and the work-study programs?

Mr. PURDY. When you say the new regulation, are you referring to the fact that——

Senator PELL. The ones going into effect next year.

Mr. PURDY. Have we actually seen them in writing?

Mrs. EDWARDS. No.

Dr. PARISH. No.

Mr. PURDY. We hear rumors about them. We have not seen them in writing but we are interested to see what guidelines are going to be proposed.

(The following was subsequently supplied for the record:)

ALLOCATIONS OF EDUCATIONAL OPPORTUNITY GRANTS AND WORK-STUDY GRANTS PROPOSALS BY THE COMMISSIONER OF EDUCATION

NOTE.—It was later explained that Senator Pell's question was intended to refer to difficulties caused by the new allocation procedures for EOG and Work-Study funds proposed by the Commissioner of Education. Indeed, there have been directives which were quite disturbing to financial aid administrators. We feel that there was considerable confusion caused by the manner in which applications were solicited and that much of the data obtained was unreliable. We asked for a hearing to discuss this with the Commissioner but it was not granted.

Senator PELL. What are the default rates on the student loans? Do you have any figures on those?

Mr. PURDY. The default rates on national defense loans are variously reported in different States. It is running perhaps around 3, 4, or 5 percent. This is not a loss rate, this is those with which we are having difficulties making collections. They are slow accounts and ones we have to give special attention to.

The default rates in the guaranteed loan program have been reported by various States at running from 4 to 6 percent and again that isn't a loss rate, that is the ones on which they are having to put forth a very special effort to get some collection.

There are some loss rates. It is awfully early to tell what those are because most of them we are still trying to collect.

Senator PELL. Can you submit for the record the default and loss rates for both the National Defense Education Act loans and the guaranteed student loan program?

Mr. PURDY. We will be glad to.

(The following was subsequently supplied for the record:)

DATA ON LOSS RATES FOR NDEA AND GUARANTEED STUDENT LOAN PROGRAM

Data on loss rates of NDEA loans are difficult to evaluate because the law provides no way to declare delinquent loans as bad debts and mark them off the

books. There appears to be between 1% and 1½% of the repayable loans which are seriously over-due. How many of these can eventually be collected we don't know. Hence, even though these delinquent NDEA loans have not yet been declared uncollectible, we might realistically predict that the eventual loss rate will be somewhere within this range.

The Guaranteed Loan Program has been in operation for a much shorter period than the NDEA, and a smaller percentage of the outstanding loans are in the repayment stage. Again, there are delinquencies which are still being pursued. The actual loss rate is still difficult to determine. Perhaps it will not be too far different from that of the NDEA experience. There is some early indication, as yet not confirmed, that collection difficulties may run somewhat higher for borrowers in proprietary and vocational type schools than for those in colleges and universities.

Senator PELL. What is your reaction to the idea of the student aid proposal form in S. 659? The safeguards will be worked into it if we are successful in getting it through. We must strive to avoid the abuses of which you are aware.

The obvious one is the family who has $100,000 a year from municipal bonds and pays no income tax. We will have to find a solution to that problem.

Are there any other particular comments you would care to make?

Dr. PARISH. Sometimes financial aid officers and certainly I do, in my office, have to create an income for an individual where the tax situation is obviously not the way it appears and so in many cases if a man is living, like on $60,000 a year—for instance, in Beverly Hills we have a very wealthy doctor who has an income of $2,000 a year because of writeoffs, and with a new Cadillac and so forth, and the best home in Beverly Hills. He submits an application for aid for his daughter to go to college.

Mrs. EDWARDS. I would like to make two or three statements.

One, I think I would very strongly favor the tie-in with the EOG to the grant because as you suggested, there would be competition for a student. And at the present time any institution which is having difficulty—if you have two students one who has and one who has not, you would very humanly accept the student who has not. If the grant is tied to the EOG certainly that would give the financially inadequate student a better opportunity. And I would hope that would be maintained.

You mentioned the loss figure. When Mr. Purdy gives his report I am sure he will include the statement that most of the percentage of loss is due to the early loans when the financial aid officers themselves were not too aware of what was involved and students were not told clearly.

I know in my own institution that most of our loss money is from this kind of loan. Those made since 1960–61 I am told are paid very much on time.

I think, in listening to all the testimony this morning, that you know the problem of the private institution and certainly we would support the grant to the institution tied into the EOG.

ASSISTANCE FOR OLDER STUDENTS

Senator PELL. Good. Thank you very much.

One final question: Should student aid for older students be structured differently from younger students?

Mr. PURDY. The position of the older student varies a great deal when he comes to you. He may be a person who is working full time or part time. It may be a mother whose children are now in school and wants to go back to college.

It looks to me like there would need to be a great deal of flexibility in the handling of the older student. Let's say that we support fully the idea that aid should be extended to the older people and to those going to school part time. It isn't often that someone employed quits a full-time job and goes to school full time.

There is one other angle on which I want to probably raise a question. Dr. Newman indicated that we were losing our enthusiasm for helping the low income. I wonder if that is true.

I think, if you total up the effort that is being made by the institutions, both private and public, you will find that a great deal of money is going into these programs for the low income student aside from what the Federal Government is doing.

And certainly I hope that we will not accept the idea that there is any less interest in aiding the disadvantaged for whom we want to keep the door of opportunity open.

Senator PELL. These are the ones we wish to help the most and S. 659 is most designed to try to help.

Mr. PURDY. This is true.

Senator PELL. I thank you all very much, Mr. Purdy, Dr. Parish and Mrs. Edwards, for coming up here today.

The meeting is recessed to the call of the Chair.

(Whereupon, at 12:06 p.m., the hearing was recessed, to reconvene at the call of the Chair.)

(The following was subsequently supplied for the record:)

NASFAA

NATIONAL ASSOCIATION OF STUDENT FINANCIAL AID ADMINISTRATORS

CENTRAL OFFICE AND PLACEMENT SERVICE
Lafayette, Indiana 47907
(317) 749-3676

June 19, 1971

The Honorable Senator Claiborne Pell, Chairman
And all members of the Senate Subcommittee on Education
Senate Office Building
Washington, D.C.

Gentlemen,

I hope that it will be helpful to you to have some additional comments and clarification of our testimony presented at your committee hearings May 26.

At the close of the hearings the chairman asked for more definite data on the delinquent and loss rates on National Defense Student Loans, and the Guaranteed Student Loans. The following brief statement was submitted for the record:

> Data on loss rates of NDEA loans are difficult to evaluate because the law provides no way to declare delinquent loans as bad debts and mark them off the books. There appears to be between 1% and 1½% of the repayable loans which are seriously overdue. How many of these can eventually be collected we don't know. Hence, even though these delinquent NDEA loans have not yet been declared uncollectable, we might realistically predict that the eventual loss rate will be somewhere within this range.
>
> The Guaranteed Loan Program has been in operation for a much shorter period than the NDEA, and a smaller percentage of the outstanding loans are in the repayment stage. Again, there are delinquencies which are still being pursued. The actual loss rate is still difficult to determine. Perhaps it will not be too far different from that of the NDEA experience. There is some early indication, as yet not confirmed, that collection difficulties may run somewhat higher for borrowers in proprietary and vocational type schools than for those in colleges and universities.

During the questioning we were asked if the new directive from the U.S. Office of Education for the coming year had caused us difficulty. We were puzzled as to which directive the question related to. After the hearing it was explained that Senator Pell's

question was intended to refer to the difficulties caused by a series of directives starting in September 1970. (The institutional application blanks for participation in the federal programs were changed on short notice, and we were directed to provide information on which most colleges had no reliable figures. The confusion resulted in much unreliable data. Then on February 4, the Commisioner of Education published his "Proposed Rule Making" in the Federal Register relative to allocation of funds to institutions on the basis of these data in which we had no confidence at all.)

The above caused considerable difficulty and we asked for a formal hearing in order to help clear up the confusion. Our request was never acknowledged, and a hearing was never granted!

I would like to re-emphasize certain points which we made in our written testimony.

(from page 1)

We agree with the concept that there should be no insurmountable economic barriers to obtaining post-secondary education and training for all who are able to benefit by attending college or by going to a vocational, technical or trade school. The Congress has already provided basic programs of assistance toward meeting these needs. The fact that we are still short of our goals reflects not so much that the existing programs are inappropriate, but that they have not been adequately funded to keep pace with the increasing needs.

(bottom of page 6)

The intense competition for federal funds necessitates the establishment of priorities in educational aid as well as in other areas. Hence, our first priority would be to adequately fund the present programs at a level commensurate with demonstrated needs and then add basic grants and institutional aid to the extent that additional resources are available.

(pages 7 and 8)

Note that these recommendations are for the improvement of the present programs.

(page 9)

Note that we offer these U.S.O.E. data to back up our contention that the current programs are being used to reach the low income families as Congress intended.

The terms "basic grant" and "assurance" are goals which we support. At your hearing August 18, 1970, we said we welcome these goals as soon as the budget could support them. But these terms lead to frustration unless the money is there to back up the promises. We strongly suspect that the basic grant provisions of the S-659

will require funding beyond the capabilities of the current budget. This fact is recognized in sec. 406 (b)(2): "If the appropriations pursuant to sections401 (b) for any fiscal year are insufficient to pay the full amount of the basic grants for which all students are eligible in that year, the payment to each student shall be ratably reduced, . . ."

If Congress is indeed ready to commit "such funds as will be necessary" to assure the basic grants to all qualified students this would require assured funding such as we have for the GI Bill--except a much larger dollar amount.

The size of an Educational Opportunity Grant in the first years of the program was determined by ". . . $1,000 minus the amount of the parents' expected contribution toward college costs." The use of $1,200 minus the income tax is not too foreign. However, we do point out (page 5) that the income tax in many cases does not reflect family assets, non-taxable income, etc. For example, consider the inequity of judging family financial status by income tax paid by laborers or salaried parents with no assets to that paid by parents who own businesses, farms, stocks, bonds, etc. The current methods of the College Scholarship Service and the American College Testing Program for calculating parents' financial ability to help support a child in college are not perfect, but they do iron out many of the inequities found in the income tax system.

Institutions need assistance for two basic reasons. One reason is that they are using many of their resources in aiding low income students with grants, part-time jobs, and loans, along with extra services of tutoring, counseling, etc. For this reason it is logical to propose a "cost of instruction allowance" based upon the number of low income students helped.

Another reason institutions need help is because operational costs have gone up, and the institutions can't just keep on raising tuition and fees forever. We talk a lot about the students we assist with some type of federal aid. We say very little about perhaps three times that number who are in school without aid or by the help of private, community, or state aid which far exceeds the federal government's contribution to education. Many hard working middle income families are asking no individualized aid from anyone. But if tuition and fees keep going up, then they too will have to ask for help. Assistance to the institution in this case needs to be on a per-student-enrolled basis.

Therefore I see a need to calculate institutional assistance (a) because a school is making an honest effort to educate the lowest income student, and (b) because it is also educating many low and lower-middle income students as well. If the private and public schools are annually spending $1,200, $1,600, or $2,000 (according to the course of study) to teach each student, then it would not be unreasonable for the Federal budget to share $100 to $200

of this. It would be a good investment. After all, in two to four years each student becomes a federal income tax payer!

We appreciate the dedicated thought and generous support which this committee has always provided to bring about wise and workable programs. If we can be of further help at any time please call on us.

Sincerely,

Allan W. Purdy, Director
Committee on State and Federal
Program Relations
11 *Jesse Hall*
Columbia, Missouri 65201

NATIONAL COUNCIL OF HIGHER EDUCATION LOAN PROGRAMS
P. O. Box 4095, Baton Rouge, LA 70804

Richard W. Petrie, President, Louisiana
Vincent Maiocco, President-elect, Conn.
Stan Broadway, Past President, No. Carolina
Donald Payton, Treasurer, Georgia
Mrs. Del Tyson, Secretary, Arkansas

* *

Statement
by
Richard W. Petrie

President
of
National Council of Higher Education Loan Programs

and

Executive Director
of
Louisiana Higher Education Assistance Commission

Before the
Special Subcommittee of Education
of the
Committee on Education and Labor
U. S. Senate
Washington, D. C.

Tuesday, May 18, 1971

MISTER CHAIRMAN AND MEMBERS OF THE COMMITTEE

The members of the National Council of Higher Education Loan Programs wish to thank you for your invitation to appear before this Committee concerning the Guaranteed Loan Program. The Council is composed of the directors of 24 state and non-profit agencies who administer the loan program in the states and whose agencies have guaranteed approximately $2 Billion in student loans since November, 1965. Two out of every three dollars in guaranteed loans are now insured by agencies which comprise the Council.

We had the privilege of appearing last year before this Committee to discuss the Higher Education Opportunities Act of 1970 (S-2636). At your invitation, we have returned to share with you our views on the somewhat changed legislation, the Higher Education Opportunity Act of 1971 (S-1123); and you have asked us to comment on Senator Pell's Education Amendments of 1971 contained in S-659.

As we have reviewed this legislation, we find ourselves in the position of repeating many of the concerns and recommendations we shared with you last year. At that time, we recommended (1) that further study be given to the "problem of providing a sound, balanced and equitable financial aid 'package' for students . . ." (2) that the three existing college based programs be funded at a more adequate

level, (3) that the Guaranteed Loan Program be continued through the use of commercial lending institutions, and (4) that interest on guaranteed loans should continue to be paid by the federal government on behalf of the student while the student is in school or in an authorized deferred status, but paid by the student when in repayment status. It is difficult for us to make recommendations now which are essentially different from those of last year.

A TIME CRISIS IN STUDENT AID

However, we do urge that the Congress recognize the situation as it exists today and take immediate action to extend the various basic student aid programs whose statutory authority will expire June 30, 1971.

It is now less than 45 days to June 30 and more than 900,000 students will be looking to the Guaranteed Loan Program for assistance. The time crisis is upon us again as it was at this time in 1968. These almost one million students have no assurance that the funds or programs will be available to them unless Congress acts quickly!

S-659 - EDUCATION AMENDMENTS OF 1971

We wish to compliment you, Senator Pell, and your associates for your action in sponsoring S-659 to provide for the extension of (1) the guaranteed loan program and (2) the special allowance which supplements interest earnings of student loans on recommendations

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each calendar quarter by the Secretary of HEW, and (3) the college-based programs which are complemented by the guaranteed loan program.

Some people may disagree with the propriety of five-year extensions with the appropriation authorizations. However, this kind of aggressive action is what is needed to allow school officials, lenders, and the guarantee agencies, as well as the students and their parents, to plan ahead on post-secondary education. Everyone should know in early spring what the requirements may be and what student aid resources are available after July 1.

One desirable feature which is not in S-659 and which we believe you would want to include in your legislation is to exempt loans under Title IV of the Higher Education Act of 1965 and Title II of the National Defense Act of 1958 from provisions of the Truth in Lending Act (15 U.S.C. 1603). In both instances, the interest and repayment provisions affecting the consumer student borrower are effectively controlled by both federal and state statutes and regulations. The extra paperwork required by the Truth in Lending Act is unnecessary and serves no useful purpose.

SECONDARY MARKET

We appeared before this Committee last year to urge the Congress to adopt a secondary market which would provide needed

liquidity for commecial lenders. As lenders have continued to make student loans, their loan portfolios have grown considerably. Student loans, even under our existing programs, are long term investments. As each succeeding year of loans is added, the lender finds the necessity of liquidity relief becomes more acute since student loans are made far more quickly than they are repaid. We remain convinced that a secondary market is needed although prevailing economic conditions have made the case less convincing than when we were here in July of 1970.

The National Student Loan Association, as proposed in S-1123, is far more than a secondary market. Clearly, the provision to accommodate the funding of loans made by educational institutions first gives preferential treatment to that category of lending. Only after the needs of "eligible institutions" have been met will NSLA be able to deal in loans from other sources.

In S-659, the education warehouse concept of the secondary market seems to have great merit, in our opinion. None of us are experts in the secondary market field, but we would like to offer our comments on Section 145 of S-659.

Proposed: The agreement between the Commissioner and the lender will require that the eligible lender will use the proceeds of the educational warehouse loan to make insured student loans.

Council Suggestion: We believe this should be optional with the lender. The money market may be such that it will be desirable and possibly profitable to reinvest all of the proceeds in student loans. On the other hand, the lender will pay some premium for the warehouse loan and he may have an opportunity to invest the proceeds in a highly profitable venture which will offset the administrative costs and low yield of student loans for a short period while loans are in warehouse.

Proposed: The agreement is to contain an assurance that the lender will not use discriminatory practices such as requiring a business relationship with the student or his family, etc.

Council Suggestion: We believe such a restriction will endanger the success of the educational warehouse program. There was an extremely negative reaction by lenders when a similar provision was discussed as a potential requirement in the Emergency Insured Student Loan Act of 1969. The lender participates in the guaranteed loan program on a voluntary basis, which may be terminated at his pleasure, and he generally allocates specific sums for student loans, some for customers and some for non-customers. To insist that a lender disburse his entire allocation of student loans on a first-come-first-served basis would cause many to terminate their participation, which would overburden the remaining lenders and endanger their continued participation. Studies by Lybrand, Ross Bros., & Montgomery and the American Bankers Association, show that these discriminatory practices are not widespread.

Proposed: The education warehouse loan shall be repaid at such time and bear interest at a rate prescribed by the Commissioner based on yield on education warehouse certificates negotiated, assigned, or sold by the Commissioner.

Council Suggestion: The holder of the warehouse certificate may not be able to justify a rate on the warehouse loan equal to or better than the rate on the student loans in possession of the lender. At any rate, the lender could not afford to take a reduction in interest income. Especially would this be so if he were required to reinvest the funds he receives from the warehouse in additional student loans.

Proposed: The Secretary of the Treasury is authorized and directed to purchase any notes or obligations from the Commissioner and issue securities for a public debt transaction to be known as education bonds.

Council Suggestion: Under the National Student Loan Association version of the secondary market in S-1123, the Secretary of the Treasury is authorized to purchase at his discretion on his terms and conditions, any obligations of NSLA. We hope adequate study by competent fiscal experts will result in the proper assignment of liability of the Treasury so that the secondary market will establish a sound financial structure.

STUDENT AID REFORM

Our Council is in complete support of the President's goal "that no qualified student who wants to go to college should be barred by lack of money." We support the concept of the Administration that every needy student be provided an assurance of student aid support. The debate is not over the objective, but rather the best way to achieve it.

Again this year, the Council applauds the desire of the Administration to solve a number of problems which exist with the programs currently operating. It has been suggested that the proposed bill S-1123 would solve most of these problems by providing adequate availability of funds, expanding the loan program drastically, eliminating the increasing interest expenditure of the guaranteed loan

program from the federal budget, reducing the uncertainty of students about how much and in what forms student aid is available, and by providing equity in the distribution of federal student assistance funds.

Clearly, the Council accepts these as worthy objectives to be pursued, but we have sincere and persistent reservations that the strategies for achieving these goals are not present in the Act as it is now structured. Nothing has led us to believe, even after thorough study of the bill and the information provided by the Administration, that the guaranteed loan program will be able to continue to provide a volume consistent with our current level ($863 Million during the first nine months of FY 1971) of activity if these measures are adopted.

Let us make it clear that this Council does not come before the Committee today merely to defend the status quo. The goal of every agency represented here is, first of all, to provide as much financial aid to students as is needed to allow them to acquire the education and skills necessary for life in another century. That is our business. If we are convinced that another program can accomplish that goal more readily and completely than ours, we would, as a Council, support it wholeheartedly. However, that does not represent our thinking about the proposals suggested in S-1123.

The following objectives are favored:

(1) the concept of a "federal floor of student aid" to every needy student as as assurance,
(2) the capacity to establish the concept early in the educational experience of every American that the future is limited only by imagination and desire to achieve,
(3) the increase in grant/work study funds of $242 million in FY 1971, and
(4) the targeting of resources to assure that every needy student is aided.

A LOOK AT THE CURRENT RECORD

Federal and state guarantee programs have grown from $77 Million annually (48,500 loans) in student loans in fiscal 1966, to $840 Million annually (921,896 loans) in fiscal 1970. Through March of fiscal 1971, $863 Million has been made available to students.[1] In our testimony last year we noted the interrelationship of the three college based programs with the guaranteed loan program. That is, when the Educational Opportunity Grants (EOG), National Defense Student Loans (NDSL), and College Work Study funds do not meet the needs of financially needy students, the guaranteed loan program moves toward that level of unmet student need.

The record shows the guaranteed loan program is doing a fine job of student assistance through private lending institutions and most of the loan recipients are from families of lower than middle income. We are always searching for ways to improve the program, but the radical changes proposed in S-1123 will destroy it.

(1) Student Loan Notes No. 48, April 1971, Guaranteed Student Loan Volume, DSFA, Insured Loans Branch, U. S. Office of Education

To illustrate loans by income, we note that the most recent Office of Education figures on the guaranteed student loans show that 66% of the recipients are coming from families with adjusted incomes of $9000 and below. There is every indication that lenders have continued to favor the more needy students. Yet, the program has also served the "middle income class," as difficult as that term is to define. The Office of Education has stated before this Congress that the 1969 median family income was $9,433.[2] The range between the median and the base of the top quartile of family income is $9,433 to $13,499. As you can see in Table 1, 30% of guaranteed loans have gone to families with adjusted incomes between $9,000 and $14,999, and only 4% to over $15,000.

Table 1
Distribution (in percentages) of Loans[3]
By Family Income (FY 1971)

			Adjusted	Gross
-0-	-	2,999	24	11
3,000	-	5,999	20	12
6,000	-	8,999	22	17
9,000	-	11,999	19	20
12,000	-	14,999	11	19
15,000	-	over	4	21

(2) Chart presented in testimony by Office of Education before House Special Education Subcommittee

(3) Guaranteed Student Loan Volume, Op. Cit.

We believe the proposals contained in S-1123 would have the effect of shifting the responsibility for this type of student credit activity from the commercial lending institution to the college, an institution which we believe is not appropriately equipped nor especially desirous of entering into large scale financial transactions of this type.

We will not comment in detail about the mix of grant/work study arrangements suggested by this bill, but rather focus our attention on what we believe will be dwindling participation by commercial lenders. As we have discussed the proposals with them, they have expressed complete disenchantment over the thought of making "subsidized" and "non-subsidized" loans in small amounts of approximately $400 per year, extending repayment over as much as 20 years and providing extension clauses that when sequentially added to the repayment period plus the in-school period would allow a student who first borrowed at age 17 to complete repayment just nine years prior to becoming eligible for social security benefits.[4]

In effect, this bill proposes to create an NDEA type loan program which would be centered in the colleges, financed from the private money market and either administered by the colleges or by the National Student Loan Association (NSLA). We have doubts that

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4) Assumes student borrower begins at age 17, completes schooling at age 24, has borrowed the maximum allowed under the Act ($17,500) enters military service, uses the five-year "wild card" deferment and uses the total repayment period for which he is eligible (20 years). He would be 43 years old when the debt is retired.

commercial lenders will respond favorably by purchasing participation in NSLA. Obligations of NSLA will have to be at least as attractive and probably more so than any other government security. This is an effort to transfer the funding of student loans from the federal budget to the private money market. NSLA is structured in such a way as to give preferential treatment to colleges, in effect requiring them to become lenders as a precondition to participation in the other programs. The Council's experience, and indeed that of the federal government with the NDEA program is that this probably is not an appropriate role for educational institutions. You will undoubtedly hear conflicting testimony on this point. We will leave that part of the discussion to our colleagues from the colleges.

THREE CATEGORIES OF LOANS - ONE STUDENT

As we understand the bill, there would be three categories of insured loans:

(1) resource equalization loans of a probable limit of $400 to be made by the educational institution (from funds created within NSLA) or commercial lenders;
(2) cost of education loans to be made only by an educational institution with a limit of $1500 carrying an interest subsidy similar to the resource equalization loans;
(3) non-subsidized loans made to "non-needy students" by commercial lenders with accrued interest deferred and added to principal and amortized over the repayment period.

This might mean, for example, that a single student could obtain a resource equalization loan from a commercial lender ($400), a cost of education loan from his educational institution ($1500), and a

non-subsidized loan from another commercial lender ($600) for a total of $2500 from three separate sources. At payout time, all must be repaid simultaneously. This example may be an extreme case, but it serves to illustrate the complications which can result in further confusing an already intricately involved program. The most common complaint about the current guaranteed loan program is not rate, but the program's complexity. Some savings and loan associations have documented their reluctance to participate for that reason in an article appearing in the March 1971 Savings and Loan News. If installment credit personnel in commercial banks have trouble administering the current program, colleges will be totally unprepared for the multi-phase proposed program. We should keep it as operationally simple as possible.

We believe the enactment of S-1123 would result in the following:

(1) place far too heavy emphasis on borrowing as a means of educational finance,
(2) effectively curtail the private lender/student aid partnership we have so carefully built in the guaranteed loan program over the last few years,
(3) engage educational institutions in large scale lending, an activity for which they are not suited nor adequately staffed to accomplish,
(4) result in substantially diminished participation on the part of commercial lenders. The estimate of $1 Billion in non-subsidized loans from the commercial lender resource seems to us to be unrealistic.

RECOMMENDATIONS

After carefully examining the Administration's bill which is largely unchanged from last year, we remain convinced that the proper approach to the federal government's involvement in the student assistance programs is adequate funding of the existing three college based programs (CWS, EOG, and NDEA) and the continuation of the additional resources of the guaranteed loan program from the private money market.

THE COUNCIL THEREFORE MAKES THE FOLLOWING RECOMMENDATIONS TO THE COMMITTEE:

(1) That since current programs expire in June of 1971, a continuation authorization of at least two years should be enacted during which time federal and state governments should work cooperatively to develop balanced and equitable financial aid programs to complement each other in the light of clearly established and agreed upon policies; (5)

(2) That during this two year continuation period the existing programs be funded sufficiently to enable the colleges to assist every needy student in having sufficient parental and self resources to meet educational costs;

(3) That the guaranteed loan program continue to be a subsidized student loan effort funded through the nation's commercial financial institutions and available on terms now provided for in existing legislation;

(4) That the Emergency Insured Student Loan Act of 1969 (P. L. 91-95) be continued for at least two years to provide the flexible cushion of earnings on student loans above the statutory rate as the money market fluctuates. This legislation has proven its worth.

(5) We would recommend an "incentive act" which would encourage the creation of comprehensive student assistance programs in all states where they do not exist. The task of removing financial barriers to higher education should be a joint venture of the states and federal government. Such an "incentive act" might be regarded as a specialized form of revenue sharing.

ADDITIONAL COUNCIL RECOMMENDATIONS

(1) We believe the application of a simple, realistic needs test by the financial aid officer for a subsidized loan, with the financial aid officer recommending the amount of the loan, but with the lender determining the actual amount to be advanced is entirely appropriate. One suggested alternative might be to reduce the adjusted family income level to $10,000 and omit the needs test concept. There is considerable discussion in the Council regarding the reduction of the adjusted family income level. Our concern here would be that areas of the country where per capital income is higher not be excluded from participation in the program and that large families above this income level also be eligible.

(2) We continue to express our concern over the mandatory nine-month grace period following graduation before a student is allowed to begin monthly installment repayments on his loan. We again recommend the elimination of the reference to "not less than five years" and substituting instead a provision to the effect that

> ". . . repayment of loans shall be in installments over a period of not more than ten years, except where limited by state statutes, beginning not later than one year nor earlier than nine months after . . . unless the borrower requests in writing that his legal monthly repayments begin at an earlier date . . ."

(3) We find no rationale for the exclusion of the benefits of the federal program reinsurance and incentive allowance in those states who have been willing to undertake a direct student loan program. Indeed, we would recommend that S-1123 be amended or additional legislation be introduced to encourage each state not now operating a comprehensive student loan program to enter into a federal/state partnership.

REACTIONS TO SUGGESTED PROGRAM CHANGES

A number of proposed changes would alter the guaranteed loan program substantially. Many of our suggestions are repeated from our testimony of last year. To conserve time, we have appended our comments as an attachment to this presentation. (See Attachments I and II.)

Attachment I

REACTIONS TO SPECIFIC PROGRAM CHANGES FOR "SUBSIDIZED AND NON SUBSIDIZED" LOANS IN S-1126

Proposed: Remove the 7% interest rate and allow the Secretary to prescribe a maximum "market rate" which could change from time to time (from one loan to another).

Council Suggestion: We urge the maintenance of a fixed interest ceiling (7%) while the student is in school or deferred loan status. Allowing a fluctuating rate would cause great confusion and likely mutiny among lenders since a student borrowing five times during his schooling might have five different rates.

Proposed: Repeal the interest subsidy and special allowances under the existing program on loans made after July 1, 1971.

Council Suggestion: We urge the maintenance of the interest subsidy payments on guaranteed loans during the in-school and deferment periods. Our reasons are: 1) to prevent the high accumulation of interest to students not in a position to make periodic interest payments during the time in school, 2) to prevent the creation of another class of loans which would result in high lender attrition and 3) to prevent lender withdrawal from a program in which no income activity occurs in the loan account during a period of five to seven years.

Proposed - On loans made after June 30, 1971 the interest subsidy would be paid at a rate prescribed by the Secretary on subsequent loans of certain amounts determined by student need when made by the college, commercial lenders, direct state lenders or NSLA (suggested limits of $400 per loan). The interest subsidy would be paid by the Government while the student is in school, and all over 3% would be subsidized following maturity.

Council Suggestion - We do not believe it wise to revive the matter of partial subsidy during the repayment period. In addition, certainty of payment of interest while the student is in school is essential if lenders are to be expected to meet loan demand. Consider, for example, the situation of a student repaying a $2500 loan, $400 of which was granted on the basis of need and thus providing a subsidy during the repayment period. This involves extremely complex bookkeeping procedures if the student has already borrowed under the existing programs with multiple rates, "special allowance" and outstanding loans from several sources.

Proposed - Authorize guarantee of "non-subsidized" loans with no interest payable by the Government, and increase the maximum combined loan limit to $2,500 per year, for 7 years of study, for a maximum loan limit of $17,500.

Council Suggestion - Maintain the present loan limit for "subsidized loans" of $1,000 to $1,500 per year, and a maximum student loan limit on "subsidized loans" of $7,500. Although the Council recognizes the need to provide increased maximum borrowing levels because

of sharply rising educational costs, we are clearly concerned that students may, under the suggested changes, incur educational indebtedness of as sizeable proportions as a mortgage. Attachment II indicates the gravity of borrowing at the increased $2,500 per year level and shows clearly the repayment costs which a student would have to meet under those conditions.

Proposed - Extend the repayment period to 20 years and authorize a 5-year deferment at the student's request, plus deferments for military, Peace Corps and Vista.

Council Suggestion - We believe it imprudent to allow students to encumber themselves with an indebtedness which would extend over half of their business lives. The present 10 year maximum repayment period with deferment and forbearance provisions places few students in hardship conditions. If loan limits are kept at a reasonable level, a longer repayment period is not necessary. We recommend retention of the present 10 year period.

Proposed - All loans be exempted from the Truth-in-Lending Act.

Council Suggestion - We favor this position which would eliminate very costly paper work on a type of loan not designed to fit the lending practices covered by Truth-in-Lending.

Proposed - Only undergraduate full time students would be eligible for subsidized loans.

Council Suggestion - We urge the continuation of eligibility for graduate and professional students for subsidized loans under the Guaranteed Loan Program. At present 11% of insured loans are made to students at the graduate or professional level. The exclusion of half time students from participation would mean that many students now enrolled at community colleges would not be able to receive assistance to continue schooling.

Proposed - The definition of "eligible institution" used for resource equalization and cost of education loans does not include the possibility that a state-wide agency be used as a collective instrument for servicing loan programs for all schools within a higher education system.

Council Suggestion - That wherever appropriate State Government agencies charged with the centralized administration of financial aid be permitted, if it is determined to be appropriate, for an educational system to act as a collective "eligible institution" for all institutions within the system.

Proposed - Loans made at different interest rates can be consolidated into one per-student, per-lender at a rate that is "agreeable to both".

Council Suggestion - The specific language of this proposal leaves much to be desired in actual administration to prevent inequality of treatment and inability to reach agreement between the parties. The Council suggests that the Secretary or Commissioner set forth a schedule of rates applicable under varying conditions.

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Attachment II

TYPICAL REPAYMENT REQUIREMENTS OF STUDENTS
OBTAINING NON-SUBSIDIZED (MARKET RATE)
EDUCATIONAL LOANS, AS PROPOSED IN HR 5191

AMOUNT BORROWED - $10,000 (4 years @ $2500)

Repayment Period	7% Simple Interest		9% Simple Interest	
	Monthly Payment	Total Payment	Monthly Payment	Total Payment
10 years	$142.52	$17,103.00	$163.73	$19,648.07
15 years	$109.60	$19,728.63	$131.09	$23,597.69
20 years	$ 95.16	$22,840.34	$116.29	$27,911.80

AMOUNT BORROWED = $17,500 (7 years @ $2500)

Repayment Period	7% Simple Interest		9% Simple Interest	
	Monthly Payment	Total Payment	Monthly Payment	Total Payment
10 years	$270.75	$32,490.48	$316.46	$37,975.50
15 years	$208.21	$37,478.36	$253.38	$45,609.27
20 years	$180.79	$43,389.66	$224.78	$53,947.51

ASSUMPTIONS:

1. Simple interest (not compounded) accrues during school enrollment and a nine-month grace period.

2. Accrued interest is added to AMOUNT BORROWED to determine PRINCIPAL to be financed by payout (installment) note.

Source: Illinois State Scholarship Commission
700 Waukegan Road
Deerfield, Illinois 60015

Statement of Thomas L. Burch,
Vice President, United Student Aid Funds, Inc.,
before the Subcommittee on Education
of the Committee on Labor and Public Welfare,
United States Senate

May 18, 1971

Mr. Chairman: My name is Thomas L. Burch. I am Vice President of United Student Aid Funds, Inc., 845 Third Avenue, New York City. I should like, with your permission, to offer for inclusion in the transcript at this point, a statement which up-dates the views we presented on this general subject to your subcommittee last year.

You will recall that United Student Aid Funds is a non-profit, tax-exempt corporation formed in 1960 to encourage low-cost loans to college students by guaranteeing repayment. We have guaranteed more than $300 million worth of these loans so far, and our operations, started in 1961, have for several years covered all 50 States.

It is a pleasure, Mr. Chairman, to appear before this committee. I should perhaps warn you in advance that most of the recommendations I shall present here today will not vary greatly from those Mr. Marshall made last year. Time and experience have served only to deepen our belief that these recommendations would make for a more efficient, practical and helpful student aid program.

Following is a summary of our recommendations made last year:

1. We supported the proposal for a secondary market, but warned against hobbling it with conditions that would interfere with its effective functioning.

2. We said it would be a mistake to put colleges still deeper into the business of making, administering, and collecting loans -- a very demanding role for which few of them are qualified

3. We urged that loan eligibility be based not on family income, but on family ability to contribute. We voiced our concern -- a concern shared by nearly every knowledgeable person in the guaranteed loan field -- about the Office of Education's insistence that the student aid officer at the college may neither inquire into a student borrower's financial circumstances nor recommend a specific dollar loan amount to the lender.

4. We proposed eliminating the in-school interest subsidy for students at all income levels, and applying the money so saved to other educational needs.

Our support of each of these positions is even stronger now. I shall take them up one at a time. Before doing so, however, let me make this general comment. Many bills are before you for consideration. These include a constructive bill introduced by

the subcommittee Chairman and cosponsored by a number of his colleagues. Included also is a broad set of proposals by the Administration. We will not comment on all the student aid items encompassed by these and other bills. Instead, it seemed to us we could be most helpful to you if we limited our observations to those few steps -- four in number -- that, in our view and based on our experience, will improve the present guaranteed loan program. And when we speak of improving the present program, we must not become so impatient or critical that we lose sight of the great contribution it has made, and is making, to financing education for America's young people. The whole concept of guaranteed loans is a good concept. Lenders, guarantors, colleges and students have all done a great job in making it work. We at USAF are happy to have helped pioneer its development. We want to continue helping it grow and flourish, in its own proper balance -- and in perspective with other elements of today's total student aid package. It is most important that all of us keep the guaranteed loan program in perspective -- and remember that it has never purported to do the whole aid job by itself. It has never presumed to be a competitor with any other aid element. It is willing and able to supplement the other aid elements, as they supplement it.

In this setting we offer our suggestions for improving the effectiveness of the present guaranteed student loan program:

First, the secondary market. It is urgently needed -- and it is urgent that it be set up in such a way that it will work!

Few would deny that with the volume of guaranteed loans running at $800 million a year, and heading toward $1 billion a year, some way must be found to "lay off" outstanding loans in order to free money for further lending. Otherwise, the money that lenders can afford to set aside for this nonprofit service will be steadily and drastically reduced, and many will finally have to drop out of the guaranteed loan program altogether.

But there is a danger that some changes now proposed in the underlying student loan program may make a secondary market unworkable. For example: Increasing the loan limit to a maximum of $17,500 for one student over seven years of study. Extending the repayment period to as much as 20 years. Giving a borrower the option to impose his own five-year moratorium on his obligation to repay. Changing the interest rate on a loan, and so on. We are persuaded that before any secondary market can be viable, there must be solid investor confidence that the underlying loan program is sound, established and not subject to abrupt, experimental or whimsical change. This level of investor

confidence is critical to the success of any secondary market device. If this confidence doesn't exist, or if substantial and unproven experiment is likely in the underlying loan program, then the secondary market approach will fail. We believe most of the underlying concepts of the present guaranteed loan plans have proven themselves. They should be altered only on overwhelming evidence that a change would be beneficial -- and even then that change should be made with caution. Since a secondary marketing is feasible only as part of a stable, on-going program, we urge most strongly that only those minimal and absolutely necessary changes be made in the basic program.

Second, the proposal to make these loans an all-college operation. One of the changes being pushed would have colleges rather than banks make, administer and collect guaranteed student loans. We feel such an arrangement would be disastrous for the program, the students, and the schools themselves.

To expect the average college or university to participate effectively in a banking operation of this size, is, in our view, totally unrealistic. Except for a very few of the larger schools, they lack both the facilities and the experience for this kind of operation.

We believe the net result of a nationwide college lending program would be a new and unnecessary burden on the college, a less

effective loan repayment program, and in the long run substantially higher costs to the Federal treasury and the taxpayers.

Under some of the proposals, educational institutions would be not only the principal lenders but, for certain categories of loans, the sole lenders. They would have no choice in the matter. They would have to lend on a substantial scale in order to qualify for desperately needed grant and work funds -- funds which, by the nature of things, only colleges can handle. We suggest that most colleges have problems enough with National Defense loans, without the added burden of administering, refinancing, reporting, and collecting subsidized and guaranteed loans. And in our judgment if the colleges do take the amount of responsibility envisaged under the Administration bill, they would soon have to take it all -- because private lenders would have no particular reason to stay in the program. Indeed (even apart from the proposed college-lender involvement), they would probably pull out in great numbers anyhow if Congress enacts some of the other substantial changes proposed. Mr. Broadway, Past President of the National Council of Higher Education Loan Programs, recently calculated that under some of the proposed arrangements a student who first borrowed at age 17 might still be paying off his loan when he was only nine years away from eligibility for social

security benefits. Banks are simply not going to continue participating in a complicated program where the payout may stretch over a period of 36 years.

Nor would such a program be attractive to a secondary market. Thus, the burden would surely fall back on the Treasury, resulting in precisely the kind of large-scale Federal spending the guaranteed loan concept was devised to avoid.

Third, the matter of family income as a criterion for guaranteed loans.

As we have stated many times, we are strongly in favor of returning to the college financial aid office the responsibility for deciding the type and amount of aid to be given to the individual student. We believe that the aid officer should not be foreclosed from considering the student's whole financial picture, including the family's ability to contribute. Assessment of ability to contribute can produce quite a different result than consideration of family income alone. The ability of parents to help their children through school often depends on many factors in addition to income.

A man making an excellent salary may nonetheless be in trouble when it comes time to pay for his son's or daughter's college education. If two or more children are in college at the

same time, the problem is compounded. Financial emergencies are no respecters of persons, even those with earnings well above the national average.

Inflexible standards of eligibility, such as a cut-off above some specific family income level, would complicate, not simplify, the guaranteed loan program. And they would be unfair. I repeat that the person best qualified to judge a student's overall financial situation -- and to help him make a rational decision as to borrowing -- is his financial aid officer. That officer, rather than being prohibited from doing so, ought to be encouraged -- indeed perhaps required -- to counsel the student about his total education finance picture. Further, he should make -- rather than be prohibited from making -- a recommendation on the dollar amount to be borrowed.

Fourth, the in-school interest subsidy.

The Administration bill would eliminate in-school subsidies for all students except those from the lowest-income families. We believe these subsidies should be dropped completely, with the savings going on to other pressing educational needs.

If we truly believe, as I am sure we do, that an education should increase both citizenship potential and earning capacity, it makes good sense to postpone all guaranteed loan payments,

principal and interest alike, until the borrower has completed his education. Prior to the passage of the Higher Education Act, most guaranteed loan programs, including our own, operated on this sound principle.

But in our opinion it does not make sense to forgive the in-school interest. That would be like saying that the education has not really achieved its purpose -- that the graduate is still not able to make his way in the world. On the contrary, he should be perfectly able to pay off his loan without hardship, unless economic disaster strikes -- and if it does, most lenders will gladly make special arrangements for the duration of the emergency. They do so now.

The in-school interest subsidy is at best of marginal value to the borrower. In the case of an average payout note of $2,000, his cost of repayment would be raised no more than $8 a month. Surely this can't be a great item for a young person then earning a good living. But the cost to the government of paying that in-school subsidy for all borrowers comes to around $100 million a year already, and will soon exceed $300 million a year. There are a great many pressing needs (education needs) that could use that kind of money.

Conclusions

In sum, United Student Aid Funds believes a secondary market is essential. We do not see, however, any way that such a market can work, unless the guaranteed loans are made on the least complex basis possible, and with the minimum of change in the present program.

We believe it would be a serious mistake to put colleges deeper into the loan business, a function for which so very few have any capability. Not only would this dim the prospects for a viable secondary market, but it would inevitably depress private lender interest in the guaranteed loan field as well.

We would like to see ability to contribute rather than famil income used as a consideration of eligibility for various categories of loans. And we believe the decision on what a student needs to borrow should be shared actively by the financial aid officer.

Finally, we recommend the complete elimination of the in-school subsidy, and the diversion to other educational purposes of the $100 million or more that this step would save.

I thank you for your attention. We know there has been some interest in the default problem and anticipating your questions have prepared a statement of our observations. This is attached as an Appendix. We shall be glad to answer your questions.

APPENDIX

OBSERVATIONS OF UNITED STUDENT AID FUNDS, INC., ON DEFAULTS BY STUDENT BORROWERS WHOSE LOANS HAVE BEEN GUARANTEED

United Student Aid Funds, Inc., has for a number of years been concerned about the problem of student borrowers who default on their loans. Purely as a matter of averages, we expect the number and dollar amount of defaults to rise as the volume of loans coming due increases. This has happened, but in addition there has been a small but steady growth in the actual percentage of defaults in loans coming due.

Our policy at USA Funds from the beginning has been to urge lenders to be most lenient with the borrower who is in trouble but who also shows an honest desire to repay and to make an arrangement with the lender even on a basis which materially extends the payment date. Lenders have cooperated in this undertaking.

On the other hand, we believe the willful defaulter should be pursued diligently. We have tried to do this. We believe this must be the policy of all guarantors, the Federal government included. A number of agencies will guarantee loans for students in the same area -- even at the same institutions. If the impression is created that loans guaranteed by even one of the guaranty agencies are not regarded as real obligations that need to be met,

it will have an adverse effect on all guaranteed student loan repayments.

A few years ago we adopted a plan of aiding lenders to encourage borrowers to meet their obligations at the first indication of a probable default. Briefly the plan, a strictly voluntary one, is as follows:

A lender notifies us that a borrower has failed to make payments on time. Immediately we send the delinquent borrower a night letter urging him to bring his account current, and reminding him of the financial and legal penalties of default. We send copies to parents, co-maker (if any), college attended, and lender.

Some 2,000 of these "delinquency" wires have been sent out so far this year. Lenders report that they get borrowers back on schedule in more than half the cases as a direct result of these reminders by wire.

We follow a similar plan after we pay lenders who are forced to come to us for payment in those cases where a borrower's delinquency persists. Such efforts on our own behalf are much less effective at this late stage, but we still avert losses on about 15% of these confirmed defaults.

Parts of this plan have been adopted by other guaranty agencies.

This, however, was an attempt to cure the disease. More recently we have added a plan that we hope will aid in preventing it.

We have prepared a leaflet (copy attached) telling graduating borrowers the importance of credit. Also, how important to their own future credit eligibility is the repayment of their student loans. The pamphlet urges them to make prompt arrangements now for later repayment of their loans. This is being sent in quantity to college financial aid officers with an explanation of the guaranteed loan program and the request that the leaflets be distributed to graduating borrowers.

We also write to the president of each college, pointing out the importance to the college of a good repayment record by its graduates. We ask his personal and official support of the financial aid officer's efforts.

In addition, we have prepared an advertisement (copy attached) on the subject and sent it to campus newspapers suggesting it be run for the benefit of readers who have borrowed.

It is too early to tell the effect of the new plan, but we are sure with the cooperation of lenders and school authorities

it should be helpful. The following is a description of our past experience:

We endorsed our first student loans in 1961. First repayments were made in 1962. The first loss through default came a year later. In ten years of operation we have endorsed 456,000 loans totaling $301,000,000. $67,000,000 of that has been fully repaid, and $104,000,000 more is currently being repaid on time. But about $9,000,000 has not been repaid to lenders. It is worth emphasizing here that while this $9 million default figure amounts to about 3% of our total loans, it is slightly in excess of 5% of the loans in repayment stage -- a much more significant point of comparison. We have had to make good on behalf of the 9,900 defaulting borrowers by paying this $9 million to lending banks to cover their loans which we guaranteed. We continue diligently to pursue these defaulters, and ultimately recover after collection costs are paid about one-half of the amount paid to lenders on their behalf.

The growing percentage of defaults to the amount "subject to repayment" -- that is, paid in full or due for installment repayment -- is shown below.

1964 - 1.25%
1965 - 2.17
1966 - 2.97
1967 - 4.00
1968 - 4.69
1969 - 4.98
1970 - 5.49

In contrast to the State-supported programs whose borrowers reside in a single area, United Student Aid Funds embraces the whole United States. Our program includes students of some 960 sponsoring colleges. It includes 14 States we have served as guaranty agency, and 13 more States for whom we have administered funds advanced by the U. S. Commissioner of Education. 10,000 lenders, in all States, make student loans with our endorsement.

With this range and diversity of borrowers -- and lenders -- it is significant that both the proportion and trend of overall defaults in our varied program parallels closely those reported by the New York and Pennsylvania student loan guaranty agencies.

It is difficult to classify the sources of default within such a broad spectrum without analysis too costly for us to afford. However, the record in a few broad categories may be useful. We can report the following percentages of default:

College borrowers prior to 1966 (effective date of Federal guarantee)	1.9%
College borrowers since 1966	6.3
Vocational school borrowers (since 1966)	9.6

This experience we believe is about the same as that of other plans of comparable size and maturity.

In conclusion, we should emphasize again our belief that each lender and guarantor must diligently pursue all willful defaulters because of the adverse effect on the future credit standing of the borrower and also because of the adverse effect on the default experience of all guarantors.

NEW YORK HIGHER EDUCATION ASSISTANCE CORPORATION
50 WOLF ROAD ALBANY, NEW YORK 12205

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Statement
by
Elwood D. Hollister, Jr.

Executive Director
of
New York Higher Education Assistance Corporation

Before the
Senate Education Committee
United States Senate

Tuesday, May 18, 1971

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Mr. Chairman and Members of the Committee:

The following information is submitted to you concerning New York Higher Education Assistance Corporation's experience in handling defaulted student loans and a compilation of default statistics.

New York Higher Education Assistance Corporation has been in existence since 1958. Until recently our default experience had not been a disturbing factor but during the past year the number of defaults have greatly increased and the situation is now of major concern.

After students have left school they are provided a nine month grace period but for better administration students are urged to visit the lending institution as soon as possible after they leave school to arrange for monthly payments at the end of this period. Based on reports from schools which are initiated by this Corporation, we are advised that the student is no longer in school. The students and the lending institutions are then notified through a notice that the student has left school. In addition to this notification, lenders also send notices to the student and make other efforts to contact the student. Lenders follow their normal collection procedures and do what they can to have the student come into the bank or respond by mail to complete repayment arrangements. After the grace period, if the student has not made the necessary arrangements a claim for reimbursement is filed with New York Higher Education Assistance Corporation. When claims are received by the Corporation efforts are made through letters, telegrams and personal contact to advise the students that if they do not make arrangements with the lender that New York Higher Education Assistance Corporation will have to purchase the claim. We point out that this action will hurt the individual's credit record and in some cases result in paying the full interest rate rather than the 3% interest rate they will pay to the lender. As a result of these procedures New York Higher Education Assistance Corporation is averting about 50% of the claims received from lending institutions.

In arriving at statistical information concerning the default purchase ratio the Corporation determines the dollar volume of the loans subject to or in repayment, the amount repaid by students to lenders and the dollar amount of default purchases and computes the default purchase ratio by determining the ratio of default purchases to the total amount of money which is subject to repayment.

We do not include the dollar amounts outstanding to students who are in school or in the grace period because those amounts are not at that time subject to repayment.

	Cumulative as of Periods Ending ($000 Omitted)		
	12/31/68	12/31/69	12/31/70
DEFAULT PURCHASE RATIO:			
Converted Loan Amounts			
Subject to or in repayment	$ 86,000	$110,000	$147,000
Repayments	89,000	121,000	170,000
Default Purchases	6,800	9,200	14,550
Total Converted	$181,800	$240,200	$331,550
Default Purchases	$ 6,800	$ 9,200	$ 14,550
PURCHASE RATIO	3.7%	3.8%	4.4%

We have further analyzed these statistics to separate higher education borrowers and vocational borrowers. At the end of the last fiscal year the default purchase ratio for students in vocational programs stood at 7.3% and those in higher education stood at 4.2%. The increase in the vocational default ratio is shown on the graph marked Exhibit 1. We must point out that after defaults are purchased by the Corporation collection efforts are actively continued. This includes efforts by the Corporation itself and also the use of attorneys to obtain judgement to effect the collection of these defaulted loans.

	Cumulative as of Periods Ending ($000 Omitted)		
	12/31/68	12/31/69	12/31/70
ANTICIPATED DEFAULT LOSS RATIO:			
Total Converted	$181,800	$240,200	$331,550
Anticipated Amount of Losses*	$ 3,400	$ 4,900	$ 8,700
LOSS RATIO	1.9%	2.0%	2.6%

*Anticipated Losses - Estimated amounts which NYHEAC does not expect to recover.

We are sure you are also interested in the actual dollar amount of the expenditures made by the Corporation to purchase defaulted loans. For the New York State fiscal year which ended on March 31, 1970 the

Corporation expended $3,018,408 and at the end of that fiscal year had expended a total of $10,201,764 to purchase defaults since the start of operations on June 30, 1958. For the fiscal year ending March 31, 1971 the Corporation paid out $6,212,095 for defaulted claims. This is more than a 100% increase over the preceding fiscal year and in the last two years the Corporation has purchased more claims than it had for the first ten years of its existence. Due to rising volume, the amount of default purchases would have risen somewhat but the accelerated rate of these expenditures in so short a period of time is disturbing to members of our Board of Directors who are cognizant of their obligation as responsible stewards of public funds.

In trying to determine some of the trends in the program it is apparent that, while New York State has provided approximately 10% of the loans it has made in the last two years to students in vocational programs, 35% of the default claims paid are on behalf of students who have enrolled in vocational programs. The average amount of the claim paid on vocational schools is less than the amount paid on higher education students due to the fact that there is normally a smaller loan required and that in most cases there is only one year or less of schooling while higher education students normally spend a longer time in school before they are subject to repayment.

In Exhibit 2 we show the number of claims paid by the Corporation during the last three fiscal years and indicate the type of school the borrower attended. Not only has this number increased drastically but the big increase has been in the area of beauty schools and trade schools. Nursing students generally are meeting their obligations promptly and the business schools, which includes in our statistics a number of computer schools, is beginning to grow faster than we had anticipated. We must state however that the normal two year business school default rate seems to be fairly stable and further refinements in our analysis process will enable us eventually to separate the normal business school from those engaged in a computer school type of operation. The schools which have shown the greatest percentage rate of growth are those which do not require high school graduation for admission.

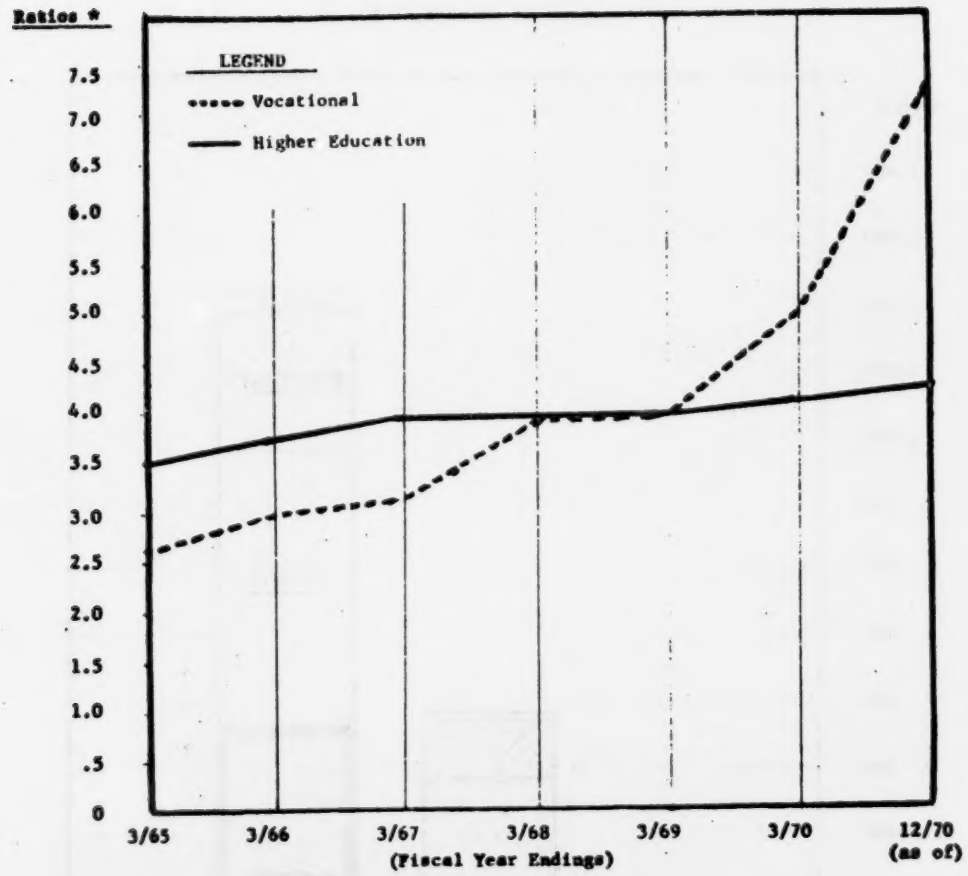
I am certain that beside outlining this very disturbing problem that for true perspective you should know New York records show that in this last fiscal year students have repaid to lenders, in accordance with their installment obligations or through lump sum payments, $49,473,129. Fortunately, the great majority of youth who have obtained loans are still promptly meeting their obligation. However, these statistics point out that there are

areas where distinct problems are apparent and our Board has commissioned a consulting firm, Derryck Associates of New York, to make a study of the vocational program to try to determine some of the reasons for the default ratios climbing so rapidly in this area. This report has recently been completed and early next month the Board of Directors of this Corporation will have a meeting with the consulting firm to review their findings and recommendations.

NEW YORK HIGHER EDUCATION ASSISTANCE CORPORATION

EXHIBIT 1

DEFAULT RATIOS
(By Fiscal Years)
Vocational vs. Higher Ed. Borrowers



* Based on Borrowers Out of School

NUMBER OF DEFAULTS PURCHASED
(Cumulative)

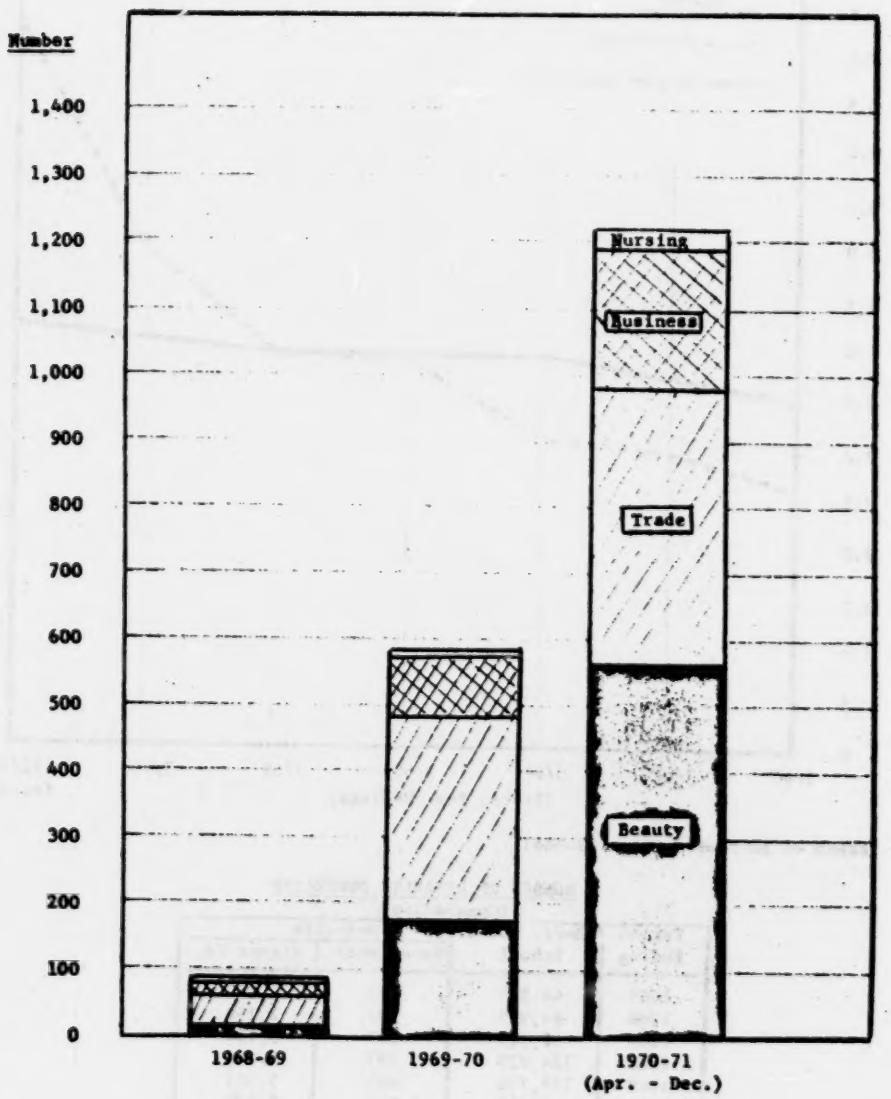
Period Ending	Borr. Out of School	Defaults	
		Vocational	Higher Ed.
1965	44,355	79	1,462
1966	64,963	157	2,190
1967	90,315	287	3,164
1968	124,935	397	4,422
1969	158,136	685	5,541
1970	212,912	1,229	7,424
12/70	267,928	2,460	9,821

NEW YORK HIGHER EDUCATION ASSISTANCE CORPORATION

VOCATIONAL DEFAULT PURCHASES
(Fiscal Years)

EXHIBIT 2

By Types of Vocational Schools



THE AMERICAN BANKERS ASSOCIATION 1120 CONNECTICUT AVENUE, N. W., WASHINGTON, D. C. 20036

CLIFFORD C. SOMMER
PRESIDENT

SECURITY BANK AND TRUST COMPANY
OWATONNA, MINNESOTA 55060

June 9, 1971

The Honorable Claiborne Pell
Chairman, Subcommittee on Education
Committee on Labor and Public Welfare
United States Senate
Washington, D. C. 20510

Dear Mr. Chairman:

The American Bankers Association appreciates this opportunity to present its views on the various amendments to the Higher Education Act of 1965, in particular those relating to the guaranteed student loan program.

As you know, The American Bankers Association has testified before your Subcommittee a number of times in support of this legislation.

Since the enactment of the 1965 legislation, the growth in insured student loans has been impressive. According to statistics furnished by the U. S. Office of Education, the number of insured student loans granted since the passage of this Act now totals more than 3.4 million, amounting to $3.15 billion. Commercial banks have made more than 81 percent of these loans. But, we have increasingly become convinced that changes in the program are absolutely essential if we are to retain, let alone increase, the present level of participation.

During the decade of the 1970's, the demand for student loans will continue to rise. While the rate of growth in college-age population is expected to slow down as compared with the past decade, a greater percentage will be attending college, and tuition and other expenses are expected to continue to increase. Thus, the demand for funds is likely to rise substantially. We feel it appropriate to point out that these and other demands for long-term credit during the 1970's are likely to swamp commercial banks and other lenders, unless a broader market and a mechanism for making these loans more liquid are devised.

As a socially desirable undertaking, the student loan program is, and should be, high on the list of national priorities. The banks have amply demonstrated their concern that no deserving young person should be denied the chance to go to college for lack of financial assistance. In the search for alternatives, we firmly believe that the Congress chose wisely in relying on the loan insurance or guarantee method for encouraging a healthy flow of funds from private lending institutions into student loans. We continue to believe that the insured loan program will adequately meet the need for a rising volume of student loans in the years ahead, if an appropriate secondary market facility is established.

Turning now to the legislation relating to this program which is pending before your Subcommittee, we would like to comment on S. 659, S. 1123, S. 1161, S. 1755, and S. 1756.

S. 659

S. 659, entitled the "Education Amendments of 1971," is a comprehensive bill covering the entire field of higher education. As participants in the student loan program, our primary interest is in Sections 144, 145, and 146 of Part D, Student Assistance.

Section 144 would continue the guaranteed student loan program for an additional five years. Section 146 would continue the Emergency Insured Student Loan Act of 1969, special interest rate allowance, for two years. Section 145 would establish a loan warehousing procedure.

Section 145 requires discussion in greater detail since it is of primary concern to us. Warehouse loans would be made only to eligible lenders under terms and conditions set by the Commissioner of Education. However, the maximum amount advanced would be 80 percent of the unpaid balance of eligible loans. Repayment would be required at a time and in a manner the Commissioner may require. In addition, all warehouse advances would be conditioned upon reinvestment in new student loans.

Funds for warehousing would be obtained by the Commissioner of Education from the sale of "education warehouse certificates" and by the establishment within the Treasury of an "education warehouse revolving fund." This fund would be financed through the sale of obligations by the Commissioner to the Secretary of the Treasury at an interest rate matching market yields on Treasury issues maturing in five years. The Secretary of the Treasury would be empowered to borrow through the issuance of "education bonds" to make the money for the revolving fund available.

Commenting briefly on these proposed changes, we endorse the extension of the present special interest rate allowance provisions to 1973 and other required changes to permit the present program to continue beyond the June 30, 1971, expiration date.

However, our Association regards the so-called secondary market provisions embodied in S. 659, which provides only for warehousing facilities, to be inadequate. As indicated in our testimony last year, we feel that the basic purpose of student loan warehousing is to accommodate holders of State and privately insured or guaranteed loans. This would provide liquidity for loans which lack the uniformity of terms and conditions needed to be acceptable in a national market.

In view of the requirement to make repayment eventually, a warehousing loan can be considered by lenders as only a temporary source of liquidity. The most critical need is for a true secondary market such as the one provided by FNMA. Such a market combined with warehousing arrangements would provide the fullest degree of flexibility. In this connection, I would like to quote from the statement made last August before your Subcommittee by Under Secretary of the Treasury Charls E. Walker:

I want to stress this point. Warehousing will not solve the long-term liquidity problems created by a sizeable student loan portfolio. The lenders must at some point repay the advance. The flexibility to adjust to changing market conditions would not be provided by warehousing alone.

We also believe that the warehousing procedure under S. 659 would be needlessly expensive for the Government. All of the advances from the Treasury to finance the revolving fund would be a budget expense.

We recognize from your statement when this bill was introduced that you and many members of your Subcommittee "have come to the conclusion that Congress should not adopt loans as the major Federal method of financing higher education," but would prefer a program of direct grants. However, according to the National Urban Coalition's Counterbudget, "such a program would cost $35-$40 billion a year by 1976 -- a prohibitive price given the amount of Federal resources we expect to be available during the next five years." With this in mind, it seems imperative to us that Congress continue the existing program, and also include a viable secondary market.

The Administration Bill

The Administration bill, S. 1123, introduced by Senator Prouty and others, has many aspects of the student loan provisions which are the same as those proposed in 1970. Similarly, Part D, Title IV, of the pending bill again proposes to establish a National Student Loan Association (NSLA) to operate as a secondary market and warehousing facility.

The major provisions of S. 1123 directly affecting insured student loans include:

- The repeal of the special interest adjustment allowance and all other government interest payments, except on loans to needy students.
- Replacement of the regular 7 percent interest rate limitation by a maximum rate lenders may charge, to be determined by the Secretary of HEW in consultation with the Secretary of the Treasury and NSLA. This rate could not be less than the average rate of interest on all interest-bearing obligations of the United States at the beginning of the fiscal year.
- An increase in the total of all loans permitted, from $1,500 to $2,500 per year, over a maximum 7 years of academic study.
- Extension of the longest repayment period from 10 years to 20 years.
- Repayment to begin 9 months after completion or stoppage of academic study plus military or other eligible government service.

- Interest to accrue during in-school, government service, and the 9-month grace period to be added to principal and covered by insurance.

- In addition to the required deferment of interest and principal payments during in-school and other grace periods, another voluntary 5-year deferment of all payments could be arranged by agreement between borrower and lender.

- Lenders would be required to prepay an insurance premium of ½ of 1 percent for in-school and other grace periods. This cost may be passed on to the borrower.

- Exemption from truth-in-lending requirements for all student loans.

Types of Loans Under S. 1123

The insured student loan program would encompass three categories of advances: (1) Resource Equalization Loans, (2) Cost of Education Loans, and (3) Nonsubsidized Loans.

The first two would be subsidized to the extent of full interest payment by the government during in-school and grace periods. All interest above 3 percent would also be provided by the government during the first 10 years of the repayment period, but none thereafter.

The Resource Equalization Loan limit is expected to be set at $400 per year. These loans would be available only to needy students to supplement grant/work-study assistance. In addition to these loans, Cost of Education Loans up to $1,500 per year would be available to needy students depending on the costs at a particular school. It is expected that the limitation on eligibility for these two types of loans would be based on family income (said to be not more than $10,000 except where the number of dependents reduces the family contribution below what could be afforded at that income level or where more than one dependent is qualified for post-secondary education). Only the academic institution involved would be eligible to make Cost of Education Loans. All recognized lenders would be eligible to participate in making Resource Equalization Loans. Nonsubsidized loans would not require a means test. Accordingly, up to the limit of borrowing, all students would be eligible for such loans.

Before going on to the establishment of the National Student Loan Association, we would like to comment on the changes in loan provisions under S. 1123.

Comments on Loan Provisions of S. 1123

We feel that few bankers would participate in Resource Equalization Loans totaling only $400 per year. The paper work involved would inevitably make such

loans prohibitively expensive. Moreover, since many of these loans would be combined with Cost of Education Loans which only schools are permitted to provide, being billed for two sets of loans would be burdensome for the borrower.

However, our primary concern is for the great majority of students from families with incomes falling above the cut-off point for assistance under S. 1123. For these students the bill provides only the nonsubsidized insured loans. As spelled out in the bill, the maximum annual amounts of borrowing, the total years of study covered, and the longest permissible time for repayment would produce monthly or quarterly payments exceedingly onerous for the borrower. In addition, lenders cannot be expected to completely forego income during the extended periods of deferment under the bill. For those reasons, our Association cannot support the proposed new loan arrangements.

As we stated last year, the maximum 20-year payout period is too long in our opinion. Moreover, with an annual loan limit of $2,500 during a 7-year academic period under H.R. 5191, the amount borrowed could reach $17,500, a total which begins to approach a home mortgage in size (as well as in term to maturity). With in-school and other grace period deferments, many borrowers would be making very substantial payments into middle life. During this period, they would be taking on other obligations: marriage, children, a home. Quite conceivably, both husband and wife might be saddled with large amounts of school debt during such time. Thus, the total amount payable over such a long period would certainly prove burdensome.

(An appendix to this letter provides tables on aggregate amounts of interest payable based on interest accrued and level payments at 7 percent interest, both for maximum loans and repayment periods under S. 1123 and for loans in comparison with the present system.)

The maximum 7-year in-school period, plus a 3-year term of military service, plus the 9-month grace period, all mandatory under the bill before repayment begins, would mean that interest would be deferred for periods up to more than 10 years. We cannot support a provision which would force lenders to carry loans for that possible length of time before payments of any sort would be forthcoming. To make the unsubsidized loans practicable, some arrangement for meeting the deferment problem will have to be devised.

Obviously, we strongly oppose the additional 5 years of deferment by mutual agreement between borrower and lender recommended in S. 1123, not only because it would mean carrying debt without income for so long a time but also because it would add very significantly to the burden of debt. For example, 5 additional years of deferment at 7 percent simple interest (noncompounded) would add 35 percent to a debt already increased by in-school deferment and also perhaps by government service plus the extra 9 months of required grace period, before repayment begins.

We also wonder why the bill exempts lenders from truth-in-lending requirements. We find no reasonable justification for this, particularly in view of

the lack of financial sophistication on the part of most prospective borrowers and their families.

National Student Loan Association

The American Bankers Association certainly continues to endorse a secondary market for student loans and, indeed, urges the establishment of a viable facility such as the National Student Loan Association (NSLA), as originally conceived in last year's bill. Although its basic features have not been significantly altered in the present bill, we have some concern over how these provisions would be carried out.

In summary, NSLA would be authorized to make advances on loans held as security (warehousing); and to buy, service, sell and deal in loans insured under the Higher Education Act of 1965 (secondary market operations). To provide for financing, NSLA would issue common stock but would rely mainly on its ability to borrow in the capital market, based on a full government guarantee of its debt service obligations.

Accordingly, NSLA notes or debentures should quickly resemble other Federal agency issues in yield, marketability, pledging for public deposits, eligibility for discounting, and so on. Such issues can be offered at lower rates of interest than private obligations and only fractions of a percentage point higher than those on U. S. Treasury issues, the floor for all market rates.

It has been said that interest rates on future student loans may be tied to NSLA borrowing costs. In the current market environment for Treasury and agency issues, if NSLA sells intermediate-term obligations, say up to 5 years maturity, the rates required would be substantially lower than on long-term issues. Yet, student loans are clearly long-term obligations resembling mortgages. Hence, they should command long-term rates and also include appropriate servicing costs. In its zeal to help students, NSLA may argue for more liberal terms based on cost of money, rather than on going long-term rates such as on mortgages. Moreover, default and delinquency rates which appear to be rising and would reflect some loss of interest, should also be taken into accounts.

Other matters of considerable concern to us pertain to the position and treatment of academic institutions in NSLA operations. It is apparently intended by those in charge of the student loan program that schools be encouraged to make loans to the greatest extent possible, perhaps including unsubsidized loans. They may also be given immediate priority in claims on NSLA funds.

For example, higher education institutions, including proprietary schools, would be permitted to sell the loans they originate directly to the Commissioner of Education while awaiting the inception of NSLA operations. In turn, the Commissioner would be entitled to resell such loans to NSLA as soon as it begins to function. Moreover, all of these sales and all subsequent school sales to NSLA would be priced at par.

In contrast, banks and other nonschool lenders would be subject to full market risk on their student loans portfolios. That is, NSLA would buy their loans, priced on the basis of going market rates, or at its discretion, at even lower prices to discourage lender offerings.

These possibilities raise serious problems. First, if colleges are encouraged to make loans and are assured the right to sell them to NSLA at par, the schools become rather thinly disguised conduits to NSLA funds, in effect putting NSLA virtually in the position of direct lender. Second, expanded school lending and immediate unloading of the loans would probably glut NSLA loan holding capacity. As a result, NSLA's ability to absorb nonschool loans would be greatly curtailed. The combination of unequal price treatment and favored access to NSLA funds may well stunt, if not effectively kill, a truly viable secondary market.

Continued private sector participation requires an NSLA whose warehousing activities would be confined mostly to accommodating lenders holding State and privately insured or guaranteed student loans, and one whose secondary market purchase and sales practices would treat all lenders alike. This is the FNMA approach.

S. 1161

Another bill, S. 1161, entitled the "Student Assistance Act," introduced by Senator Mondale, is a comprehensive bill covering various phases of financial aid to students for higher education purposes. It includes: grants to needy students, and aid in the form of fellowships to graduate students, generally on the basis of need; the establishment of a "Higher Education Loan Bank"; and programs designed to assist the disadvantaged through incentive and training grants. In addition, the legislation calls for the creation of a "National Advisory Council on Student Assistance."

As participants in the student loan program, our primary interest is in the "Higher Education Loan Bank." According to the proposed bill, the Bank would not be an instrumentality of the Government, although its board of 15 directors would be appointed by the President with one of them selected to be chairman.

The bill does not cover the issuance of capital stock of the Bank nor does it make provision for start-up funds. However, the Bank is empowered to issue up to $5 billion in market obligations with principal and interest guaranteed by the full faith and credit of the United States.

The Bank would lend money to students not to exceed the cost of education and according to "other terms and conditions as the board deems necessary." The loans, not to exceed 30 years for repayment, would contain provisions as nearly similar to loan agreements under the present Act as the board finds practicable. However, payments of both interest and principal would be deferred for the academic period plus three years each, for service in the military, the Peace Corps, and VISTA, or any service designated by the President as comparable to those services.

The American Bankers Association does not favor the "Loan Bank" approach. The plan would reduce private participation merely to the purchase of the Bank's

market obligations. Although empowered to sell student loans out of portfolio, the Bank could incur heavy losses unless the loans carry realistic market rates of return. It is highly unlikely that going rates would be charged and there would be little incentive for private lenders to buy any student loans. Servicing costs are likely to be large and, presumably, these costs as well as losses would be charged to budget appropriations. Without portfolio sales, the Bank would be required to issue an ever increasing volume of new marketable securities to finance a rapidly expanding student loan program.

Moreover, the bill carries no specific provision requiring the Bank to buy existing student loans. Hence, it would not function as a secondary market and, thus, existing lenders would remain locked into presently held illiquid, mostly unprofitable, long-term student loans. In the process, these lenders who have contributed so fully towards making the present program work, would no longer be able to participate actively and directly in this highly worthwhile social enterprise.

S. 1755 and S. 1756

Two bills have recently been introduced by Senator Chiles: S. 1755 and S. 1756.

S. 1755 would create a secondary market for the student loan program similar to the Federal National Mortgage Association. This is something this Association has long advocated if financial institutions are to continue to participate in this program. A secondary market would not only, we feel, increase the participation by banks, but would also attract those financial institutions that are not now in the program. We assume that, unlike the Administration's bill, this would treat all lenders on an equal basis.

S. 1756 would, among other things, continue the existing guaranteed loan program and the interest subsidy for five additional years. It would also increase the amount that could be borrowed in any year from the present $1,500 to $2,500, and increase the aggregate amount from $7,500 to $10,000. It also pledges the full faith and credit of the United States on all amounts which may be required to be paid under the default provisions of the Higher Education Act.

We feel that the two bills introduced by Senator Chiles would be most beneficial to the success of the guaranteed student loan program. The continuation for five years of the existing programs, as proposed in S. 1756, would give the Congress, the Office of Education, and the lenders a time certain in which to evaluate the existing administrative techniques and the problems of collection in light of the experience during the first major repayment cycle of the program.

The creation of a true secondary market, as proposed in S. 1755, would go far to solve the liquidity problems that have confronted so many lenders.

Summary

In conclusion, we support the continuation of the existing programs and we urge the immediate establishment of a Student Loan Marketing Association as

THE AMERICAN BANKERS ASSOCIATION

CONTINUING OUR LETTER OF June 9, 1971

SHEET NO. 9

a truly viable and equitable secondary market facility. The need for such a market increases with each loan made, but it must contain appropriate safeguards for the equitable treatment of all lenders. We further feel the warehousing should generally be confined to providing liquidity for State and privately insured or guaranteed student loans due to variability in their terms and conditions.

We hope that the Congress, in its wisdom, will see fit to act on this legislation as expeditiously as possible so as not to deprive any needy student of the opportunity to further his education in this coming school year, or any school year.

Sincerely,

Clifford C Sommer

Clifford C. Sommer

Attachments

60-433 O - 71 - pt. 5 - 27

APPENDIX TABLE 1

Maximum Aggregate Amount of Interest
Payable under S. 1123 -- Guaranteed Student Loan Program

Assuming: (1) Maximum allowable borrowing; (2) Maximum academic period; (3) Maximum repayment period; (4) 7 percent interest rate; (5) Quarterly level payments during repayment period.

A. Without 3-year interest deferment for government service:

Total borrowed, $2,500 x 7 years	$17,500
Accrued interest, in-school period 1/	5,512
Total amount to be amortized during 20-year post-academic period	$23,012
Aggregate amount of level quarterly payments $536.67 x 20 years x 4 quarters	$42,934
Less: Total originally borrowed	17,500
Aggregate amount of interest payable	$25,434

B. With 3-year interest deferment for government service:

Total borrowed, $2,500 x 7 years	$17,500
Accrued interest, in-school and government service periods 2/	9,188
Total amount to be amortized during 20-year repayment period	$26,688
Aggregate amount of level quarterly payments $662.38 x 20 years x 4 quarters	$49,790
Less: Total originally borrowed	17,500
Aggregate amount of interest payable	$32,290

1/ Interest accruing at 7 percent during the in-school period without compounding is equivalent to about 6 percent compounded quarterly.

2/ The accrual of interest during 3 years of government service in addition to the in-school deferment without compounding is equivalent to about 5.6 percent compounded quarterly.

APPENDIX TABLE 2

Aggregate Amount of Interest Payable by the Student
Under S. 1123 and Under Present Insured Student Loan Program

Assuming: For comparability, maximum allowable amount of borrowing and maximum repayment period under present program; borrowings, $1,500 per year for 5 years; repayment period, 10 years; 7 percent interest rate throughout.

A. Under present program: Interest during in-school and 3-year government service periods paid by government

Total borrowed, $1,500 x 5 years	$ 7,500
Total amount to be amortized during 10-year repayment period	7,500
Aggregate amount of level quarterly payments, $262.29 x 10 years x 4 quarters	10,492
Less: Total originally borrowed	7,500
Aggregate amount of interest payable	$ 2,992
Interest as % of total borrowed	39.9%

B. Under S. 1123: Interest during in-school and 3-year government service periods defered and paid by borrower

Total borrowed, $1,500 x 5 years	$ 7,500
Accrued interest during deferment periods	1,838
Total amount to be amortized during 10-year repayment period	$ 9,338
Aggregate amount of level quarterly payments, $326.55 x 10 years x 4 quarters	$13,062
Less: Total originally borrowed	7,500
Aggregate amount of interest payable	$ 5,562
Interest as % of total borrowed	74.2%

THE WONDERFUL WORLD OF BANKING

COMMERCE BANK
of Mexico

P.O. Box 600, 100 West Jackson
Mexico, Missouri 65265
Phone: 314-581-1104

A Commerce Bancshares Affiliate

May 11, 1971

The Honorable Stuart Symington
Senate Office Building
Washington, D. C. 20510

Dear Senator Symington:

A representative of our bank recently attended a meeting in Jefferson City, sponsored by the Department of Health, Education and Welfare, concerning federally insured loans for college and secondary education expenses.

Our bank has been involved in the United Students Aid Funds program since its inception and we are fully aware of the needs for assistance for deserving college students and the importance of either program. We understand that there will no longer be a USAF sponsored program and that all of the direct student loans will be made through lending institutions under the U. S. Office of Education program.

There has been some concern on our part for the past year or so as the demand for these loans is steadily increasing and there is a limit to the amount each individual bank can invest in the program. As you may or may not know, not all home town banks participate in the student loan program and this has placed an unusually heavy burden on the remaining banks who have realized the needs and are willing to participate. I think our bank is the only local lending institution currently active in this loan program. The volume of loans we have made has continued to increase and due to the length of time before repayment is eventually completed, it is conceivable that the demand would be large enough that it would be impossible to make new loans to deserving students. So far, repayment is a small portion of the loan volume so new funds from this source are limited.

The point I am trying to make is to encourage you to support a secondary market program for these loans. Attached is a copy of an article outlining the basics of HR 7248 currently being considered by Rep. Green's (Ore.) House Education Subcommittee. I suppose this would be similar to the Federal National Mortgage Association and government NMA. If a secondary market were available, we would be more than happy to consider processing all the loan applications that we receive from students in this area, whether they were customers of our bank or not.

As the institutions of higher learning are continually pressed for funds and there is a limit to direct government participation in this program,

it seems to me that the banking institutions and others can do this job if we can have a source of a secondary market fund where eventual servicing is made and thus free local funds to be put back into the program.

Any consideration you can give to support this position will be appreciated by the students who are going to be seeking loan funds to go to college this fall. The situation has become critical enough with us that we may not be able to make loans available to all the deserving students who have already started on their college education and who currently have one or more loans outstanding.

Sincerely yours,

John R. Cline

John R. Cline, President
COMMERCE BANK OF MEXICO
Mexico, Missouri 65265

JRC:mob

President
P. Jerome Cunningham
Wesleyan University
Vice President
Martin Curry
Southern Conn. State Coll.
Secretary-Treasurer
John Rapp
University of Connecticut
Corresponding Secretary
Justin Pagano
Mattatuck Community Coll.
Member At Large
Elaine Bodnar
University of Bridgeport

CA$FAA

CONNECTICUT ASSOCIATION OF STUDENT FINANCIAL AID ADMINISTRATORS

Section 144 - Strongly agree.

Section 145 - Outstanding idea.

Section 147 - This is one of our better programs to aid needy students. An increase in funding level and a review to reduce inequities are sorely needed. (see attached letter to Commissioner Marland re: Proposed review of CWSP).

Your leadership on behalf of Higher Education is greatly appreciated.

Sincerely yours,

P. Jerome Cunningham
President

enclosed: letter to Commissioner Marland

President
P. Jerome Cunningham
Wesleyan University
Vice President
Martin Curry
Southern Conn. State Coll.
Secretary-Treasurer
John Rapp
University of Connecticut
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Justin Pagano
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Elaine Bodnar
University of Bridgeport

CA$FAA

CONNECTICUT ASSOCIATION OF STUDENT FINANCIAL AID ADMINISTRATORS

March 5, 1971

Senator Claiborne Pell, Chairman
Senate Sub-Committee on Education
United States Senate
Washington, D.C.

Dear Senator Pell,

The Executive Committee of CASFAA (Aid Officers at 3 public and 2 private institutions) met yesterday to discuss and prepare comments on Bill S 659 - Education Amendments of 1971. We agreed to restrict our comments to that portion of the bill, Part D, wherein our presumed expertise is applicable.

We strongly support the basic philosophy of the bill as spelled out in your introductory remarks, especially those referring to a Federal commitment which is more than mere lipservice. Institutions, financial aid officers and students need some long range planning and continuity in student aid. We are already in the middle of admission and aid discussions for 1971-72!

The following sections of Part D have been singled out for specific comment:

Section 142: Excellent idea for base amount of EOG. Recommend
(a) 3-4 year average of income tax paid to indicate normal level of living.
(b) The maximum of $1200 or an amount not to exceed ½ of the student budget at that institution.
(c) Must be a full-time student making normal progress towards a degree.
(d) Establish a 4 academic year commitment leading to a Bachelor's degree which the student can "draw against" depending upon type (cost) of institution he attends.

Cost of instruction allowances- We are unsure of amount intended for this allowance. We strongly recommend a guarantee of full-funding for basic EOG prior to considering other allowances to the institution or special programs.

Section 143: Special services should be responsibility of the institution which the student attends. Any funding for improving accessibility of admissions for disadvantaged students should go to students to meet expenses.

FINANCIAL AID OFFICE CASFAA
WESLEYAN UNIVERSITY
MIDDLETOWN, CONNECTICUT

COPY

file Cosfaa

February 17, 1971

Mr. Stanley P. Marland Jr.
Commissioner of Education
U.S. Office of Education
Washington, D.C. 20202

Dear Commissioner Marland,

In response to the invitation issued by Secretary Richardson and yourself the following comments concerning 45 CFR, Parts 175, 176, are submitted for your perusal on behalf of the Student Financial Aid Officers at 39 Connecticut Institutions of Higher Education both public and private:

1. We decry this attempt to revert to "stone age" practices of determining financial aid eligibility. Fifteen years of development by college Financial Aid Officers and College Scholarship Service are being ignored

2. Those institutions keeping valid statistics which they duly reported on line 30, Section E, Application to Participate in Federal Student Financial Aid Programs, will be penalized for honesty unless some specific steps are taken to verify "estimates".

3. There is no indication of complete review and overhaul of CWSP. Annual reviews by panels continue and compound inequities. Those institutions large enough to establish employment offices have "cornered the market" on CWSP funds creating impossible difficulties for smaller institutions.

We strongly recommend more emphasis on Work -Study type programs as opposed to long term loans.

Sincerely,

P. Jerome Cunningham
President, CASFAA.

Copies sent to:
Grant Curtis, President EASFAA
John Rapp, University of Conn.
Eugene Cogan, Central Conn. State
Justin Pagano, Mattatuck Comm. Coll.
Elaine Bodnar, Univ. of Bridgeport

SAGINAW VALLEY COLLEGE
2250 Pierce Road
University Center
Michigan
48710

May 27, 1971

The Honorable Claiborne Pell
U.S. Senate
Washington, D.C.

Dear Sir;

Enclosed is a recent letter which we submitted to Mr. James Nelson, Director of Financial Aid Division regarding our government allocations. Also included is a copy of a study we did at our college that I hope will be of use to you in your fight for more funds for Higher Education. We at the college level appreciate your efforts and would be most happy to help in any way possible.

Sincerely,

Gene Hamilton

Gene Hamilton
Financial Aid Director

Enclosure

SAGINAW VALLEY COLLEGE
2250 Pierce Road
University Center
Michigan
48710

OE Vendor # 002314

NIH Grantee Account # 635546

Transaction/Award # 07194817

Mr. James Nelson
Director of Student Financial Aid
Department of Health, Education, and Welfare
Office of Education
Washington, D.C. 20202

Dear Mr. Nelson:

The award letters for the National Defense Student Loan, College Work Study Program, and Economic Opportunity Grant programs have caused considerable concern here at Saginaw Valley College. I know you are extremely busy, but if I can take just a few moments of your time I might be able to convey to you the urgency of our situation.

Saginaw Valley College has grown from an enrollment of 84 in its first year (1964), to 1839 at the present. We are projecting an enrollment of 2500 in the fall of 1971. This will be about a 31% increase. We are located in an area of 400,000 population. It is a heavily industrialized area with a minority population of 55,000. At the present time we are the only degree granting college within commuting distance of these people. We have been exerting strong efforts toward making college education a reality for many of the low-income students in our area. We have recently undertaken a program whereby numerous culturally disadvantaged students will be admitted.

I am new to the financial aid office since November. When our tri-part application for the federal programs was submitted last October, the former director had no type of data to make projections as to our student body make-up for the upcoming school year. As a result his estimates were quite low. What is of so much concern at the present time is that we did not even receive what we had requested by our low estimates. We even experienced a severe cut in our initial year EOG's.

Over the last 4 weeks we have conducted a survey of our students by which we discovered that our former estimate of students with income of below $6,000 was low by 85%. The complete results of our survey showed 551 full and part-time students below the $6,000 income. This compares with the low estimate of 82 on our tri-part application. We have also found that of this number, 83 are culturally deprived minority students.

If we are to continue the fine work we have started with the low-income students in our area, we are going to need more money than has been awarded

us by the letters received last week. I realize an appeal is rather late at this time. I would like to point out, however, that notification of the regional review panel on January 12, 1971 indicated that we were being recommended for full funding. We therefore had no cause for an earlier appeal.

We feel that with our recently acquired data, we can readily substantiate our appeal for reconsideration in hopes that we will be awarded additional monies especially in the areas of EOG and CWSP. It is apparent when studying the various tables of our survey that with each year our Freshmen Class includes more and more minority group students. This generally calls for increased aid through initial year EOG funds. With this point in mind I feel we have been placed at a great disadvantage since our initial year funds were cut 50% from last years total. We are still processing applications for financial aid and already we have over 60 initial year applicants which do qualify for EOG in the $0 to $6,000 bracket alone.

Our present allocation for 1971-72 allows for only $14,669. That sum of money will not even take care of half of our applicants if we are to give them adequate sums to maintain them comfortably.

For additional information on our situation I would invite you to refer to the narrative of our study.

We anxiously await our reply.

Sincerely,

Gene Hamilton
Director Financial Aid

Copies to: Hubert Shaw, Director EOG
James Harvey, Congressman
Harold Cederberg, U.S. Representative
Phillip Hart, Senator

TABLE I

FULL TIME STUDENTS SURVEYED (1970-71) *

	Minority Under $6,000	Total Minority	% Minority Under $6,000	White Under $6,000	Total White	% White Under $6,000
Fresh	18	29	62.2	42	171	30.0
Soph	11	18	61.2	56	140	42.5
Junior	2	6	33.3	57	128	44.0
Senior	0	3	0.0	46	108	41.4
Total Surveyed	31	56	55.3	201	547	38.4

	Students Under $6,000	Total Students	% Students Under $6,000
Fresh	60	200	30.0
Soph	67	158	42.5
Junior	59	134	44.0
Senior	46	111	41.4
Total Surveyed	232	603	38.4

*Enumerates Those who responded to survey only.

TABLE II

PART TIME STUDENTS SURVEYED (1970-71)*

	Minority Under $6,000	Total Minority	% Minority Under $6,000	White Under $6,000	Total Whites	% White Under $6,000
Fresh	8	12	66.7	22	87	30.0
Soph	5	8	62.5	18	77	27.1
Junior	1	3	33.3	28	93	30.3
Senior	1	4	25.0	17	74	23.1
Total Surveyed	15	27	55.5	85	331	27.9

	Students Under $6,000	Total Students	% Students Under $6,000
Fresh	30	99	30.0
Soph	23	85	27.1
Junior	29	96	30.3
Senior	18	78	23.1
Total Surveyed	100	358	27.9

TABLE III

TOTAL STUDENTS SURVEYED (1970-71)

	Students Under $6,000	Total Students	% Students Under $6,000
Fresh	90	299	30.1
Soph	90	243	37.1
Junior	88	230	38.2
Senior	64	189	33.8
Total Surveyed	332	961	34.5

TABLE IV

ESTIMATE OF SURVEY CREDIBILITY

	FULL TIME* Minority Students		FULL TIME* White Students		FULL TIME* Total Students		FULL TIME & PART TIME Total Students	
	Actual Enrolled	Response to Survey	Actual Enrolled	Response to Survey	Actual Enrolled	Response to Survey	Actual Enrolled	Response to Survey
Fresh	68	29	470	171	538	200	539	299
Soph	21	18	249	140	270	158	428	243
Junior	9	6	182	128	191	134	366	230
Senior	2	3 (?)	150	108	152	111	259	189
Totals	100	56	1051	547	1151	603	1592	961

	Enrolled/survey	Enrolled/survey	Enrolled/survey	Enrolled/survey
Fresh	2.34	2.74	2.69	1.80
Soph	1.16	1.77	1.71	1.76
Junior	1.50	1.42	1.43	1.59
Senior	----	1.39	1.37	1.37
Total	1.78	1.92	1.91	1.66

* Compliance Report of 12/21/70 to HEW from SVC under Title VI of Civil Rights Act of 1964.

2622

NARRATIVE WITH RESPECT TO SURVEY

CONCLUSION:

Total students under $6,000 is probably close to 332 x 1.66 = 551 students for all classes.

NOTE:

Tri-part application in Oct. 1970 reported 82 under $6,000. This is a factor of 6.71 low.

RESUME:

1. For all classes but Freshman, survey seems to represent total student population distribution with respect to need for aid (on basis of $6,000/yr) fairly well. Hence, we cannot upgrade data by class; but can upgrade relative total enrollment data.

2. Similar problem arises when our survey returns break out minority groups in terms of their college class relative to enrollment. So again, our most reliable upgrade of data is by total enrollment.

3. We thus choose factor of 1.66 to multiply into survey return to approximate total under-privileged students on campus. (Table IV)

4. If we subtract 100 part-time under-privileged found in survey (and thus assume we have caught most or all of them), we get 551 - 100 = 451 full time under-privileged or 119 more than survey detected in its head count. The figure 451 is probably a reasonable approximation.

OFFICE OF THE GOVERNOR
FRANKFORT, KENTUCKY 40601

LOUIE B. NUNN
GOVERNOR

June 2, 1971

The Honorable Claiborne Pell
United States Senator
Senate Office Building
Washington, D. C.

Dear Senator Pell:

We have noted that Senate Bill 1410 has been referred to the Subcommittee on Education of the Committee on Labor and Public Welfare. The bill provides for a federally administered program in which college students will work as assistants to state, local and federal officials while earning college credit.

Because of our success with programs almost identical to the one provided for in S. 1410, we want to encourage you to give this bill your serious consideration.

Upon assuming office in 1968 we immediately innaugurated Kentucky's "Legislative Intern Program." This program brings twenty students from Kentucky's colleges and universities to Frankfort when the General Assembly is in session to work as assistants to the Legislators. In addition, the interns take three college courses, write research papers and task force reports, and earn a total of fifteen hours of college credit. As the first state program of its kind exclusively for undergraduates, the Legislative Intern Program has been widely emulated by other states.

The program has been enthusiastically received by the universities because it offers an exciting supplement to classroom education, and by the General Assembly whose members find the interns invaluable as staff. Generally, we have

The Honorable Claiborne Pell
June 2, 1971
Page Two

found these young people extremely able in all assigned tasks: dealing with constituents, answering mail, writing reports, and even working for specific legislation.

Such programs, by encouraging young people to participate in and learn about the intricate functions of their government, can have only a positive impact. By enlightening our future leaders about the intricacies of State and Local Government, and showing them that challenge and fulfillment await them in government service, we can continually upgrade the quality of government at all levels.

In light of our experience, I hope you will give Senate Bill 1410 your support.

Sincerely,

Louie B. Nunn

LOUIE B. NUNN
Governor

THE UNIVERSITY OF IOWA,
OFFICE OF THE PRESIDENT,
Iowa City, Iowa, May 26, 1971.

Senator HAROLD E. HUGHES,
New Senate Office Building,
Washington, D.C.

DEAR SENATOR HUGHES: As you undoubtedly know, the University of Iowa has just gone through a very trying period. The events of the last few weeks, while unfortunate in some respects, have had the salutary effect of strengthening the unity of this institution. The vast majority of our students, the faculty, and the staff have worked together admirably to ameliorate the excesses of the few students, nonstudents, and former students previously suspended. We were aided immeasurably in this task by the cooperation we received from responsible civil and law enforcement officials. As a result, the University looks not backward but rather to the future as it seeks to strengthen its role as a major center of higher learning.

The pending Higher Education Act of 1971 is of special importance to us as we plan for the future. The two critical elements in this proposed legislation, it seems to me, are student aid and institutional aid.

In the area of student aid, I urge legislation that retains the basic procedures that have worked well since 1958, that assure that the greatest amount of aid goes to the neediest student with a spectrum of assistance that concentrates grants at one extreme and gradually phase through work-study in the middle of the spectrum, to loans at the other extreme, and that distributes funds to institutions in direct proportion to a need that could be demonstrated by actual data.

Student aid, in and of itself, will not provide the resources necessary for the effective utilization of our facilities and personnel here at the University of Iowa. It must be coupled with federal institutional aid. With State support declining as a percentage of our total revenue, additional expenditures associated with increased enrollments in the professional areas, the need to improve programs, and rapidly increasing costs, it would be self-defeating since this would negate the beneficial effects of increased student aid.

I have reviewed the various formulae that have been proposed for institutional aid, and while the University of Iowa can make special claims, I believe the formula proposed by Mrs. Green would be the most equitable for the various types of institutions that would be affected.

I thank you for this opportunity to discuss some of our concerns with you and am most appreciative of your continuing support and understanding.

Sincerely yours,

WILLARD L. BOYD.

EDUCATION AMENDMENTS OF 1971

WEDNESDAY, JUNE 9, 1971

U.S. SENATE,
SUBCOMMITTEE ON EDUCATION OF THE COMMITTEE ON
LABOR AND PUBLIC WELFARE,
Washington, D.C.

The subcommittee met, pursuant to notice, at 10 a.m., in room 4202, New Senate Office Building, Senator Claiborne Pell (chairman of the subcommittee) presiding.

Present: Senators Pell, Javits, Prouty, Schweiker and Beall.

Committee staff members present: Stephen J. Wexler, subcommittee counsel; Richard D. Smith, associate counsel; and Roy H. Millenson, minority professional staff member.

Senator PELL. The subcommittee will come to order and resume hearings on the Education Amendments of 1971.

Today we will discuss with the administration, the question of institutional aid, a subject that has been discussed within the subcommittee and is being brought up increasingly by the witnesses. It is my own view and that of some others on the subcommittee that it would be a good idea to have some form of institutional aid included and we provided for it in S. 659. Now quite frankly it has become a question of not whether we should include it or not but what method of institutional aid should be included. In this regard we are interested in knowing what kind of institutional aid—I am not sure whether to put it—which the administration prefers the most or would dislike the least. We would be very much guided by your own thinking in this regard.

At this time we welcome Senator Nelson, a member of the full committee.

STATEMENT OF HON. GAYLORD NELSON, A U.S. SENATOR FROM THE STATE OF WISCONSIN

Senator NELSON. Thank you, Mr. Chairman.

Mr. Chairman, I am here to testify this morning in support of the proposal of Senator Pell to provide independence for the Teacher Corps. His proposal appears in section 152 of the Education Amendments of 1971. The proposal by the chairman of the subcommittee would provide, first, that the pay of the Director of the Teacher Corps will be at grade 18, the level now common for a Bureau Chief in the Office of Education. And then the amendment states in paragraph (b) that the Commissioner of Education may delegate authority to run the program only to the Director of the Teacher Corps, thus making the Teacher Corps, as this committee has long intended, an independent entity within the Office of Education.

As the members of the committee will remember, when we originally proposed the Teacher Corps back in 1965 we set the Director's salary at a grade 17 level which was at that time the salary paid bureau chiefs. It was our intention in setting that salary level that the

Teacher Corps would operate as an independent unit within the Office of Education. In fact the Teacher Corps did operate substantially as an independent unit until February 1968 when it was consolidated in the Bureau of Education Development. Since that time this committee has repeatedly made clear by letter and by committee report its intention that the Teacher Corps should be independent within the Office of Education.

I ask unanimous consent that the excerpts from the committee reports concerning the Teacher Corps for 1968 and 1969 be included and printed in the record.

Senator PELL. Without objection.

(The text of the committee reports follow:)

EXCERPT FROM THE REPORT OF THE SENATE COMMITTEE ON LABOR AND PUBLIC WELFARE ON THE HIGHER EDUCATION AMENDMENTS OF 1968 (S. REPT. 90–1387, S. 3769)

* * * * * * *

D.—INDEPENDENT STATUS OF TEACHER CORPS

In drafting the Teacher Corps legislation in 1965, the committee took care to specify that the Director would be equal in pay level to the then current rate for bureau chiefs. It was the committee's intention that the Teacher Corps be independent within the Office of Education reporting directly to the Commissioner.

The committee intended that the Teacher Corps not be an ordinary teacher education program. It recognized that the Teacher Corps needed maximum possible independence and visibility if its full potential as a recruiter of new teachers and an innovator in teacher education was to be reached.

This is the way the program worked until this March when it was placed within the new Bureau of Education personnel development.

During the early years of the program, when funding was uncertain, the Teacher Corps was operated first as a Task Force and then was attached to the Bureau of Elementary and Secondary Education. The committee understands that during this period the Teacher Corps, in effect, reported directly to the Commissioner. Now, however, the committee understands that the Teacher Corps has been made an ordinary division of the new Bureau of Education Personnel Development.

The committee is concerned that with the severely limited independence of a division in a bureau in the Office of Education much of the promise of the Teacher Corps as conceived by the committee may be lost.

FROM REPORT OF THE SENATE COMMITTEE ON LABOR AND PUBLIC WELFARE ON THE ELEMENTARY AND SECONDARY EDUCATION AMENDMENTS OF 1969 (S. REPT. 91–634, H.R. 514)

* * * * * * *

Section 804 of the bill amends title V–B–1 of the Higher Education Act of 1965, which authorizes the Teacher Corps. The amendments—

(1) authorize a new component, the Student Teacher Corps,

(2) adjust the salary rate for members of the Teacher Corps, and

(3) increase the authorization of appropriations for the program.

In recent years college students have volunteered by the tens of thousands for tutorial programs. However, these programs have often lacked the careful training, selection and integration into school programs and community life essential for success in teaching children from poverty homes.

A new movement has also begun that uses high school, junior high school, and in some cases even elementary school pupils from the higher grades in tutoring their younger school mates. Careful research shows that such tutorial programs are very successful, both for tutor and tutee.

These amendments are designed to provide an opportunity to expand these programs at the local level in conjunction with local Teacher Corps projects.

The Teacher Corps is a suitable vehicle because its present structure requires universities, school systems and community groups to work together in designing and operating innovative training and teaching programs under local control.

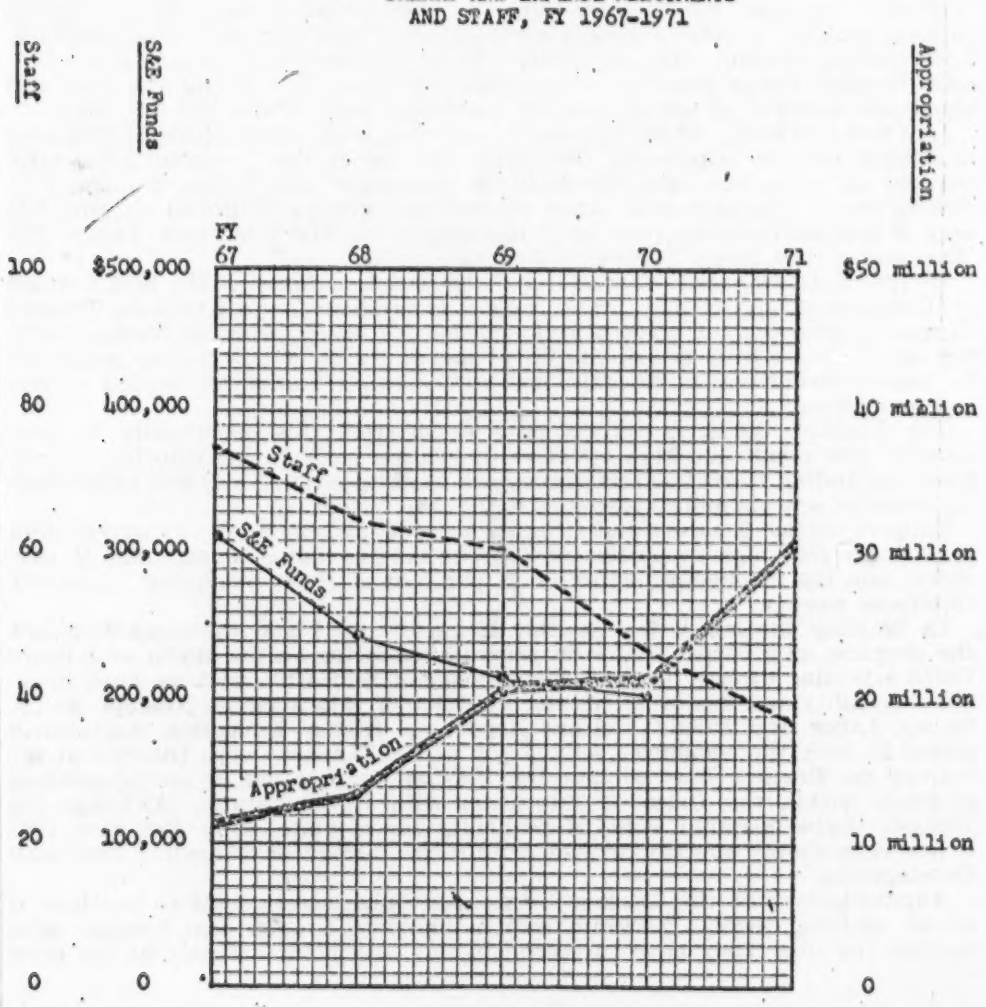
Already a number of innovative programs involving both adult and young pupil tutors have been developed as part of ongoing Teacher Corps programs. This new legislation will provide the legislative authority necessary to carry on this work in the 80 projects now supported by the Teacher Corps and in the new projects that the increased authorization would make possible.

The amendment also increases the authorized ceiling for the pay of regular Teacher Corps members to $90 a week. The present level of $75 a week has been ruled taxable income by the Internal Revenue Service since Teacher Corps interns are paid by local schools systems (with 90% federal funds) for more than half time work. In several large cities the resulting take-home pay after deductions amounts to $50 to $60 a week. When Congress established the $75 per week rate, the amount was thought to be comparable to the non-taxable stipends under other teacher training programs. It is not mandatory that all Teacher Corps interns should be paid at the higher rate, but in cases where the costs of living are high the Commissioner would have the discretion of reimbursing school systems for compensating teacher-interns at rates up to the higher figure.

With respect to compensation for the student tutors the amendment provides that tutors and instructional assistants shall be compensated at rates consistent with the practice under comparable work study programs.

In commenting on the Teacher Corps in its report on the Higher Education Amendments of 1968 the Committee reasserted its intention that the Teacher Corps be operated in the Office of Education as an independent "Corps" program. In this report the Committee again emphasizes that this was and is the Congressional intention in setting up this special program.

TEACHER CORPS APPROPRIATIONS,
SALARY AND EXPENSE ALLOTMENTS
AND STAFF, FY 1967-1971



Senator NELSON. Let me quote briefly from the report of 1968, Senate Report 90–1387.

In drafting the Teacher Corps legislation in 1965 the Committee took care to specify that the Director would be equal in pay level to the then current rate for Bureau Chiefs. It was the Committee's intention that the Teachers Corps be independent within the Office of Education reporting directly to the Commission. The Committee intended that the Teachers Corps not be an ordinary teacher education program. It recognized that the Teachers Corps needed maximum possible independence and new teachers and an innovator in teacher education was to be represented.

That is from the 1968 report.

In 1969 the committee again underlined its concern and in the committee reports stated its intention that the Teacher Corps be operated in the Office of Education as an independent corps program.

Now let me quote from a letter that I wrote to the Honorable Secretary Elliot L. Richardson just a year ago, June 29, 1970. In that letter I said:

I am writing this letter to urge you as you begin your service as Secretary of Health, Education and Welfare to take full advantage of the extrordinary opportunity the Teachers Corps represents to American education and to American young people. The support young people give the program is shown by the fact that despite a negligible recruiting effort nine young people apply for each Teacher Corps job.

Another example, the Teacher Corps receives as many inquiries in response to joint mailing to college seniors as the Peace Corps and the Vista combined. Local school systems and universities have demonstrated authority of their own Teacher Corps program by contributing more than $4 million over and above the required 10 per cent salary matching funds during the last year.

One hundred sixty school systems joined with local universities in this year to submit concept papers for the thirty new programs available. Long term support has also come from the National Education Association, the American Federation of Teachers and other professional groups. Editorial support has been widespread coming from such newspapers as The New York Times, The Washington Post, News Week, Life Magazine.

In 1967 Life Magazine characterized the Teacher Corps as the best bargain in American education. This broad support is based on the fact that the Teacher Corps is a program for school life innovation, not simply another teacher training effort. For a local school the Corps means teams of able young people led by experienced teachers to train dedicated flexible manpower needed to test out new ideas.

The Teacher Corps executives have emphasized this opportunity to local schools. The result has been effective innovation such as the tutoring, corrections and Indian reservation programs, new staffing patterns and new curriculum at scores of schools and universities across the nation.

Support among Senators and Congressmen has grown rapidly as survey data indicates a very high proportion of Teacher Corps graduates remaining in education and the astonishing figure of 72 per cent of these remaining in poverty classroom work.

In drafting the legislation Senator Kennedy and I and the committee saw the program as a corps; that is, a program operating on the model of a Peace Corps reporting directly to the Commissioner of Education with as much integrity, visability and flexibility within the Office of Education as possible. As the Senate Labor and Public Welfare Report on Higher Education Amendment stated in 1968, the committee set the pay of the Teacher Corps Director at the rate of the Bureau Chief so that the Teacher Corps could be an independent program within the Office of Education with Bureau status. Although the Teacher Corps operated semi-independently for a while, since February 1968 it has been simply another division within the Bureau of Education Personnel Development.

Administrators of the Teacher Corps have fought very hard to continue it as an exciting, flexible program with a mandate a good deal broader than teacher training. They have succeeded in this to a point but only at the price

of devoting an enormous amount of their time to internal bureaucratic problems. There was, I am glad to say, nothing partisan about bureaucratic decision on the Teacher Corps. It was placed in the Bureau during the former Administration.

Commissioner Allen, although he stated at his confirmation hearing in response to my question that he would seriously consider a more independent role for the Teacher Corps, confirmed the earlier decision. This letter, then, is in no sense partisan, I am simply asking you to consider seriously the opportunity which the Teacher Corps offers us to engage thousands of young Americans in helping local schools and universities make an effective impact on poverty education.

This year from the same legislation (the elementary and secondary education amendments of 1969) that added three new programs, Congress increased the authorization for the Teacher Corps from $56 million to $100 million. This year for the first time Congress will approve at least the full Administration request for the program. I believe that with greater freedom within the bureaucracy and an increase in the Administration request for funds that the Teacher Corps can begin to reach its potential.

I hope that you will give favorable consideration to this matter. I would be glad to meet with you or anyone else on your staff to discuss the matter.

That is the end of my letter to the Secretary.

At the time the Teacher Corps was first proposed we had long discussions with the Office of Education as to whether the program should be independent or run as part of the regular bureaucracy. At that time Senator Kennedy and I argued that the Peace Corps would have never become the symbol and the success that it now is if it had been part of the regular AID bureaucracy. We argued that the bureaucracy one way or another would serve to stifle the program.

Mr. Chairman, I believe you now have statistical evidence that the fears Senator Kennedy and I had back in 1965 have in fact been realized within the Office of Education. Commitment and priority within a bureaucracy are expressed not through process but through hard decisions about budget and staff allocation. The Teacher Corps after a precarious start has grown steadily in appropriations.

In 1967 the Teacher Corps had an appropriation of $11,900,000. It had a staff of 75 and an administrative expense of $315,000. In 1971 this congressional appropriation had nearly tripled from $11,900,000 to $30,100,000. In 1972 funds will total $37,800,000, but its staff has declined from 75 it had in 1967 to 42. Actually I believe there are under 40 professionals now at work on the Teacher Corps staff and its expense allowance has declined even more precipitously from $315,000 to $97,000.

Meanwhile the Office of Education as a whole has increased its appropriations from $4 billion to $4,400,000,000 while staff increased by over 200 individuals. So the Teacher Corps is in serious trouble in the Office of Education lacking for adequate staff, lacking for adequate expense money. It is my understanding that the Public Affairs Division of the Teacher Corps, absolutely essential in my opinion for a program that lives on its public image and its performance, has been eliminated all together or rather consolidated in the Office of Education's centralized public affairs.

I understand that its grants management function, again a crucial part of the corps, is to be consolidated at the bureau level. So we see a situation in which the responsibilities of the Teacher Corps have been dramatically increased by the Congress over the past few years as its staff and funds for operating expenses have been dramatically cut by the Office of Education.

There is in my judgment no villian in this story except the bureaucracy itself. The Teacher Corps has been forced to operate since the winter of 1968 as a division of the Bureau of Education Personnel Development instead of reporting directly to the Commissioner as the Congress intended and as this committee repeatedly asked. Therefore, it has had to compete with the other divisions of the Bureau for staff salaries, expenses, and money.

The Commissioner of Education, Mr. Marland, has been strong in his support of the concept of the Teacher Corps as was Commissioner Allen before him and Commissioner Howe before him and Commissioner Keppel before him. Nevertheless, the Teacher Corps remains in a secondary position within the Office of Education.

In fact, when I looked at the latest table of organization for the Office of Education, the Teacher Corps does not even appear. One might ask why the Teacher Corps has been so successful if it has suffered so harshly at the hands of the Office of Education. I think it has been successful for three reasons.

First because its format works. Local school officials have complete control over the local Teacher Corps programs, more than over their regular teachers who are often tenured and supported by union contracts. Therefore, they feel secure despite the fact that the Teacher Corps is often pressing for innovation. Teacher Corps programs put the resources of the school, the local university and highly dedicated team members together in a way have proven successful for all three groups.

Second, the willingness of thousands of young Americans to volunteer for training in service and poverty schools in the Teacher Corps. Applications continue to run at nine for every Teacher Corps position.

Finally, I believe as important as any other element is the extraordinary leadership provided for the program from the beginning by Richard Graham.

In conclusion I would like to point out and have printed in the record comments of the GAO on the program on the Navajo Reservation. It is not very often that we will find praiseworthy reports from the GAO about any operation of any of the Federal bureaucracy.

Senator PELL. Without objection that will be entered in the record.

(The material follows):

2615

REPORT TO THE CONGRESS

Assessment Of The Teacher Corps Program At Northern Arizona University And Participating Schools On The Navajo And Hopi Indian Reservations B-164031(1)

Office of Education

Department of Health, Education, and Welfare

BY THE COMPTROLLER GENERAL OF THE UNITED STATES

MAY 13, 1971

2633

COMPTROLLER GENERAL OF THE UNITED STATES
WASHINGTON, D.C. 20548

B-164031(1)

To the President of the Senate and the
Speaker of the House of Representatives

This is our report on the assessment of the Teacher Corps program at Northern Arizona University and participating schools on the Navajo and Hopi Indian Reservations. This program, which was authorized by title V of the Higher Education Act of 1965 (20 U.S.C. 1101), is administered by the Office of Education, Department of Health, Education, and Welfare.

Our review was made pursuant to the Budget and Accounting Act, 1921 (31 U.S.C. 53), and the Accounting and Auditing Act of 1950 (31 U.S.C. 67).

Copies of this report are being sent to the Director, Office of Management and Budget; the Secretary of Health, Education, and Welfare; and the Commissioner of Education, Department of Health, Education, and Welfare.

Elmer B. Staats
Comptroller General
of the United States

COMPTROLLER GENERAL'S REPORT TO THE CONGRESS

ASSESSMENT OF THE TEACHER CORPS PROGRAM AT NORTHERN ARIZONA UNIVERSITY AND PARTICIPATING SCHOOLS ON THE NAVAJO AND HOPI INDIAN RESERVATIONS
Office of Education
Department of Health, Education, and Welfare B-164031(1)

DIGEST

WHY THE REVIEW WAS MADE

Because of interest expressed by committees and members of the Congress in the Teacher Corps program as a part of the overall Federal effort in the field of education, the General Accounting Office (GAO) has reviewed the program, nationwide. This report, one of a series, assesses the impact of the Teacher Corps program at Northern Arizona University and participating schools on the Navajo and Hopi Indian Reservations.

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Local educational agencies are expected to pay at least 10 percent of the salaries of Teacher Corps members; the Office of Education pays the balance and also pays the costs of the interns' courses. (See p. 7.)

From its inception in July 1968 to May 1970, the program at Northern Arizona University (Navajo-Hopi program) had spent about $766,500 of Federal funds.

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MAY 13, 1971

Of the 12 participating schools, 11 are on the Navajo Reservation--nine in Arizona and two in New Mexico. The 12th school is on the Hopi Reservation which is within the Navajo Reservation in Arizona. The Navajo Reservation has a population of 130,000; the Hopi Reservation has 6,000. (See p. 9.)

FINDINGS AND CONCLUSIONS

Strengthening educational opportunities

The Navajo-Hopi program increased the educational opportunities available to Indian children in schools to which corps members were assigned. (See p. 15.)

Corps members provided individualized instruction that otherwise would not have been available. (See p. 15.) They also introduced several new teaching methods that made the instruction more relevant to the culture and background of the children, such as

--use of Navajo-related stories, rather than Anglo-American-related ones, to teach reading;

--use of a unique 40-character alphabet, with a different character for each distinct sound, to teach reading;

--introduction of Navajo history into social studies; and

--simulation of transactions in a store to teach mathematics. (See p. 16.)

School officials stated that the new teaching methods had been successful and had been adopted by their regular teaching staffs. (See p. 18.)

Corps members participated in various education-related community activities benefiting children and their parents, such as

--visiting children's homes;

--attending tribal government, parent-teacher association, and school board meetings;

--teaching the Navajo language to local teachers; and

--teaching adult education classes. (See p. 20.)

Corps members devised and carried out a cultural exchange project in which 25 Hawaiian children visited the Navajo Reservation and 24 Navajo children visited Hawaii. It was the first trip away from the reservation for some of the Navajo children. One teacher cited a subsequent noticeable increase in the Navajo children's interest in social studies. (See p. 20.)

GAO noted that only 5 percent of the teachers in Bureau of Indian Affairs schools on the reservations were Navajo or Hopi Indians. (See p. 10.) Navajo or Hopi Indians constituted 42 percent of the Teacher Corps interns. (See p. 12.)

Exposure to Indian members of the Teacher Corps gave the Indian children incentive for their own schooling, because they could see what an educated Indian could accomplish. (See p. 15.) The program director plans to increase the number of Indian interns, if the program is funded in the future. (See p. 14.)

School officials believed that the interns were better trained for teaching the Indian children than were teachers trained by traditional methods. About three fourths of the 26 interns who had completed the program as of the time of GAO's review had been hired as teachers in reservation schools, and most of the interns still in training planned to accept such positions after their graduation. (See p. 21.)

Broadening teacher preparation programs

The Navajo-Hopi program had some degree of success in broadening Northern Arizona University's teacher preparation program. The university

--provided courses designed to give interns an understanding of the rudiments of the Indian language, culture, and history and

--modified existing courses to make their content more relevant to teaching Indian children. (See p. 23.)

For example, interns took courses in the Navajo language and community, the growth and development of Indian children, community relations, and the teaching of English to students from homes where another language is predominant. They were trained to teach mathematics and other subjects by using language, symbols, and concepts familiar to Indians. (See p. 23.)

Experience with the Teacher Corps influenced the university to make some changes in its regular teacher preparation program and to establish student-teaching centers where students in the regular program live, teach, and take academic courses.

University officials stated that the Teacher Corps program had fostered a more cooperative relationship among the various colleges within the university, through the program's use of some courses from outside the College of Education. Some professors who taught the interns became more aware of the environment of the Indian reservations. (See p. 24.)

GAO noted, however, that much of the special curriculum offered to Teacher Corps interns was not offered to students in the university's

regular teacher-training program. The university has begun a study to identify aspects of the Teacher Corps program that should be made available to other students. (See p. 25.)

Role of the Arizona Department of Education

Officials of the Arizona Department of Education agreed with GAO's opinion that the effectiveness of the Teacher Corps program could be enhanced through dissemination by the department of information on successful Corps innovations and teaching methods to other educational institutions in the State. The officials plan to increase their efforts in that area. (See p. 28.)

RECOMMENDATIONS OR SUGGESTIONS

The Secretary of HEW should see that the Office of Education

--stays abreast of the progress of the university's study of the ideas, experiments, and techniques used in the Navajo-Hopi program and encourages the university to incorporate the successful ones in its regular teacher preparation program (see p. 26) and

--cooperates with the Arizona Department of Education in its plans to disseminate information on successful innovations and teaching methods to other educational institutions in the State (see p. 29

AGENCY ACTIONS AND UNRESOLVED ISSUES

HEW's Assistant Secretary, Comptroller, concurred with GAO's recommendation regarding the university's study. He said Teacher Corps headquarters would provide technical assistance to ensure timely evaluation of future Corps programs at the university. (See p. 26.)

He said also that HEW concurred in GAO's recommendation that the Office of Education cooperate with the Arizona Department of Education but preferred to delay action until the Department could provide staff and expertise to carry out its plans. (See p. 29.)

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Committees of the Congress, in their deliberations on extending the Teacher Corps program, may wish to consider the information in this report and others in the series on the program's effectiveness in achieving legislative objectives and on steps needed to improve effectiveness.

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ABBREVIATIONS

GAO	General Accounting Office
HEW	Department of Health, Education, and Welfare
LEA	Local Educational Agency

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CHAPTER 1

INTRODUCTION

We evaluated the effectiveness of the Teacher Corps program at Northern Arizona University, Flagstaff, Arizona, and participating schools in accomplishing the legislative objectives of Teacher Corps. The schools were located in Arizona and New Mexico on the Navajo and Hopi Indian Reservations. The objectives of the program are:

--To strengthen the educational opportunities available to children in areas having concentrations of low-income families.

--To encourage colleges and universities to broaden their programs of teacher preparation.

To accomplish these objectives, the Teacher Corps is authorized to (1) attract and train qualified teachers who will be made available to local educational agencies (LEAs) for teaching in areas of low-income families,[1] (2) attract and train inexperienced teacher-interns who will be made available for teaching and in-service training to LEAs in such areas in teams led by experienced teachers, (3) attract volunteers to serve as part-time tutors or full-time instructional assistants in programs carried out by LEAs and institutions of higher education serving such areas, and (4) attract and train educational personnel to provide training, including literacy and communications skills, for juvenile delinquents, youth offenders, and adult criminal offenders. The latter two means of achieving the objectives were authorized subsequent to the commencement of our review by Public Law 91-230--an act to extend programs of assistance for elementary and secondary education--approved April 13, 1970, and therefore were not within the scope of our review.

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[1]The enabling legislation permitted experienced teachers to be assigned to LEAs individually or as the heads of teaching teams. Public Law 90-35, approved June 29, 1967, amended the legislation by permitting experienced teachers to be assigned only as the heads of teaching teams.

This review was one of several made by GAO at selected universities and LEAs throughout the Nation.

OPERATION OF THE TEACHER CORPS PROGRAM

The Teacher Corps was established in the Office of Education, Department of Health, Education, and Welfare, pursuant to title V, part B, of the Higher Education Act of 1965, as amended (20 U.S.C. 1101). The Teacher Corps is basically a locally controlled and operated program. The Office of Education provides funds to operate approved Teacher Corps programs which have been locally conceived to meet local needs and which have been approved by the applicable State educational agency. To be eligible for approval, a program must be designed to serve children in areas having high concentrations of poverty.

Persons eligible to be enrolled in the Teacher Corps are (1) experienced teachers, (2) persons who have baccalaureate degrees or their equivalents, and (3) persons who have completed 2 years in programs leading to baccalaureate degrees. After selection, the corps members are placed in teams consisting of a team leader and a number of interns. During their service, the interns receive training and instruction leading to degrees from the participating colleges or universities and to qualification for State teaching certifications. The training consists of academic courses, work in the classrooms of local schools, and participation in community-based education activities.

While in the schools, corps members are under the direct supervision of officials of the LEAs to which they are assigned. With certain exceptions, LEAs are authorized to (1) assign and transfer corps members within the school systems, (2) determine the subjects to be taught, and (3) determine the terms and continuance of the assignment of corps members within the system. Corps members, however, may not be used to replace any teachers who are or otherwise would have been employed by the LEAs.

The Teacher Corps program operates on a cycle basis. Generally a cycle consists of preservice training--a period of no more than 3 months during which corps members' suitability for acceptance into the program is determined--and

2 academic years with an intervening summer. Certain programs, however, operate for shorter periods of time. The authorizing legislation provides for enrollment of corps members for periods up to 2 years. A new Teacher Corps cycle has started each year, the first cycle having begun in 1966.

The cost of the interns' courses and the administrative costs of the colleges or universities and the LEAs are paid by the Office of Education. The LEAs are expected to provide at least 10 percent of the corps members' salaries and related benefits while they are in the schools, and the Office of Education provides the remainder.

A team leader is to be compensated at a rate agreed to by the LEA and the Commissioner of Education. At the time our review began, an intern was compensated at either a rate which was equal to the lowest rate paid by the LEA for teaching full time in the school system and grade to which the intern was assigned or $75 a week plus $15 a week for each dependent, whichever amount was less. Public Law 91-230, however, amended the compensation authorized by providing that an intern be paid at either a rate which did not exceed the lowest rate paid by the LEA for teaching full time in the school system and grade to which the intern was assigned or $90 a week plus $15 a week for each dependent, whichever amount was less.

FUNDING

From inception of the Teacher Corps program in fiscal year 1966 through fiscal year 1970, funds authorized and appropriated by the Congress for the Teacher Corps program, nationwide, were as follows:

Fiscal year	Authorization	Appropriation
1966	$36,100,000	$ 9,500,000
1967	64,715,000	11,323,000
1968	33,000,000	13,500,000
1969	46,000,000	20,900,000
1970	80,000,000	21,737,000

The Navajo-Hopi program has been operational since the third Teacher Corps cycle, which began in 1968. As of May 1970, Northern Arizona University and the participating local schools involved in the Navajo-Hopi program had expended about $766,500 of funds provided by the Office of Education, as follows:

Grantee	Amount expended
Northern Arizona University	$338,400
Participating reservation schools:	
Bureau of Indian Affairs schools	342,500
Tuba City Public Elementary School	60,300
Keams Canyon Public School	25,300
Total	$766,500

PROGRAM PARTICIPATION

Certain nationwide data relating to Teacher Corps program participation from its inception in fiscal year 1966 through fiscal year 1970 is shown in the tabulation below.

	Entered program			Completed program			Rate of dropout		
Cycle	Interns	Team leaders	Total	Interns	Team leaders	Total	Interns	Team leaders	All corps members
							(percent)		
I	1,279	337	1,616	627	170	797	51	50	51
II	882	152	1,034	674	143	817	24	6	21
III	1,029	186	1,215	832	170	1,002	19	10	18
IV[a]	1,375	200	1,575	-	-	-	-	-	-
V[a]	1,445	221	1,666	-	-	-	-	-	-

[a]Participants had not completed program at time of GAO review.

CHAPTER 2

NAVAJO-HOPI TEACHER CORPS PROGRAM

The Navajo-Hopi Teacher Corps program has been a cooperative effort involving Northern Arizona University, 10 elementary schools operated by the Department of the Interior's Bureau of Indian Affairs, two public elementary schools, local communities, and the Arizona Department of Education. Of the 12 schools that have participated, 11 are located on the Navajo Indian Reservation--nine in Arizona and two in New Mexico. The other participating school is located on the Hopi Indian Reservation in Arizona.

There is an extreme shortage of Navajo and Hopi teachers on the reservations. The program is designed to improve the educational opportunities available to children on the reservations by developing teachers, primarily of Navajo or Hopi descent, who, without the program, would remain potentially able to teach on the reservations but who might not actually try teaching. It was the view of program organizers that traditional teacher preparation methods applicable to middle-class public schools were not producing entirely effective teachers for Indian children. Therefore the program was intended to provide a curriculum to the interns that was geared specifically to the Indian children's culture.

The Navajo Reservation encompasses parts of Arizona, New Mexico, and Utah and has a population of about 130,000. The Hopi Reservation, which is situated inside the boundary of the Navajo Reservation and entirely within Arizona, has a population of about 6,000. Appendix I is a map of these reservations.

Northern Arizona University is located near the southwest corner of the Navajo Reservation. During the 1968-69 school year, the university had a full-time enrollment of about 6,500 undergraduate and 500 graduate students. The university's College of Education graduates about 400 teachers annually. According to a university official,

about 34 teachers trained in the university's regular teacher preparation program between 1968 and 1970 have taken positions on the Navajo and Hopi Reservations.

For the 1970-71 school year, the Bureau of Indian Affairs employed about 1,000 teachers for its schools on the Navajo Reservation and about 50 teachers for its schools on the Hopi Reservation. Less than 60, or about 5 percent, of these teachers were Navajo or Hopi Indians. About 400 additional teachers were employed by the public schools on the reservations. Appendix II is a comparison of ethnic backgrounds and other general information pertaining to teachers and children at certain schools included in our review.

The Navajo-Hopi program has been funded for two cycles--cycle III which operated from July 1968 through May 1970 and cycle IV which began operation in June 1969 and which is scheduled for completion in May 1971. Interns received their training in four basic phases: (1) preservice, (2) first-year in-service, (3) intervening summer, and (4) second-year in-service.

The preservice and intervening summer training phases were conducted at the university. The major purpose of preservice was to give interns an understanding of what they could expect to encounter on the reservations. Training during the intervening summer consisted of the interns' taking academic courses, including a course dealing with teaching English to students coming from homes where English is not the predominant language. During the two in-service training phases from September through May of each year, the interns lived and received on-the-job training at the reservation schools where they were assigned. They participated in community activities and took academic courses.

Because the reservation schools were located long distances (40 to 225 miles) from the university, the interns could not take their academic courses at the university during the in-service training phases. In 1969, after finding that it was impractical to send instructors to central locations where the interns were assembled or to the individual schools, the university decided to use a video

tape technique. This involved recording courses on video tape at the university and distributing the tapes to the schools where the interns were training.

Although joint program proposals were developed by them, the university, the Bureau of Indian Affairs, and the public schools prepared separate budgets and financial reports and submitted them to the Office of Education for each cycle in which they participated. They also received separate grants from the Office of Education.

The Navajo-Hopi program was administered by a program director who was on the faculty of the university's College of Education. Designated coordinators, who acted in behalf of the Bureau of Indian Affairs and the superintendents of the public schools, administered the program for the participating schools.

SELECTION OF INTERNS

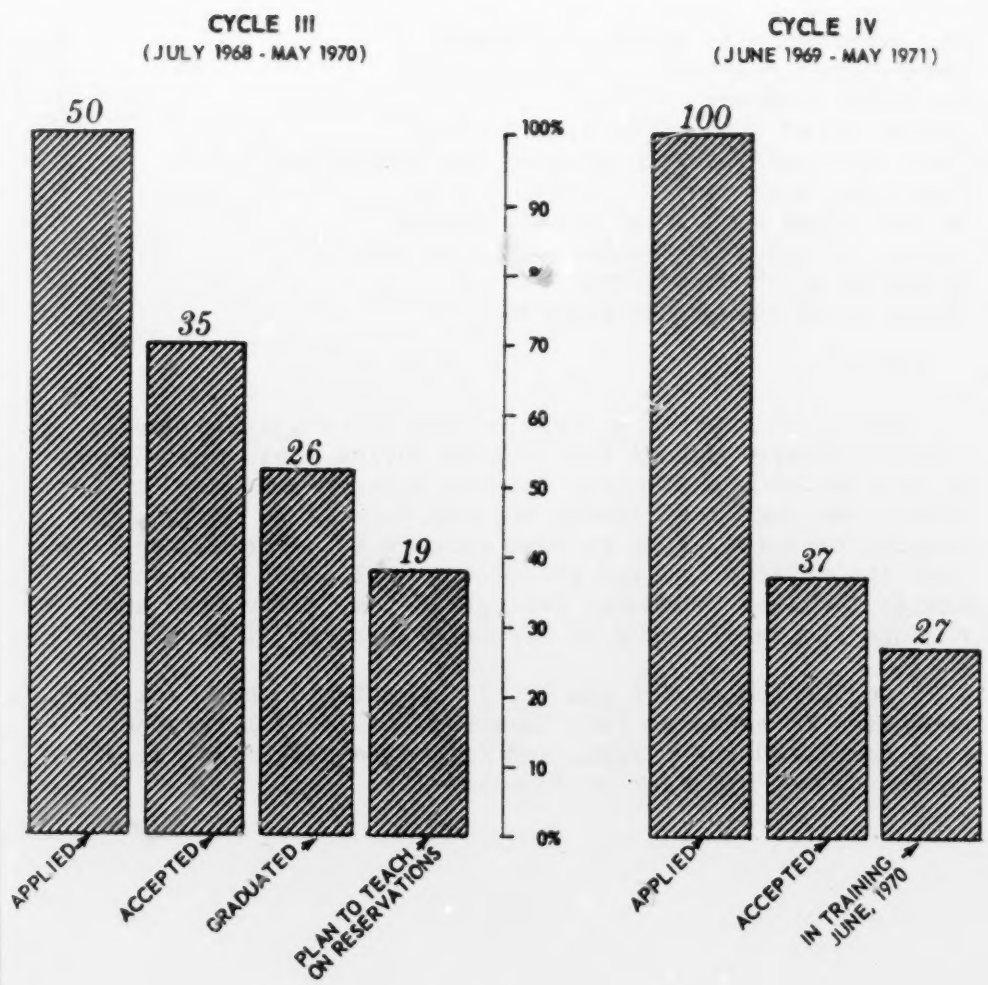
The Navajo-Hopi program's selection process was generally effective in providing interns qualified to be trained as teachers of disadvantaged Indian children.

Interns for the third cycle were selected by a panel consisting of representatives from the university and some of the participating schools. For the fourth cycle, one or two community representatives and team leaders and interns from the third cycle were added to the selection panel.

The Navajo-Hopi program director told us that representatives from each of the participating schools were invited to all the selection panel meetings but that many did not attend. He stated that community representatives were not asked to participate in the selection of interns for the third cycle, because the program was scheduled to begin shortly after its authorization by the Office of Education.

The program director informed us that the university had tried to recruit as many Navajo and Hopi Indians as could meet the established qualifications. The program for the third cycle was designed to include students who were working toward either bachelor's or master's degrees. In the fourth cycle the program was intended to be exclusively for undergraduate students. It was desired that an intern have at least a C-grade average and be from 21 to 30 years old.

Approximately 150 persons applied for intern positions in cycles III and IV of the Navajo-Hopi program. Of these 150 persons, 72 were accepted for training as teachers of children on the Navajo and Hopi Indian Reservations, including 30 (42 percent) who were either Navajo or Hopi Indians. As of June 1970, 26 interns, including 19 who planned to teach on the reservations, had completed the third cycle and 27 interns were still participating in the fourth cycle which was not scheduled for completion until May 1971. This data, as it relates to the respective program cycles is shown in the graph on the following page.



Of the 72 interns in the two cycles, 19, or 26 percent, dropped out of the program before completion, for the following reasons.

Dissatisfied with university staff	3
Unexplained reasons	3
Personal problems	3
Dissatisfied with university courses	2
Personal conflict with program implementation	2
Financial problems	2
Dissatisfied with local school system	1
Lacked interest in teaching as a career	1
Accepted other employment	1
Transferred to another program	1
Total	19

We noted that 17 percent of the 30 Navajo and Hopi Indians dropped out of the program during training, whereas 31 percent of the 42 other interns dropped out. To increase the number of Indian interns for future cycles, the program director plans to send posters to other universities near the reservation and to solicit applicants from the Navajo (junior) Community College on the reservation and through the Indian club at Northern Arizona University.

During cycles III and IV, 11 experienced teachers were recruited to serve as team leaders. Of these 11 teachers four completed the program and five were still participating in the fourth cycle as of June 1970.

CHAPTER 3

DID THE PROGRAM STRENGTHEN EDUCATIONAL OPPORTUNITIES FOR CHILDREN OF LOW-INCOME FAMILIES?

We believe that the Navajo-Hopi program strengthened the educational opportunities available to Indian children in participating schools where the Teacher Corps teams were assigned. We found that participating schools were in areas having concentrations of low-income families.

The interns provided the children with more individualized instruction, which gave them additional educational opportunities that would not otherwise have been available. Exposing the children to Indian corps members provided an educational stimulus by showing the children what an Indian could accomplish through education.

Some new approaches to educating children were introduced in the schools. Many of these ideas were adopted and used by regular teachers after the interns completed their assignments. Corps members initiated or participated in certain community activities, which resulted in increased interest on the part of the children or parents in various aspects of education. Also about three fourths of the corps members who had completed the program as of the time of our review were retained as teachers in reservation schools.

WORK PERFORMED BY CORPS MEMBERS IN PARTICIPATING SCHOOLS

Corps members were assigned to schools in teams consisting of a team leader and from four to nine interns. Team leaders were responsible for supervising the interns and acted as liaison officer between the interns and the regular teachers, principals, and university officials. The responsibilities of team leaders were designed to prepare them for supervisory positions in the Bureau of Indian Affairs schools and public schools on the reservations. While at the schools, the teams were under the supervision of the principals and teacher supervisors and worked in cooperation with regular teachers.

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Utilization of interns

On the basis of discussions with school principals, teacher supervisors, and interns in five schools, we learned that the interns generally began their training by observing regular teachers in classroom situations and gradually expanded this training by planning lessons, tutoring individuals, and working with small groups, until they ultimately taught entire classes. (See photograph furnished by the Office of Education on p. 17.) The interns were rotated periodically, to expose them to a number of regular teachers and teaching situations and to give them the opportunity to teach classes in many different subjects.

Our analysis of information obtained from interns showed that they generally spent about 60 percent of their time training in classrooms in the schools to which they had been assigned, 20 percent of their time in community activities, and the remaining 20 percent on academic study.

Innovative teaching approaches introduced by corps members

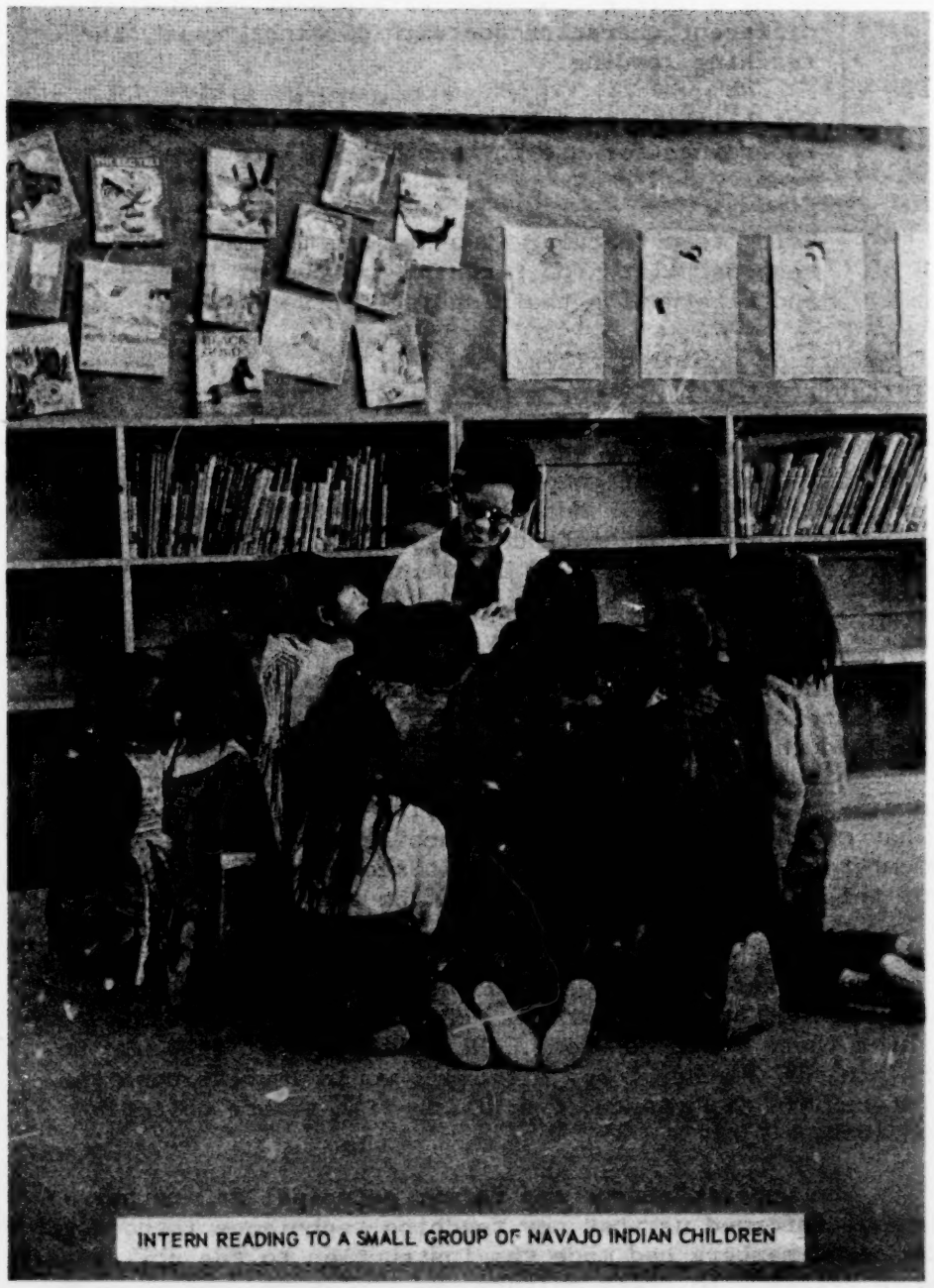
The schools participating in the Navajo-Hopi program did not develop plans which identified and outlined innovations that would be tested with the help of Teacher Corps interns. Rather, the interns were generally allowed, and in some cases encouraged, to innovate in the classrooms. As a result, several innovative teaching methods were introduced in the schools where the interns were assigned. These new teaching methods included:

--Using Navajo rather than Anglo-American-related stories to teach reading.

--Simulating transactions in a store to teach mathematics.

--Introducing instruction in Navajo history in social studies classes.

--Comparing Navajo and English expressions in the instruction of English.



INTERN READING TO A SMALL GROUP OF NAVAJO INDIAN CHILDREN

2657

--Using a unique 40-character alphabet, with a different character for each distinct sound, in teaching reading.

--Establishing a language laboratory using tape recordings for use in teaching children to read.

--Using team teaching--two or more teachers sharing responsibility for teaching a group of students and alternating their subject presentations.

Comments of school officials on work performed by corps members

In December 1970 we interviewed officials of five of the six schools that completed their participation in the program in May 1970. Most of these officials told us that teaching innovations introduced by corps members had been found to be successful and had been adopted by members of their teaching staffs.

The principal at one of the schools stated that the team-teaching concept, which had been initiated entirely by the interns, had been expanded and carried on at his school. He said that team teaching was being used in approximately one third of the school--all the third, fourth, and fifth grades. He stated also that the interns seemed to be somewhat more enthusiastic about teaching than did the average member of his teaching staff. It seemed to him that some of this enthusiasm had rubbed off on the other teachers.

Although this principal acknowledged that the interns had contributed good ideas to the school, he commented that they seemed to arrive at the school with an idea that everything there would be wrong. He believed that it would be helpful if Teacher Corps officials would impress upon the interns the importance of arriving with a more objective outlook.

The superintendent and former principal at another school informed us that new teaching techniques introduced by corps members had made the instruction to the children more relevant to their culture and background and thereby

had made it easier for the children to understand the teachers' presentations. He stated that these techniques, which the interns had applied very successfully, had been adopted by many members of his teaching staff. He stated also that he had initiated a study to identify additional ways to make courses more relevant.

Another principal stated that, although she could not point to specific teaching innovations which the interns had introduced and which had been carried on by some members of the teaching staff, she believed that the interns had made the other teachers more conscious of the need to make the academic courses in the schools more relevant to the children's backgrounds.

A teacher-supervisor at another school told us that the expanded use of the team-teaching technique at his school was the result of the interns' efforts. He also pointed out that the interns had introduced certain discussions of Navajo history and culture into the social studies classes. He stated that the expanded curriculum had been continued in the social studies classes even though the interns had left and that the school was in the process of developing a text to teach Navajo history and culture.

Another school official whom we interviewed was of the opinion that interns seemed to have the philosophy that they had to change the way that children were being taught in the school and that they did not give fair consideration to whether changes were in order. He pointed out that he did not feel that this philosophy was particularly a fault of the way the Teacher Corps program was being operated but rather that it was due to the personality of the individual interns assigned to his school.

EDUCATION-RELATED COMMUNITY ACTIVITIES

Although the legislation does not specifically require the involvement of corps members in community activities, the Teacher Corps guidelines encourage such involvement. The intent of the corps members' involvement in community activities is not only to give the interns an understanding of the children and their environment but also to educate parents and children of low-income families.

We learned from discussions with team leaders and school officials that corps members participated in various community activities and projects. One community project provided for 25 Hawaiian children and their chaperones to visit the Navajo Reservation and for 24 Navajo children and their chaperones to visit Hawaii. The project was selected, planned, and carried out by the interns at one school. It offered some of the children their first opportunity to travel away from the reservation and to see other people of similar complexion. The principal and teachers at the school believed that the project was worthwhile, and one teacher cited a subsequent noticeable increase in the children's interest in social studies.

The project was received favorably by the local community. It was financed primarily with Federal funds obtained through the Bureau of Indian Affairs and the Office of Economic Opportunity. The interns planned a similar exchange project for the 1970-71 school year.

A team of interns at another location visited numerous homes in the community and learned that the parents were very interested in having an adult education program. This interest led to the establishment of adult education classes as a community project. Attendance at classes varied from 15 to 40 adults, and 13 adults ultimately passed most parts of a high school equivalency test. The project was considered quite successful by the school principal, team leader, and interns and was subsequently adopted by the local high school.

The team assigned to two other schools made a survey to acquaint themselves with the political organization, the economic conditions, and the educational needs in the local

communities. As a result of suggestions by adults in the communities, the interns established adult education courses. Another community project involved the teaching of the Navajo language to the local teachers.

The interns also visited students' homes; worked with Girl Scouts; and attended tribal government, parent-teacher association, and school board meetings.

Team leaders and officials of the schools where the corps members were assigned told us that the community activities undertaken by the interns had been successful.

RETENTION OF CORPS MEMBERS AS REGULAR TEACHERS

Of the 26 interns who had completed the Navajo-Hopi program as of May 1970, 19 (about 75 percent) had accepted teaching positions in reservation schools. Of the 19 teachers retained, seven were Navajo or Hopi Indians. As of May 1970, 27 additional interns, including 17 Navajo or Hopi Indians, had completed the first year of their assignments. Through interviews, we learned that at least 23 of these interns planned to teach in reservation schools after they graduated in May 1971.

Principals and teacher-supervisors at the reservation schools where the interns trained generally considered the graduates of the Navajo-Hopi program to be better trained for working with Indian children on the reservations than were teachers trained under traditional methods. They pointed out that teachers prepared by the traditional methods, which emphasize subject matter and teaching methods applied to the typical middle-class public school, are deficient in such practical aspects as Indian culture and language. Although some school officials believed that the interns were not as well prepared academically and in teaching methods as were other teachers, they considered the interns to be well prepared from a practical application standpoint, and most believed that the interns would be better overall teachers as a result.

The director of the Navajo-Hopi program stated that the graduated interns who were employed as full-time teachers in the reservation schools could strengthen the educational

opportunities available to the Indian children by becoming catalysts for educational changes at the schools. We noted that three of the four team leaders who completed the program in May 1970 had taken positions in Navajo Reservation schools. One team leader was to be a teacher-supervisor and the other two were to be teachers. School officials planned to offer the latter supervisory positions as soon as such positions became available.

CONCLUSION

It is our opinion that the Navajo-Hopi program has strengthened educational opportunities available to children on the Navajo and Hopi Indian Reservations, in line with the legislative objective of the Teacher Corps program.

The objective was accomplished by recruiting and training, as teachers of disadvantaged children, persons who, upon completion of their assignments, were considered by school officials to be better trained for teaching Indian children than were teachers prepared by traditional programs. Schools on the Navajo and Hopi Reservations willingly offered teaching positions to the interns who graduated. We believe that the number of Indians in the program who have taken or plan to take teaching positions will significantly increase the number of Indian teachers in schools on the reservations. Estimates furnished by local officials of the Bureau of Indian Affairs showed that, at the time of our review, about 60 Navajo or Hopi teachers were employed at the Bureau's schools on the Navajo and Hopi Reservations.

The Teacher Corps interns provided more individualized instruction and introduced some new approaches to educating children, and many of the approaches were continued in the schools after the interns had completed their assignments. The interns' efforts gave the children educational opportunities that otherwise would not have been available to them. Exposing the children to Indian corps members provided the children with an educational stimulus. Community activities which were organized by the corps members provided additional educational benefits to children and adults on the reservations.

CHAPTER 4

DID THE PROGRAM BROADEN NORTHERN ARIZONA UNIVERSITY'S TEACHER PREPARATION PROGRAM?

The Teacher Corps program at Northern Arizona University had some degree of success in broadening the university's teacher preparation program. The university trained the Teacher Corps interns by (1) providing courses that were designed to give them an understanding of the rudiments of the Indian language, culture, and history and (2) modifying courses to make the content more relevant for preparing the interns to teach Indian children. Experience with the Teacher Corps influenced the university to make certain changes in its regular teacher preparation program; however, much of the special curriculum offered to the Teacher Corps interns was not offered as part of the university's regular teacher preparation program.

As stated on page 21, principals and teacher-supervisors at the reservation schools where the interns trained generally considered the graduates of the Navajo-Hopi program to be better prepared for working with Indian children on the reservations than were teachers prepared by traditional methods. No formal procedures were established by the university, however, for evaluating the various ideas, experiments, and approaches that were used by the Navajo-Hopi program until December 1970--2-1/2 years after the program started.

ACADEMIC COURSES OFFERED TO TEACHER CORPS INTERNS

The teacher preparation curriculum offered to other students at Northern Arizona University was revised extensively for the Teacher Corps interns. The changes were designed to prepare the interns for teaching on the reservations. For example, the interns took several courses that were not in the teacher preparation curriculum of other students. These courses related to such subjects as the Navajo language, the Navajo community, the growth and development of Indian children, community relations, and the teaching of English to students coming from homes where English is not the predominant language.

Instructors at the university informed us that they had adjusted the content of the interns' courses so that the courses would be more applicable to the Indian culture in which the interns were being trained to teach. For example, a mathematics instructor stated that, although he had not changed basic mathematical concepts when he worked with the interns, he had explained the application of the concepts in language and symbols that would be better understood by Indians. A psychology instructor explained that the implementation of principles of learning varied among various cultures and that he had emphasized the Indian applications when working with the interns. He illustrated his point by stating that other elementary school children normally are encouraged to compete with each other to learn, whereas Navajo children must be encouraged to work as groups since they will not compete with one another.

INFLUENCE OF TEACHER CORPS ON THE UNIVERSITY'S REGULAR TEACHER PREPARATION PROGRAM

University officials informed us that a lack of available positions for student teachers in the elementary schools in the Flagstaff area had caused the university to look elsewhere for such teaching positions. Drawing upon its experience in providing courses to the Teacher Corps interns while they were training away from the university, the university took the further step of establishing two student-teaching centers near Phoenix, Arizona, where there were still student-teaching opportunities available. At these centers students in the university's regular teacher preparation program live, teach, and take academic courses. The centers became operational in the fall of the 1970-71 school year. The officials stated that the university would consider establishing a similar center on the Navajo Reservation if the first two centers were successful.

The dean of the university's College of Education told us that the Teacher Corps program had fostered a more cooperative relationship among the various colleges within the university through the college's use of certain courses from outside the College of Education. The assistant dean felt that certain university professors who taught the interns' courses had become more aware of the environment on Indian reservations. He stated that he included a discussion of the opportunity to teach on Indian reservations in

his own introductory education course. He also planned to make a film which would highlight the unique aspects of teaching on reservations.

We noted that, as of August 1970, only one of the specially designed courses for the Teacher Corps interns had been offered in the university's regular teacher preparation program. This course, involving internship in schools and communities on Indian reservations, is offered as a substitute for student teaching in the elementary schools in Flagstaff. The regular students' curriculum, however, includes only one semester of this course, compared with four semesters for Teacher Corps interns, and the university has not established a method of providing other courses to the regular students while they are training on the reservations.

The Navajo-Hopi program proposals for cycles III and IV, submitted to the Office of Education in March and December of 1968, respectively, outlined the specialized curriculum which would be offered to interns and emphasized that the program would enable Northern Arizona University to study the effects of this specialized curriculum and consider applying it to other students at the university.

The study had not been undertaken at the time that we completed our fieldwork at the university in August 1970. In April 1970, we had discussed with university officials the apparent need for such a study in furthering the objectives of the Teacher Corps program. In December 1970 the assistant dean of the College of Education told us that the study was under way and should be completed by May 1971.

CONCLUSION

We believe that the Navajo-Hopi program had some degree of success in encouraging the university to broaden its teacher preparation program. The university provided the interns with courses more relevant to their needs as prospective teachers of Indian children. Experience with the Teacher Corps influenced the university to make certain changes in its regular teacher preparation program. The university, however, did not undertake an evaluation of the Navajo-Hopi program to identify those aspects which warranted inclusion in its regular teacher preparation curriculum until December 1970--2-1/2 years after the program started.

RECOMMENDATION TO THE SECRETARY OF HEALTH, EDUCATION, AND WELFARE

We recommend that the Secretary of HEW provide for the Office of Education to stay abreast of the progress of the university's study of the various ideas, experiments, and techniques used in the Navajo-Hopi program and encourage the university to incorporate in its regular teacher preparation curriculum those aspects of the program that are found to be successful.

- - - -

The Assistant Secretary, Comptroller, HEW, commented on a draft of our report by letter dated March 8, 1971. (See app. III.) He stated that our conclusions were sound and that our recommendations were sufficiently objective to produce the action required to make the program more effective. He said that HEW's comments were the product of a review of the draft of our report by cognizant departmental and Office of Education staff and of the responses from the director of the Navajo-Hopi program, the dean of the Northern Arizona University College of Education, officials of the Arizona Department of Education, and local school officials associated with the program.

The Assistant Secretary stated also that HEW concurred in our recommendation that the Office of Education stay abreast of the university's study and encourage adoption of successful program features into the university's regular

teacher preparation program. He noted that, after our review had been completed, three additional Teacher Corps courses had been made available to students in the university's regular teacher preparation program. He noted also that the university's College of Education had established a student-teaching center at one of the schools participating in the Teacher Corps program on the Navajo Reservation. The first non-Teacher-Corps students were to be assigned to the center for the spring semester of 1971.

The Assistant Secretary pointed out that Northern Arizona University had submitted an impressive proposal for a sixth-cycle Teacher Corps program, which demonstrated planning to ensure program continuity as Federal funds were withdrawn. He stated that the Teacher Corps headquarters would monitor the sixth-cycle program and provide technical assistance to encourage and ensure timely evaluation of program activities.

CHAPTER 5

ROLE OF THE ARIZONA DEPARTMENT OF EDUCATION IN THE PROGRAM

Teacher Corps legislation requires that the appropriate State educational agencies approve program proposals. The Office of Education encourages State agencies to review proposals in the light of the States' educational objectives and priorities.

Officials of the Arizona Department of Education advised us that they considered the department to be a minor participant in the Navajo-Hopi program. They stated that the department had reviewed the program proposals to satisfy itself that they were educationally sound and had obtained clarification of the contents, when considered necessary, before notifying the Office of Education of its approval. Department officials stated also that they had visited the university during the preservice orientation phase of the program to meet with the corps members and learn more about the program's operation.

The Department's director of teacher certification, who was the former liaison officer for the Teacher Corps program, said that the type of curriculum given the Navajo-Hopi program interns appeared to be very good for preparing the interns for teaching on the reservations. It was his opinion that all students who intended to teach on the reservations should be given the same or similar-type curriculum. Department officials stated, however, that they had not disseminated information on the operations of the Navajo-Hopi program to other universities in Arizona.

We apprised officials of the Arizona Department of Education of our view that the department could contribute to the achievement of Teacher Corps objectives by obtaining information on successful techniques and results of the Teacher Corps program and disseminating this information to other educational institutions in the State that could benefit from such information. We noted that about 40 percent of the approximately 180 new teachers hired for schools on the Navajo and Hopi Reservations for the 1970-71 school year

came from three colleges in Arizona--Northern Arizona University, the University of Arizona, and Arizona State University.

Department officials stated that they planned, through visits to program sites, to learn how educational innovations introduced in the schools and the university were working out and planned also to disseminate information about successful innovations to other educational institutions in the State.

RECOMMENDATION TO THE SECRETARY OF HEALTH, EDUCATION, AND WELFARE

We recommend that the Secretary of HEW provide for the Office of Education to cooperate with the Arizona Department of Education in its plans to assume a more active role in disseminating information concerning successful techniques and teaching methods to other educational institutions in the State.

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The Assistant Secretary stated that HEW concurred in our recommendation but preferred to delay specific action until such time as the Arizona Department of Education indicated that it could provide staff, time, and personnel expertise to carry out its plans. He stated also that a closer relationship had been established between the Arizona Department of Education and the Teacher Corps program and that the department had established a new procedure for keeping itself informed of Teacher Corps activities and of changes in Northern Arizona University's teacher-training program.

CHAPTER 6

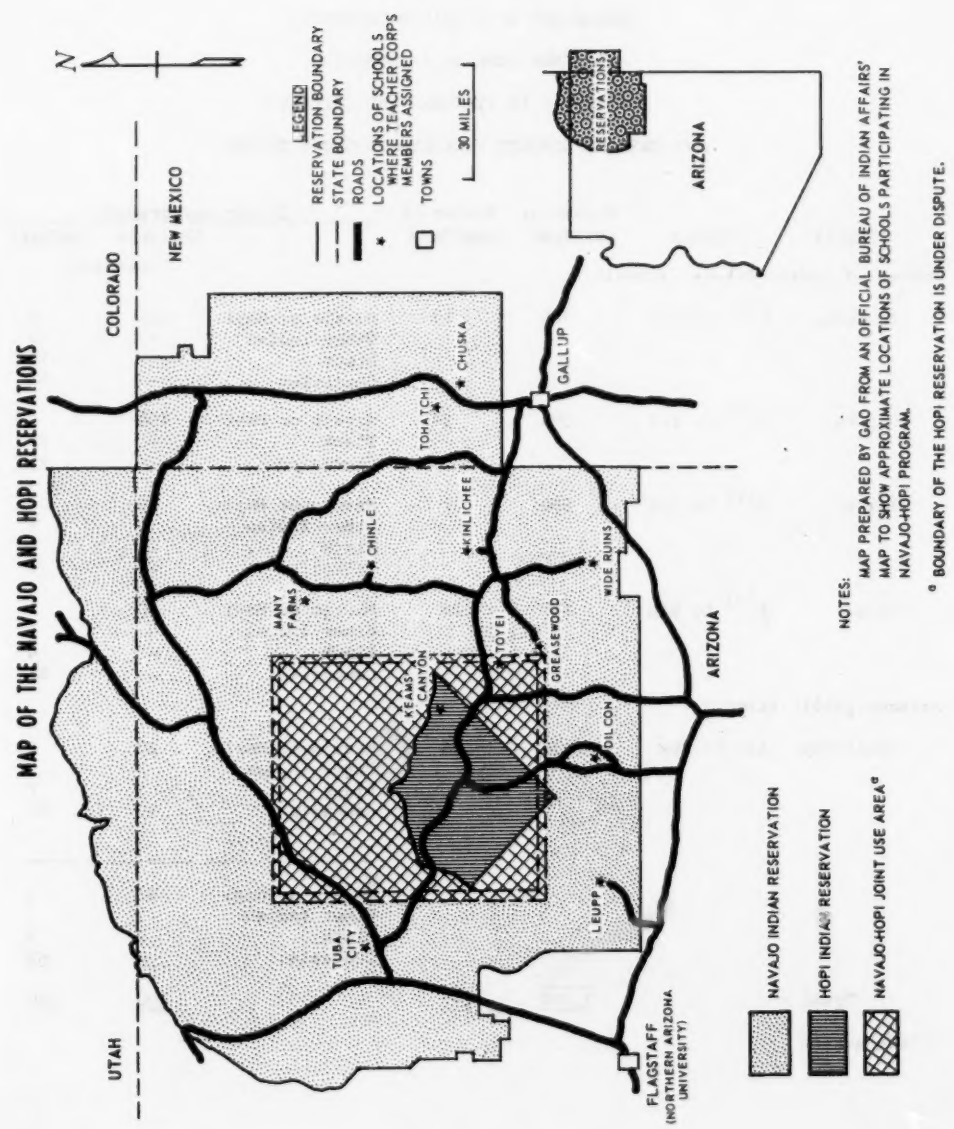
SCOPE OF REVIEW

We reviewed the legislative history of the Teacher Corps program and the related policies, procedures, and guidelines of the Office of Education. We reviewed records relating to selection of corps members, activities of corps members in the schools and at Northern Arizona University, retention of corps members in teaching after completion of Corps service, and various administrative aspects of the program.

Our review was performed at the Teacher Corps headquarters in Washington, D.C., Northern Arizona University, the Navajo Area Office of the Bureau of Indian Affairs in Arizona, and Bureau of Indian Affairs schools and public schools on the Navajo and Hopi Indian Reservations. We also interviewed interns, team leaders, teachers, local school officials, Northern Arizona University officials, Teacher Corps officials, and Arizona Department of Education officials.

APPENDIXES

APPENDIX I



NOTES:

MAP PREPARED BY GAO FROM AN OFFICIAL BUREAU OF INDIAN AFFAIRS' MAP TO SHOW APPROXIMATE LOCATIONS OF SCHOOLS PARTICIPATING IN NAVAJO-HOPI PROGRAM.

[a] BOUNDARY OF THE HOPI RESERVATION IS UNDER DISPUTE.

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APPENDIX II

COMPARISON OF ETHNIC BACKGROUNDS

AND OTHER GENERAL INFORMATION

PERTAINING TO TEACHERS AND CHILDREN

AT CERTAIN SCHOOLS INCLUDED IN GAO'S REVIEW

School	Grades	Number of children	Number of teachers	Ethnic background	Children	Teachers
					(percent)	
Bureau of Indian Affairs schools:						
Tohatchi	K[a] to 8th	376	13	Navajo or Hopi	100	8
				Other Indian	-	15
				Black	-	15
				Caucasian	-	62
Chuska	K[a] to 8th	595	24	Navajo or Hopi	100	4
				Black	-	29
				Caucasian	-	67
Dilcon	K[a] to 8th	680	32	Navajo or Hopi	99	-
				Other Indian	1	3
				Black	-	6
				Caucasian	-	91
Toyei	K[a] to 8th	610	24	Navajo or Hopi	100	4
				Other Indian	-	4
				Black	-	4
				Caucasian	-	88
Arizona public school:						
Tuba City	1st to 8th	1,138	54	Navajo or Hopi	80	4
				Other Indian	6	-
				Black	1	2
				Caucasian	13	94
				Navajo or Hopi	93	3
				Other Indian	2	3
				Black	1	9
				Caucasian	4	85
Total		3,399	147		100	100

[a]Kindergarten

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APPENDIX III

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE
WASHINGTON, D.C. 20201

'ICE OF THE SECRETARY

MAR 8 1971

Mr. Philip Charam
Associate Director
United States General
Accounting Office
Washington, D.C. 20548

Dear Mr. Charam:

The Secretary has asked that I reply to your letter dated December 28, 1970, with which you forwarded the draft report of the General Accounting Office review of "Assessing the Impact of the Teacher Corps Program at Northern Arizona University and Participating Schools in Arizona and New Mexico on the Navajo and Hopi Indian Reservations." We appreciate the opportunity to review and comment on the report, the conclusions and recommendations.

The report indicates that a very comprehensive review was performed and presents an accurate account of the strengths and weaknesses of the Teacher Corps Northern Arizona Program. The conclusions are sound and the recommendations are sufficiently objective to produce required remedial action to make the Teacher Corps Program more effective.

Detailed comments on the recommendations, together with the statements of actions to be taken to implement them, are set forth in the enclosure hereto. They are the product of a review of the report by cognizant Departmental and Office of Education staff and the responses from the Director of the Program at Northern Arizona University, the Dean of the School of Education, Department Chairman and local school officials associated with the program.

Sincerely yours,

James B. Cardwell
Assistant Secretary, Comptroller

Enclosure

APPENDIX III

Department of Health, Education, and Welfare
Comments Pertinent to the Draft of Report to the Congress of the United States by the Comptroller General of the United States on Assessing the Impact of the Teacher Corps Program at Northern Arizona University and Participating Schools in Arizona and New Mexico on the Navajo and Hopi Indian Reservations

The GAO recommended that the Secretary provide for the Office of Education to stay abreast of the progress of the University's study of the various ideas, experiments, and techniques used in the Navajo-Hopi program and encourage the University to incorporate in its regular teacher preparation curriculum those aspects which are found to be successful.

Department Comment

We concur in the recommendation.

The Director of Northern Arizona University (N.A.U.) as well as the Dean and Department Chairman informed us that "Teacher Corps courses, since last year, have been available to non-Teacher Corps personnel. After the GAO review ended a survey was done that indicated a need for additional offerings, which resulted in three additional courses available from the College of Education in September of 1970. Students other than Teacher Corps will also receive on site advisement."

Teacher Corps Washington, via its monitoring and technical assistance efforts, will encourage and assure evaluation in the 6th cycle of this project.

Northern Arizona University has submitted an impressive proposal for the 6th cycle which demonstrates planning to ensure program continuity as Federal funds are withdrawn and clearly overcomes the evaluation shortcomings noted by GAO.

The GAO recommended that the Secretary provide for the Office of Education to cooperate with the Arizona Department of Education in its plans to assume a more active role in disseminating information concerning successful experiments and teaching methods to other educational institutions in the State.

Department Comment

We concur in the recommendation but prefer to delay specific action until such time as the Arizona State Department of Education indicates it has staff time and personnel expertise to do the tasks outlined in the recommendation.

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APPENDIX III

However, in the interim the Director of Northern Arizona University informed us that "The Dean of the College of Education encourages the State Department to visit, observe, and disseminate information of Teacher Corps and regular N.A.U. programs on the Reservation."

Also, the State Department indicated a new procedural set up has been initiated that will keep them alerted to activities, changes in the teacher training program at N.A.U., and hopefully, evidence from the field where the programs have been affected by the Teacher Corps.

Finally, before the signature from the State Department of Education goes on the final documents endorsing the 6th cycle program, the Department has requested the goals and objectives of the Teacher Corps program be sent to them for information and review purposes. A closer relationship is being established between the Arizona State Department of Education and the Teacher Corps program.

The Director at N.A.U. indicated the College of Education has begun a student teaching center at Dilcon Boarding School, a Cycle 4 School on the Navajo Reservation. The first non-Teacher Corps student teachers will be assigned there Spring Semester of 1971. Teacher Corps interns at the school will aid in orientation of the new student teachers.

APPENDIX IV

PRINCIPAL OFFICIALS OF THE

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

RESPONSIBLE FOR THE ACTIVITIES

DISCUSSED IN THIS REPORT

	Tenure of office	
	From	To
SECRETARY OF HEALTH, EDUCATION, AND WELFARE:		
Elliot L. Richardson	June 1970	Present
Robert H. Finch	Jan. 1969	June 1970
Wilbur J. Cohen	Mar. 1968	Jan. 1969
John W. Gardner	Aug. 1965	Mar. 1968
ASSISTANT SECRETARY, EDUCATION:		
Vacant	June 1970	Present
James E. Allen, Jr.	May 1969	June 1970
Peter P. Muirhead (acting)	Jan. 1969	May 1969
Lynn M. Bartlett	July 1968	Jan. 1969
Paul A. Miller	July 1966	July 1968
Francis Keppel	Oct. 1965	May 1966
COMMISSIONER OF EDUCATION:		
Sidney P. Marland, Jr.	Dec. 1970	Present
Terrel H. Bell (acting)	June 1970	Dec. 1970
James E. Allen, Jr.	May 1969	June 1970
Peter P. Muirhead (acting)	Jan. 1969	May 1969
Harold Howe II	Jan. 1966	Dec. 1968
Francis Keppel	Dec. 1962	Jan. 1966

U.S. GAO Wash., D.C.

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Senator NELSON. I just would like to point out that the GAO noted that only 5 percent of the teachers in the Bureau of Indian Affairs schools—if you can imagine, only 5 percent on the reservations—were Navaho or Hopi Indians. But Navaho or Hopi Indians constituted 42 percent of the Teacher Corps interns.

Another comment. Exposure to Indian members of the Teacher Corps gave the Indian children the incentive for their own schooling because they could see what an educated Indian could accomplish. The program director plans to increase the number of Indian interns if the program is funded in the future. School officials believe that interns were better trained for teaching the Indian children than were the teachers trained by the traditional methods. Three-fourths of the interns who had completed the program at the time of the GAO review had been hired as teachers in reservation schools and most of the interns still in training plan to accept such positions after their graduation.

These are excerpts from the GAO report on their study on these two reservations.

Now, Mr Chairman, almost 7 years have gone by since Senator Kennedy and I introduced this bill and since this committee addressed itself to consideration of the functions of the Teacher Corps. Four Commissioners of Education have given their strong personal commitment to the program. Four Commissioners discussed it with Congress.

We have put language on independence in Committee Reports because we did not want to legislate it. We thought that if we expressed our intent that the intent of Congress would be persuasive with the Office of Education and the Department of HEW. Quite obviously our specific written intent and repeated expressions of intent have not been persuasive for whatever reason I will never understand. Therefore I think it is critically important that this committee write into the statute what we have been requesting and directing the Department to do since 1965, and I hope we will pass it.

So long as the Teacher Corps is in the Department of Education, I think it ought to be independent as we intended. There is a proposal by the administration that the Corps be transferred to the new volunteer organization along with Vista and the Peace Corps and a group of other functions. I have no notion what the Congress will decide about that, whether it will accept that recommendation of the administration and pass legislation to that effect. But whether it does or not, until the Teacher Corps is placed in some other agency I think that the Congress is entitled and should adopt the amendment proposed by the chairman of this committee to do what the committee has been asking the Office of Education and the Department of HEW to do since 1965 under two administrations.

Senator PELL. Thank you, Senator Nelson. I well understand your concern and interest which you have expressed in the full committee on this subject through the years. I think I know how concerned you are at what appears to be the ignoring of the will, the intent of the Congress by the administrative office.

I think your words here are extremely—and I use the word advisedly—relevant to the Department of HEW. Very often, indeed too often, the intent of Congress unless it is spelled out in a mandatory fashion, which we are reluctant to do, is ignored. I can think of the

Council on Excellence in Education which we established is Public Law 91–230 which is being ignored from the viewpoint of its implementation by the administration lies

I am struck by the amounts that are being withheld from obligations that we have made, by the administration. I think that what we are groping at here, is the traditional argument that we have as to whether we are simply a sort of House of Lords or whether we are really the board of directors of the corporation of the United States and the executive branch is the principal executive officer to carry out the will the board. In the bill that is before us, of which you are a cosponsor, your wishes are incorporated in a more mandatory way.

I don't mean to divert the attention of the Secretary and the witnesses from the main thrust of today's testimony, the subject of institutional aid, but it would be unfair if I didn't ask the Commissioner if he didn't want to make a brief rebuttal to the points that are being raised by Senator Nelson.

Senator NELSON. May I say one word first.

As I stated in my remarks there is not anything in any way partisan intended. The fact of the matter is that this administration has simply continued a policy instituted by the previous administration. So it is less culpable, if anything than my party's administration.

I emphasize also that all the Commissioners of Education, including Mr. Marland, the present Commissioner, have been very praiseworthy of the program. But after some 7 years during which we have asked, requested, and written in committee reports our intent and that intent has not been acted upon by the previous administration or this administration that it is necessary and appropriate that we should go ahead and legislate the independence of the Teacher Corps.

Senator PELL. What you are setting forth is the traditional argument between the legislature and the administrative department, not between Democrat and Republican.

Mr. PROUTY. You might say Democrats and Republicans never argue.

Dr. MARLAND. Responding to your invitation, I would make a very brief comment, not as a rebuttal but as a very warm endorsement of the statement that Senator Nelson has offered. I do express considerable enthusiasm for this program and I would hope in a very short phrase to describe our action on this subject.

The fact that I have been quoted as equally enthusiastic, along with three previous Commissioners, is noteworthy, but I would add that I may have even somewhat better credentials for my enthusiasm in that, unlike my predecessors who were denied the opportunity to have a Teacher Corps program in their own immediate environment, as the Senator knows, I was among the early Superintendents of Schools to react warmly to this idea when it first emerged from Congress in Pittsburgh, I found it an exceptionally useful and effective instrument for school leadership for the introduction of the kind of teacher that comes to the Teacher Corps, and I applaud it both in philosophy and in its practicality.

Very briefly, as to the ways in which we are attempting to increase the effectiveness and to build upon the present thrust of the Teacher Corps, while I acknowledge the limited resources so far available in the way of dollars and people to the program, I might add that any

reduction in personnel in the Teacher Corps during my tenure have been the result of universal reductions in staff across the Office of Education. There have been no direct reductions of personnel in the Teacher Corps specifically, but rather only general reductions in staff.

What we have done in an effort to offset limited staff and limited funds is to combine with the Teacher Corps two other instruments of the Office of Education allowed and authorized by Congress; namely, the career opportunities program and the urban rural teacher program which have pooled resources so as to triple the number of personnel and to more than double the dollars available for this program, moving it from $30 million in the current year to some $67 million. This has greatly increased the number of people affected in the field.

We are, if you will, Senator Nelson, building upon the philosophy of the Teacher Corps in the Office of Education and capturing its style, its freedom and, as you say, its exciting creative and flexible nature in attempting to instill this kind of style across the Office of Education.

As to the Senator's comments on an internal administrative organization of a Teacher Corps, I would have to say that if Congress establishes the ways in which we should organize administratively we will of course immediately comply. Left to our discretion at this stage, we would prefer that the Congress not take such action.

Senator PELL. Thank you very much.

Senator Prouty? Senator Beall?

Senator PROUTY. No questions.

Senator BEALL. Not on that.

Senator PELL. Thank you very much, Senator Nelson.

Senator NELSON. Thank you.

(The following material was subsequently supplied for the record:)

UNIVERSITY OF SOUTH FLORIDA
TAMPA • ST. PETERSBURG

June 3, 1971

Senator Claeborne Pell, Chairman
U. S. Senate Government Operations Committee
U. S. Senate
Washington, D.C. 20201

Dear Senator Pell:

I am writing to you as chairman of the National Field Council Teacher Corps. The Field Council is a representative body of 30 persons made up of local project directors, public school coordinators, team leaders (master teachers), interns, principals, and community representatives. We were elected by our peers at the last National Conference to represent people in local projects on National Teacher Corps policy.

In Atlanta, Georgia in April the Field Council voted against the integration of National Teacher Corps into the new Action Agency. I realize that the bill enacting this transfer will come before your committee in the next month or so. We are most interested in having a chance to testify at the hearings on this bill in order to contribute information on the valuable National Teacher Corps program. I would much appreciate it if you could notify me concerning your committee's hearing on the bill and, if possible, include us among those who give testimony. Thank you for your interest.

Sincerely,

Miller Newton

Miller Newton, Chairman
Teacher Corps National Field Council

MN/mb

Senator PELL. Secretary Richardson.

STATEMENT OF HON. ELLIOT L. RICHARDSON, SECRETARY OF HEALTH, EDUCATION, AND WELFARE; ACCOMPANIED BY HON. SIDNEY P. MARLAND, JR., U.S. COMMISSIONER OF EDUCATION; HON. PETER P. MUIRHEAD, EXECUTIVE DEPUTY COMMISSIONER; HON. STEPHAN KURZMAN, ASSISTANT SECRETARY FOR LEGISLATION; AND CHRISTOPHER T. CROSS, ACTING DEPUTY ASSISTANT SECRETARY FOR LEGISLATION (EDUCATION)

Secretary RICHARDSON. Thank you very much, Mr. Chairman.

I appreciate your generosity in including the New York Times article in the record. I trust that this does not now hold me to a standard that I shall hereafter be unable to sustain. In any case I am pleased to be here with the Commissioner and Deputy Commissioner.

I do have a statement that addresses itself to a number of the issues and problems in the area you described earlier, and I think although it is fairly long it also represents a considerable amount of thought and perhaps it would be well if I just went straight through it, Mr. Chairman.

Senator PELL. Fine.

We welcome Mr. Muirhead.

Mr. MUIRHEAD. Thank you.

Secretary RICHARDSON. Mr. Chairman and members of the committee, I am pleased to be here today to present the administration's views on the various proposals before the Congress for new forms of assistance to institutions of higher education. I refer in particular to the provision in your bill (S. 659), Senator Pell, providing cost-of-instruction grants to institutions for federally aided students. But my remarks also bear upon other institutional aid proposals such as Senator Mondale's bill and the bills submitted by Mrs. Green, Mr. Quie and Mr. Perkins in the House.

All of these bills have been introduced largely in response to deepening concern about the financial health of our colleges and universities. Particularly in the past few months since the administration's higher education program was submitted to Congress there has been considerable publicity about a financial crisis in higher education. The Carnegie Commission has released a study entitled "The New Depression in Higher Education." And the educational associations have communicated their concern to you, and to us, that a new economic situation now affects higher education which demands an immediate and vigorous Federal response.

We believe that in light of these concerns the matter of increased institutional support for higher education does deserve renewed consideration. There are three interrelated issues which I wish to discuss this morning: (1) What are the dimensions of the current financial difficulties? (2) To what extent are the current legislatives proposals responsive to these difficulties? (3) What new steps should be taken?

DIMENSIONS OF THE CURRENT DIFFICULTIES

The Department has had several studies underway for some time which provide valuable information for analyzing this issue. A study of 50 4-year public and private colleges has substantially improved our

ability to evaluate trends in class size, faculty wages, instructional costs and significant indices of institutional health. An intensive study of the resource allocation processes of a small number of institutions has provided valuable insights into how different kinds of institutions have responded to recent economic conditions and how they would be likely to respond in the future to various new modes of support. In addition, we have analyzed and profited from studies of higher education finance prepared for the Carnegie Commission and the Association of American Colleges. And we have consulted the work of many individuals.

Yet despite all these studies, it is not possible for us or anyone else to arrive at a clearcut set of conclusions about the financial health or additional needs of institutions of higher education. We are dealing with a constantly moving target as to which aggregate data are nearly always out of date. More importantly, there are many different indices for determining whether or not higher education institutions are in trouble. Some people base judgments on the fact that some institutions have severe and/or frequent operating deficits; other individuals are concerned with rising tuition charges; still others with a longer-term condition under which institutional costs seem to be rising at a faster rate than revenues.

Such judgments, moreover, are complicated by the fact that there are no clear performance objectives for higher education institutions. We therefore have no clear standard for saying when an institution is unable to perform its vital mission. It will not do to look to the aspirations of the institutions themselves, because by that standard all institutions with high aspirations are in financial trouble all the time.

Bearing all this in mind there are, however, some things that can clearly be said and to which most all observers would agree. First, the differences in need among institutions and to some extent categories of institutions are considerable. Private institutions have turned more and more to tuition increases to obtain added revenues, running a much greater risk than public institutions of pricing themselves out of the market. Yet among private institutions there are also great differences which are compounded by the fact that advantages are unevenly distributed: those institutions which have one advantage (such as the ability to raise tuition without losing students) tend also to have others (such as endowments to fall back on). Similar disparities exist within other categories: the black colleges for example, both public and private, are in worse straits than most other colleges.

We know, too, that different categories of institutions are experiencing distress for different reasons. Community colleges have large capital needs because they are rapidly expanding. Many private institutions are in financial difficulty because they cannot attract students to fill their available spaces. State-supported institutions have been hurt by less generous appropriations from State legislatures. Large research-oriented universities are almost alone in feeling the impact of a declining rate of growth in Federal research funding and shifts in research dollars to newly favored fields.

Third, we know that some causes of the current financial difficulties are temporary while others are chronic. Many of the problems of public institutions, for example, can be attributed to the increased competition for tax resources which occurs during a recession and to other

temporary factors such as political reaction to student behavior. On the other hand, private institutions are all affected by the chronic problem that they must compete with subsidized public institutions which more and more resemble them in educational offerings and "quality."

Thus, while most institutions either have or feel they have financial problems, we conclude that what higher education faces at present is not a general "crisis" but a "crunch"—a crunch which affects institutions differently, and has been brought on by the convergence of a number of different economic and political forces. We recognize at the same time that this crunch has created a general sense of crisis on the part of leaders in higher education. And we recognize that some aspects of the present crunch reflect continuing and serious problems which must be addressed in the near future. How, then, should the Federal Government respond to this situation?

One mode of response which has been proposed by higher education organizations and is reflected in several bills in Congress is new and unprecedented legislation for general institutional aid. By this I refer to funds which (1) are intended to support the general operating budgets of institutions rather than to accomplish a specific Federal purpose, and (2) are distributed to all or nearly all postsecondary institutions by a formula based on some measurable institutional characteristic such as student enrollment, degrees awarded or instructional costs.

SHORTCOMINGS OF GENERAL FORMULA AID

General formula aid has been suggested as an answer to the "crisis" which many feel higher education is in. Yet it is hard to imagine a mode of financing less suited to alleviating an immediate, short-term crisis than general formula aid. It is much too blunt an instrument for dealing with acute problems of particular institutions, for it would provide support to all institutions regardless of their needs without substantially affecting those which are in the greatest difficulty.

In fact, general formula assistance is addressed to no particular problem but to the perceived need for a general strengthening of all postsecondary institutions. We believe that general formula aid must therefore be assessed for what it really is—a whole new approach to financing higher education involving a major reallocation of responsibilities for support of institutions with major educational and economic consequences for the institutions themselves.

Three major sets of questions must be answered before this administration would be prepared either to propose or to accept legislation containing a new program of general institutional aid. The first concerns the Federal role. Throughout over 100 years of providing support for higher education, the Federal Government has always distributed its funds on the basis of the services or functions which higher education institutions perform for our society. The States, in contrast, have provided basic and general support to public institutions.

Before federalizing this responsibility, we must ask what level of government should support what sectors of higher education for what purposes? A series of questions follow from this one. Do the community and junior colleges, State colleges, and universities perform

services which benefit the whole Nation equally? Or should States and localities support some of these institutions and the Federal Government others? Should the Federal Government support all curriculums at all levels or concentrate on curriculums which meet high priority national needs; for example, for skilled manpower in health and scientific research? Is there as strong a national interest in assisting all American citizens of all income levels as there is in equalizing educational opportunities for particular groups?

These are questions which must be answered through the democratic process of discussion and debate. Not only educational institutions but State officials, members of boards of trustees, and many others must be engaged in this debate. A debate has begun, but we have not had a national discussion on this issue on anything like the level or scale of public discussion that has centered on welfare reform, health policy or strengthening State services through revenue sharing.

If we assume for the sake of discussion that providing general support is an appropriate Federal role, a second set of hard questions must be asked about the consequences of any general formula. For example:

What would be the impact on other forms of Federal assistance to higher education? General formula aid might compete for the funds now provided for aiding students and for support of existing categorical programs. What proportion should go to each? Should general formula aid replace some existing categorical programs?

What would be the impact on State and private support for higher education? General institutional aid might encourage some States and some private givers to reduce their support for higher education. Hence formulas must be designed with this problem in mind.

What would be the impact on the differential costs of public and private institutions? Unless general formula aid were disproportionately channeled toward private institutions or States were induced by a general formula to support private institutions, general aid might have no impact or an adverse impact on the chronic problem of price competition between public and private institutions.

What would be the impact on the independence and flexibility of institutions? Higher education institutions coming under a general formula could well be exchanging a short-run dollar windfall for some serious long-run problems.

RELATIVE MERITS OF PROPOSED FORMULAS

A final set of questions must be asked about the relative merits of the particular formulas which have been proposed. Each formula contains not only a method of distributing funds among States and institutions, it also contains built-in inducements for each institution to act in certain ways which might enhance or compromise its capacity for independent and flexible action and its capacity for change. Do we want to encourage all institutions to expand enrollments by a formula base on capitation payments, or all institutions to stress credentials and select students most able to acquire them by a formula based on degrees awarded? If capitation payments are based on institutional size, what incentives and contraints are being created for certain organizational forms and not others? If payments vary according to

levels of education, what assumptions are being made about the length of time students are required to spend in order to earn a degree?

In summary, we are convinced, both by what is known and by what is unknown about the results of general formula aid, that it would not be in the best interests of higher education to pass such legislation without a great deal more study and debate.

GUIDELINES FOR INSTITUTIONAL AID

Our analysis of the nature of the difficulties faced by institutions and the problems besetting general formula aid approaches do, however, help us see and understand how we can and should help higher education in the immediate future. The foregoing presentation, it seems to me, suggests four guidelines by which we can judge new forms of institutional aid.

First, institutional aid should be related to the effort which the institutions themselves are making to fulfill a recognized national purpose. New institutional aid should, at least for the time being, carry through on commitments the Nation has already undertaken, such as equalizing opportunity, stimulating reform and innovation, sponsoring research, and encouraging specific programs which are in the national interest.

Second, additional aid should, to the extent possible, benefit those institutions and categories of institutions which are experiencing the greatest distress.

Third, additional aid should not inadvertently, and perhaps irreversibly, produce major and premature reallocations of responsibility among the supporters of higher education—the Federal Government, other levels of government, and private donors.

Fourth, institutional aid should not impose upon institutions a uniform Federal bias as to how higher education should be provided—as, for example, through a formula which assumes a certain length of time required for a degree, the validity of degrees, and so on.

In short, Mr. Chairman, we believe that your efforts and ours should be devoted to determining how we can meet the major needs of institutions in the light of our major Federal priorities, and do so in a way that will avoid the many dangers we see in some of the blanket approaches now before Congress. It follows from this that no single new program will provide the optimum solution. There are many arrows in the Federal quiver and each can carry a specific Federal interest to a specific target of national and institutional needs.

Over the past month we have reviewed existing Federal authorities for higher education to see if there might be some vehicles, already in place, which might be used. We encourage you to do so also. We encourage you to consider the impact of our proposals for student aid which will free up institutional resources now devoted to this purpose. We hope, too, that you will consider our proposed National Foundation for Higher Education which will, we believe, substantially help institutions to become more productive centers of teaching and learning.

We have also reviewed new forms of institutional aid. This search has led us—as it has lead many others—to conclude that a new program of cost-of-education allowances is the most appropriate new ini-

tiative, beyond the legislation we have already submitted, which the Federal Government could now take. We have a particular proposal to present to you. But since you, Senator Pell, as well as Senator Mondale and Chairman Perkins of the House Education and Labor Committee have all introduced different versions of the cost-of-education allowance concept, I would like to discuss the central issues involved in designing a cost-of-education program which will fulfill the guidelines I mentioned previously.

Our first guideline was that additional aid should be related to the effort which the institutions themselves are making to fulfill a recognized national purpose. Cost-of-education allowances can build upon and extend the Federal commitment to equalizing opportunity for college attendance. It can do so by providing institutions with (a) an incentive to enroll the students who bring with them a cost-of-education allowance and (b) extra resources so that meaningful educational programs can be developed which will serve particular needs of these students.

Whether a cost-of-education allowance formula will serve the Federal objective of equalizing opportunity depends, however, on a number of important features. It depends most of all on the extent to which the student aid program upon which the cost-of-education allowance is based is itself well targeted on the neediest students.

It also depends on how powerful the incentive is to compete for the students. If, for instance, the student aid was provided directly to the students, such as the monthly payments to veterans receiving the GI bill subsidies, and the cost-of-education allowances also were given to the students to be turned over by them to institutions of their choice, we would have a true market system. But if the student aid and cost-of-education allowance are allotted to the institutions for distribution, as in the present Office of Education campus-based programs, the incentives are weaker and depend upon how precise and uniform are the Federal criteria for determining eligibility which the financial aid officers must follow.

Finally, it depends, of course, on whether the institutions use the extra resources to improve educational programs for the particular students in question, for the general student body, or for other needs such as faculty salaries which would be only indirectly related to the educational process.

Some have objected to a cost-of-education allowance on the grounds that there is no evidence that institutions do make larger educational outlays for low-income students; and that economically disadvantaged students are not necessarily educationally disadvantaged, and hence require no special treatment. Our response to this, which we would like to have on record, is that low-income students are more frequently less prepared for a traditional academic education than other students.

Further, we believe that the institutions which are undertaking a major commitment to serve these students should have the additional resources necessary to redesign programs suited to the interests of the ever-widening spectrum of students entering colleges and universities. These need not be remedial programs at all but rather programs more challenging than the ones now in existence.

Our second guideline was that additional aid should, to the extent possible, benefit those institutions which are experiencing the greatest

financial distress. In terms of this guideline, a cost-of-education allowance based upon our proposed EOG, Work-Study, and NDSL programs would do a better job of distributing funds to the neediest institutions than, for example, the general formula aid bill (H.R. 7248) introduced in the House by Mrs. Green. However, none of the cost-of-education proposals before the Congress precisely target on the neediest institutions. All must be justified primarily in terms of equalizing opportunity.

Whether or not a cost-of-education proposal will meet the third guideline—the avoidance of major reallocations among programs or supporters of higher education—will be affected both by the level of funds contemplated for the proposal and the conditions under which it is granted. For example, S. 659 proposes a "cost-of-instruction" allowance under which the sum of $1,200 would be paid to institutions for each recipient of a basic EOG grant after a deduction is made for the amount of tuition charged the student.

At an institution now charging less than $1,200—a typical public institution—tuition charges to students could be reduced and the Federal Government would make good the loss in tuition revenue in the case of every student eligible for a basic EOG. The other supporters of the institution—typically State and local government—would have to make up the tuition loss only in the case of students not eligible for basic EOG's.

Senator PELL. Forgive me for interrupting but there is an amendment we put in a few weeks ago to simplify this. As presently conceived it provides for a flat $1,000 grant without any deduction for tuition.

Secretary RICHARDSON. Yes, I understand this is true, Mr. Chairman, and I will touch on that on the next page.

Senator PELL. Thank you.

Secretary RICHARDSON. We thought it worthwhile for analytical purposes to cover all the proposals since what I am doing is highlighting the questions to be addressed rather than arguing with any particular approach.

Senator PELL. I understand.

Secretary RICHARDSON. If, for example, the institution charged $300 for tuition and more than a quarter of its students were eligible for basic EOG's, the State or local government would find that it had shifted part of its financial burden as well as those of students to the Federal Government.

Variants of this situation are common among public institutions but exceedingly rare among private ones. As a result, many public institutions would be encouraged to reduce tuition. Private institutions on the other hand would be neither encouraged nor enabled to take similar steps. The result could well be a wider gap between the charges of public and private institutions. This would be an added competitive disadvantage for the private institutions.

I understand, Mr. Chairman, that an amendment to S. 659 is under consideration which would provide a flat $1,000 per federally aided student to colleges and universities without a deduction for tuition. This proposal would not provide an incentive for reduction of tuition charges at public institutions, and would deal even handedly with public and private institutions. The amount of the payment is so large, however, that considerable substitution of Federal for State and pri-

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vate funds would result. Moreover, there would still be a strong tendency for institutions to recruit students barely meeting the eligibility requirements for student aid in preference to those from families paying only a few dollars more in income taxes.

Another example is provided by Senator Mondale's bill (S. 1161) for a cost-of-education allowance. Under the student aid proposal on which his cost-of-education allowance is based, no student would have to pay a large share of any tuition increases unless the institution he attended already charged more than $2,500. Institutions with low charges, especially public ones, could thus shift the burden of their general support to the Federal Government via increased charges. The cost-of-education allowance in S. 1161 would then operate to give them a positive incentive to make such a shift. It would provide a bonus for transferring burdens to the Federal Government.

Our fourth guideline was that additional aid should not undermine the independence and flexibility of the institutions themselves. We recognize that any formula grant program carries this threat, but we believe that a cost-of-education allowance is the type of formula least likely to do so. Cost of education allowances provide one known incentive to institutions—an incentive to attract those students who will bring more funds to the campus. It avoids placing the heavy Federal hand on courses, credits, degrees, instructional costs or other variables basic to the educational process.

SUMMARY

To summarize, Mr. Chairman, the problems of general formula aid I have discussed, the criteria for a more promising approach I have mentioned, and the particular hazards of some cost-of-education allowance proposals just examined all suggest to us that a cost-of-education allowance should have the following three features:

(1) It should be based on a student aid program that equalizes opportunity. Only then will it give an incentive to colleges and universities to expand equal opportunity, and that must be its main justification.

(2) It should match the dollars of Federal student aid going to the institution, not the numbers of students aided. Otherwise, it will create incentives to spread aid thinly over the maximum number of students in order to obtain more cost-of-education allowances.

(3) Both the level of funding for the program and the structure of the student aid program on which it is based should enable us to avoid creating artificial inducements for State and local governments to shift major financial burdens to the Federal Government.

We are now developing a cost-of-education allowance proposal having these features and based on our student aid proposals now before you. We will be prepared to send you shortly the detailed language and estimates for such a program.

It is especially important to recognize that no cost-of-education proposal can do everything. No one proposal can simultaneously promote equal opportunities and target funds precisely to those institutions which need them most and achieve other worthwhile Federal objectives. Efforts to do so would produce a proposal with as many problems as general formula aid. This is an area, Mr. Chairman, where whatever we do, we should do it straightforwardly.

That concludes my prepared statement, Mr. Chairman.

Commissioner Marland has a prepared statement and I believe a summary of that statement which he would like to give you orally.

Senator PELL. All right.

STATEMENT OF HON. SIDNEY P. MARLAND, JR., U.S. COMMISSIONER OF EDUCATION, ACCOMPANIED BY PETER P. MUIRHEAD, EXECUTIVE DEPUTY COMMISSIONER

Dr. MARLAND. Mr. Chairman, my prepared statement is in the hands of the staff. I am happy to appear before you today to discuss the administration's views on the various provisions of S. 659, the Education Amendments of 1971.

Senator PELL. The full statement will be inserted in the record.

Dr. MARLAND. Thank you, sir. My prepared statement is highly technical and detailed and with your permission I would like to accept your invitation to place it in the record and merely highlight some of our major concerns quite briefy.

(The prepared statement of Dr. Marland follows:)

FOR RELEASE UPON DELIVERY

Statement by
Honorable Sidney P. Marland, Jr.
U.S. Commissioner of Education
Before the
Subcommittee on Education
Committee on Labor and Public Welfare
United States Senate
Wednesday, June 9, 1971
10:00 p.m. EDT

The Commissioner is accompanied by:

Mr. Peter P. Muirhead, Executive Deputy Commissioner

Mr. Chairman and Members of the Subcommittee:

I am happy to appear before you today to discuss the Administration's views on the various provisions of S. 659, the Education Amendments of 1971. As you know, I have appeared before the Subcommittee on three previous occasions to discuss the major provisions of the Administration's proposal, S. 1123, the Higher Education Opportunity Act of 1971. My testimony today is designed to "fill in the gaps" left by my prior appearances and to comment on areas previously uncovered in testimony.

Extension of the Higher Education Act of 1965

Title I--Community Service and Continuing Education: S. 659 extends the existing Title I program for five years, with an authorization level of $60 million for each fiscal year. Two new sections are added. Section 106 would authorize the Commissioner to reserve up to ten percent of the sums appropriated for special programs and projects relating to national and regional problems. We have no objection to the inclusion of such a section, since it would broaden Title I programs to those of national as well as local concern. In addition, such a set-aside would apply only to the extent that the appropriation exceeds $9.5 million, the current level of funding for Title I, so no State programs would suffer.

A new Section 110 would authorize metropolitan area programs, with an additional authorization of $5 million for each fiscal year. Metropolitan area programs are thoroughly consistent with the intent of Title I and, indeed, can be conducted under existing law. We would oppose the additional authorization for such programs. Since the overall authorization for the title far exceeds current appropriations levels, additional authorizations seem unnecessary.

We also feel that a five-year extension of the title is questionable; S. 1123 would only extend it for two years. Recognition that the title deserves further study is implicit in Section 104 of S. 659, which authorizes the Commissioner to conduct a review of programs carried out under the title and to report to the Congress his findings not later than July 1, 1974. A two-year extension of the program, as proposed by S. 1123, would allow for further Congressional consideration at the conclusion of the study.

Title II--College Library Programs: S. 659 extends existing programs of college library resources, training, and research for five years, with a total authorization of $130 million for each fiscal year. The formula is amended to earmark 70 percent of the appropriation for Part A (Library Resources) and 30 percent for Part B (Training and Research Programs). We would prefer that no such change be made for two reasons: it decreases the flexibility available to the Administration and the Congress in determining the appropriate funding for these programs, and we do not seek to extend Part B in its current form.

S. 659 earmarks no more than 25 percent of the sums available for Part A for special purpose grants. This is in direct contrast to S. 1123, which seeks to target additional funds on special purpose grants and to reduce the amount available for basic and supplemental grants to 50 percent of the sums appropriated for library resources programs. This would continue the redirection of the Title II program which has already been begun administratively, concentrating grant funds on those institutions of higher education with critical financial needs. These include developing institutions, junior and community colleges, and those institutions with a high proportion of disadvantaged students. Funds under the College Library Resources Program have assisted many institutions in improving their

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library resources. The time has come, however, to marshall support in those institutions in greatest need; S. 1123 would do this.

S. 659 requires the use of two-thirds of the funds available for Part B for library training programs and one-third for research and demonstration. This would continue the narrow categorical programs currently in existence. S. 1123, on the other hand, seeks to coordinate library training and research with other general training and research authorities. To this end, it repeals the separate research authority, since research and demonstration projects in the library field can be carried out under the general authority of the Cooperative Research Act. In fact, this has been the appropriations pattern in recent years and we intend to continue to seek funding of such research under this authority in future years.

Similarly, S. 1123 makes Library Training a new Part G of the Education Professions Development Act, the Office of Education's general personnel training authority. This would allow the librarianship training programs to be better coordinated with other education personnel training programs.

S. 659 authorizes a waiver of the maintenance of effort requirement in the basic grants program in the case of special and unusual circumstances which might prevent the applicant from making the required assurances. This seems consistent with the intent of the title, and we do not oppose its inclusion.

Finally, S. 659 extends Part C, the Library of Congress provision, for five years. S. 1123 repeals this part; the provision is merely an appropriations item for the Library of Congress and should not be included in Office of Education legislation. This year, for the first time, the House Appropriations Committee has approved a direct appropriation to the Library of Congress for this purpose.

Title III--Strengthening Developing Institutions: S. 659 rewrites the Developing Institutions title and adds a new focus--institutions which enroll a high percentage of students who have been educationally deprived. We would have no opposition to the inclusion of such a revised definition, since the present Developing Institutions population does enroll high numbers of such students.

We do question the reason that S. 659 has amended the definition of "developing institution" in the case of junior colleges to include those which do not require high school graduation for admission as regular student. Coupled with the new definition of "junior and community college," which does not include any requirement that the institution be nonprofit, we are concerned that these changes would open up the program to institutions for which it was not intended.

New Section 304 of S. 659, which enumerates permissible uses of funds, basically restates existing law. However, it explicitly limits supportable activities in addition to those itemized.

We are pleased that S. 659 incorporates the Administration's proposal that junior colleges not be required to have been in operation for five years to be eligible for Title III assistance. Community colleges are being established at the rate of 60 a year, and five-year limitation would cause undue hardship to such institutions.

Similarly, the proposed amendment to the Professors Emeritus program which would allow professors emeritus from developing institutions to participate in the program is identical to the Administration's proposal. The Office of Education has found that these faculty members often understand the unique problems of students at developing institutions much better than retired faculty from more developed schools.

S. 659 provides that priority be given developing institutions under titles II, IV, VI, and VII of the Higher Education Act. We have serious reservations about this provision, even though we are sympathetic to the motivations behind its inclusion. It would seem to cause serious administrative problems, especially in the light of allocation formulas and "equitable distribution" requirements contained in the other titles.

Title IV--Student Assistance: S. 659 contains amendments and extensions of existing student assistance programs and merges the National Defense Student Loan Program into Title IV of the Higher Education Act. We have already testified before the Subcommittee in some detail about the Administration's student assistance proposals and strongly urge their adoption. In addition, we have some comments on the new assistance proposed by S. 659.

Section 142 would establish a new program of Basic Educational Opportunity Grants, making the existing Educational Opportunity Grant program supplementary. We find a number of serious defects in the basic EOG program proposed:

First, reliance on the amount of tax imposed on the student or his parents is not a measure of the family's ability to contribute toward the student's education. Middle and upper-income families with some sophistication in dealing with tax matters could easily emancipate their college-age children at little tax loss to the family, in comparison with the $1,200 basic grant to which the student would be entitled. Lower-income families, whose children could not afford to go away to school, would be unable to to effect such emancipation. The result would be smaller grants for students from low-income families.

In addition, a system based on tax imposed does not take into account the family's assets, which have a direct bearing on the amount a family is able to contribute for higher education. Similarly, the system does not take account of

unusual but necessary family expenses, unless such expenses can be classified as tax deductions. Such expenses would, however, affect the family's ability to contribute toward college expenses. Under present tax legislation, certain types of income, such as State and local bond interest, are exempt from Federal taxation. Primarily for economic reasons, capital gains are taxed at 50 percent of the rate imposed on income from wages. Certain fringe benefits are excluded from taxable income. All of these would affect the ability of a family to contribute to their child's higher education, but would not be reflected in the amount of a Basic Educational Opportunity Grant. Finally, under existing tax laws, certain persons with high incomes incur very little or no tax liability. As a result, students from these families would be eligible for Federal support.

Other problems also arise with the proposal. The information furnished on individual income tax returns is generally considered to be confidential. Many families have a strong reluctance to divluge information which they have submitted to the Internal Revenue Service. They may look at it as an attempt to audit their tax return. Others may see the inquiry as a way of verifying information that they have given to other agencies, such as the welfare department, and may be concerned that disclosure of the information may affect the benefits that they are receiving. In any case, reluctance to disclose necessary tax information could cost needy students Federal aid.

The cost of the proposal is staggering. Estimates show the total costs of the Basic Grant portion alone to amount to $1.7 billion for academic year 1971-72. These projections assume that no basic grants will be made to families with incomes above $10,000, since their taxes generally exceed $1,200. However, if upper-income families elect to emancipate their college-age children, the cost

of providing $1,200 grants to such students would have to be added to the cost estimates. The projections also assume a minimum grant of $200. The legislation provides for no such minimum, unless appropriations are inadequate to fund all grants fully. Presuming full funding, the cost could be vastly increased, as several million more students became eligible for insignificant amounts of Basic Grant money.

In addition, the cost of the Basic Grant program cannot be looked at in a vacuum, since Supplemental Grants and Cost of Instruction Allowances hinge on the receipt of a Basic Grant. The Supplemental Grant program has been estimated to cost $266 million. The Cost of Instruction Allowance provision, if retained at the level of $1,200 less tuition charged, could cost approximately $1.4 billion. If the Cost of Instruction Allowance provision were amended (as in Amendment Number 85) to authorize a grant of up to $1000 for each student aided, it could cost nearly $2.3 billion. Therefore, the total cost of proposal is approximately $4.153 billion (if the Cost of Instruction Allowance remains as originally proposed in S. 659); if the amendment were adopted, the proposal would cost more than $5 billion.

The proposal therefore makes a promise that cannot be fulfilled. Initial Educational Opportunity Grants have been funded at a level of less than 40 percent in recent years. There is little likelihood that the funding levels contemplated in S. 659 could be attained. Its primary impact could be to raise expectations which must remain unrealized.

Secretary Richardson has already shared with the Subcommittee the Administration's proposal for cost of education allowances. I can only reiterate my support for this method of assisting institutions of higher education in meeting their pressing needs for additional funds, in preference

to the Cost of Instruction Allowance proposed in S. 659. If the Allowance were $1,200 less tuition imposed on students receiving grants, few if any non-public institutions would benefit, since private colleges charge more than $1,200 tuition, on the average. The proposal is not improved by the change that would be made by Amendment Number 85, which would merely authorize Cost of Instruction Allowances of up to $1,000. This fails to provide any basis on which the Commissioner would decide the amount of an institution's allowance. At the same time, it significantly increases the cost of the proposal, as I noted earlier. I would urge the Subcommittee to adopt the Administration's proposed alternative.

S. 659 adds a new section to Title IV concerning Education Warehouse Loans. This provision does not seem to be an appropriate solution to the problem of increasing the supply of lendable funds under the Guaranteed Student Loan Program. It addresses only one narrow part of the problem: giving lenders access to cash while a student loan is not yet in repayment status. The Administration's proposed National Student Loan Association would be permitted to engage in such transactions, and doubtless would do so. However, NSLA could also provide warehousing at other periods in the life of a loan, and could purchase student loan paper outright. The difference would be that the lender would not at a later time have to reduce his liquidity again by paying off his warehousing loan. This difference would be extremely important in encouraging expanded participation in the program, both by commercial lenders and by institutions of higher education.

In the case of purchase of student loan paper by NSLA, the servicing obligation on the paper would ordinarily remain with the originating lender, so that lender-borrower relationships would be no more disrupted than under a warehousing plan.

Still more important is another difference between the warehousing provisions of S. 659 and the NSLA proposal of the Administration. The liquidity generated by S. 659's warehousing provisions would require Federal budget outlays, and in an equal amount. These outlays would be in the most direct competition with Federal outlays for Educational Opportunity Grants, College Work-Study, and NDEA loans. In other words, some fraction of any money used to warehouse guaranteed student loans would probably represent a loss to other student aid, even now more equitably distributed among students who need it most than are guaranteed loans. The loss would be even less justifiable if the Congress enacts a serious reform of those programs.

S. 659 also rewrites the existing National Defense Student Loan Program and transfers its authority to Title IV of the Higher Education Act. As we have testified in prior appearances, the Administration would strongly prefer the adoption of its proposal for subsidized loans. We have additional difficulties with some of the changes in the program contemplated by S. 659.

For example, new Section 462(b)(2) provides that the Commissioner shall pay to each applicant institution "the amount requested in [its] application." This provision could lead to severe abuses in the program, as institutions of higher education competitively increased their requests, in order to receive Federal funds, without regard to the extent of actual need. Some mechanism is necessary, such as the present regional panel system, to assure that institutional requests are reasonable and reflect actual need. We would strongly oppose the elimination of this mechanism as a basis for intra-State distribution of Federal funds.

S. 659 also alters the rate at which loans are cancelled for teachers in schools enrolling a high percentage of low-income children and for teachers of the handicapped, making the rate vary with the year of service. The Administration has consistently opposed extension of cancellation provisions, since there is no evidence that they serve as an incentive to students to enter the teaching profession. In addition, such provisions deplete the pool of funds from which institutions make new loans to students.

Variable cancellation provisions would cause extreme administrative difficulties. Institutions of higher education would be required not only to keep track of their graduates who were teaching, but would have to ascertain which year of teaching service each was seeking cancellation benefits for. It could also work hardship on the presumed beneficiary of the change--a NDEA loan recipient could undertake a fifth year of teaching in a poverty school, only to discover that it had been taken off the approved list and he was not eligible for cancellation of 30 percent of his loan. We would urge that the Subcommittee not adopt the proposed changes in the rate of NDEA cancellation.

In order to avoid depletion of the loan pool, S. 659 authorizes the Commissioner to pay to each institution an amount equal to the aggregate of the amounts of loans from its student fund which are cancelled. This would add significantly to the cost of the NDEA loan program. For fiscal year 1972, it is projected that $50 million in loans will be cancelled, under current provisions. Under present law, the Commissioner is only required to make up the institutional share of the fund. We would oppose increasing the amount the Federal Government must provide; we would urge instead that cancellation provisions be dropped.

Title V--Education Professions Development: S. 659 extends the authorizations for the Education Professions Development Act for five years, with authorizations of $600 million for each fiscal year. This is slightly less than the current authorization which totals $611 million. However, our greater concern is the earmarking of percentages of the sums appropriated for the various parts of Title V. These new percentage requirements include almost three-quarters of the appropriations and significantly reduce the flexibility of the legislation. EPDA legislation is one of the few pieces of education legislation which permits discretionary funding of programs. As a result, the Office of Education has been able to design programs which are directed toward specific education personnel training needs and has been able to shift emphases as needs and priorities change. For example, the well-publicized surplus of elementary and secondary teachers has permitted the Office to concentrate its funds on increasing the quality of educational personnel already in the educational system. The Office has redirected its EPDA funds to meet new national needs; a strict percentage formula spelled out in legislation would greatly limit this capacity.

In addition, we strongly opposed the earmarking of funds for Parts C and D. If the Office of Education is to fulfill its role in improving the quality of teaching and in meeting the critical shortages of education personnel in the United States, these funds are best left unearmarked. Virtually everything that is possible under Part C can be done under Part D. Yet under Part C only graduate schools can be funded, while under Part D the Office of Education may make grants to colleges and universities, local educational agencies, and State departments of education. Part C programs are basically more expensive to run than those under Part D, since Part D programs may be developed so that a local

district or institution progressively assumes a greater share of the financial responsibility for the program. Under the rigidities of Part C this cannot be done.

It is much more difficult to meet the requirements imposed in the law for equitable geographic distribution under Part C than under Part D, especially if the high quality of programs is to be maintained. This is so because Part C goes only to graduate schools, which are not uniformly distributed throughout the Nation. If earmarking were to occur, program plans would have to be revised in order to attempt geographical distribution.

I strongly urge the Subcommittee not to destroy the flexibility inherent in EPDA by earmarking the bulk of its funds.

Section 152 of S. 659 elevates the Director of the Teacher Corps to a grade 18 and limits his functions. We opposed this change in our testimony of May 25. I would like to reiterate our strong opposition to this provision.

I would also like to express my disappointment that S. 659 does not contain the much-needed amendments to Title V which are proposed in S. 1123, such as those authorizing retraining of existing educational personnel and employment of tutors and instructional assistants, extending the provisions of Part D to undergraduate programs, and including Indian schools. All of these are of high priority to the Office of Education and should be included in legislation reported by the Subcommittee.

Title VI--Instructional Equipment: S. 659 extends the provisions of Title VI for five years, through Fiscal Year 1976. S. 1123 proposes the title's repeal. Rather than maintaining this categorical authority, would would prefer that this title not be extended.

Title VII--Construction of Academic Facilities: S. 659 moves the existing programs of facilities construction currently authorized under the Higher Education Facilities Act of 1963 to Title VII of the Higher Education Act, amends a number of the provisions, and extends the programs for five years. S. 1123, on the other hand, proposes extension of existing programs for only two years. This would allow the Office of Education to examine in detail the entire question of how higher education is financed and to work with the Congress in two years to perfect the legislation.

S. 659 would change the authorization of grants for community college construction from a flat 24 percent to no less than 24 nor more than 33 percent of the sums appropriated. Removal of a separate authorization for junior college construction would prevent its being funded separately, as has been the case for the past several years.

New Section 742 of S. 659 increases the maximum Federal loan to 80 percent, as compared with the present limit of 75 percent. We would have no objection to such a change. Similarly, Section 744(b)(2) makes excess funds in the loan revolving fund available for grants. Again we would have no objection, since such a transfer is the discretion of the Commissioner. However, there is little likelihood that excess funds will be available in the near future.

Sections 74(a)(2) and 745 appear to be an attempt to require grant appropriations. Section 741(a)(2) provides that the Commissioner may make loans to institutions which have submitted approvable grant applications. Section 745 requires an approved grant before an interest subsidy can be approved. These provisions would force either grant appropriations or no HEFA appropriations at all, and we would urge their deletion. On the other hand, S. 659 does not provide the loan insurance program proposed in S. 1123 which we feel necessary to permit

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private institutions to find adequate private financing.

Section 1202 removes the limitations on amounts available for State commission administration and planning. It also broadens planning from determining construction needs to full comprehensive planning. The first change seems consistent with the "such sums as may be necessary" approach, and we have no objection to the inclusion of either provision. The second provision raises serious questions concerning the appropriateness of giving agencies whose experience has been limited to construction planning broad authority to plan for the future of a States' higher education system.

Title VIII--Networks for Knowledge; Title IX--Education for the Public Service; Title X--Improvement of Graduate Programs; Title XI--Law School Clinical Experience Programs; International Education Act: S. 659 extends these programs for five years and replaces existing titles IX and X with a new Title IX (Graduate Programs) and a new Title X (Graduate Fellowships). S. 1123 repeals these authorities. They have never been funded and their narrow, categorical authority should not be extended.

Vocational Education: S. 659 extends existing programs under the Vocational Education Act for five years, through Fiscal Year 1976. We strongly oppose this extension for several reasons.

The Administration is proposing that the various parts of the Vocational Education Act be repealed, and that the activity be carried on under Education Revenue Sharing. This would allow States to develop vocational education programs responsive to their individual needs, rather than rigidly mandated by Federal formula.

In addition, the Committee has not given sufficient consideration to the strengths and weaknesses of existing vocational education programs to warrant a five-year extension. The field of career education is of high priority in the Office of Education, and we are working to develop new and innovative approaches to the problems of education for the world of work. Extension of existing programs would only continue existing practices; if career education is to be viable, these practices must be changed. We would like to work with the Subcommittee in the future to effect such changes.

National Defense Education Act

Title III--Financial Assistance for Strengthening Instruction in Critical Subjects: S. 659 extends the title for five years; S. 1123 makes no provision for its extension. Title III is also proposed to be included in Education Revenue Sharing, and we urge against its extension at this time.

Title IV--National Defense Fellowships: S. 659 extends the program for one year; S. 1123 repeals it, effective July 1, 1971. However, fellowships awarded before that date would continue to be paid from Title V HEA appropriations. The reason for effecting this consolidation is that there now appears to be an adequate supply of PhD's to meet teaching demands in most disciplines. The unmet need for teaching faculty in higher education which does exist tends to be limited to a few disciplines and to certain types of institutions.

Title VI--Language Development: S. 659 extends the program for one year, merging it into the proposed new Titles IX and X; S. 1123, on the other hand, extends the program for two years. This would allow the Office of Education to review the program and make recommendations for its future.

Study and Report on Rules and Regulations: S. 659 requires the Commissioner to conduct a study of all rules, regulations, guidelines, and other published

interpretations or orders issued by him or the Secretary of HEW in conjunction with any applicable program, to determine their consistency with Congressional intent and statutory authority. This study would appear to be unnecessary. Regulations and other printed instructions are issued by the Office of Education only after close scrutiny of legislative history. They represent our best interpretation of the law and Congressional intent. If we have misunderstood either, the Congress should clarify them for us by appropriate legislation. A reexamination of our own interpretations would be an exhausting task, and would not seem to be especially productive. Existing law already requires citation of specific authority for each substantive provision of our regulations and guidelines; this study would only duplicate existing provisions.

I strongly urge the Subcommittee not to adopt the requirement. If it decides to do so, I would hope that the Commissioner would be given much more time to undertake the study and to report its results. The times specified in the legislation are insufficient for the vastness of the undertaking proposed.

In conclusion, I would like to thank the Subcommittee for the opportunity to present our views in such detail today. I would be happy to answer any questions you might have.

Dr. MARLAND. S. 659 extends most of our existing higher education programs for 5 years, through fiscal year 1976. This is the same length of extension recommended in S. 1123, the administration's bill. However, we did not request the extension of a number of programs which are narrow and categorical in nature and which have never been funded by the Congress.

S. 659 makes a number of technical amendments to existing law. My testimony details which of those the administration supports, and which it feels would seriously impair current program efforts.

Two features of S. 659 deserve more detailed discussion. The first

Dr. MARLAND. S. 659 extends most of our existing higher educa-

is the proposed new program of basic educational opportunity grants. We find a number of serious defects in the program as proposed.

First, reliance on the amount of tax imposed on the student or his parents is not a measure of the family's ability to contribute toward the student's education. Middle and upper income families with some sophistication in dealing with tax matters could easily emancipate their college age children at little tax loss to the family, in comparison with the $1,200 basic grant to which the student would then be entitled. Lower income families, whose children could not afford to go away to school, would be unable to effect such emancipation. The result would be smaller grants for students from low income families.

In addition, a system based on taxes imposed does not take into account the family's assets, which have a direct bearing on the amount a family is able to contribute for higher education. Similarly, the system does not include any unusual but necessary family expenses, unless such expenses can be classified as tax deductions. Such expenses would, however, affect the family's ability to contribute toward college expenses. Under present tax legislation, certain types of income, such as State and local bond interest, are exempt from Federal taxation.

Primarily for economic reasons, capital gains are taxed at 50 percent of the rate imposed on income from wages. Certain fringe benefits are excluded from taxable income. All of these would affect the ability of a family to contribute to their child's higher education, but would not be reflected in the amount of a basic educational opportunity grant. Finally, under existing laws, certain persons with high incomes incur very little or no tax liability. As a result, students from these families would be eligible for Federal support.

The cost of the proposal is staggering. Estimates show the total costs of the basic grant portion alone to amount to $1.7 billion for academic year 1971–72. These projections assume that no basic grants will be made to families with incomes above $10,000, since their taxes generally exceed $1,200. However, if upper income families elect to emancipate their college-age children, the cost of providing $1,200 grants to such students would have to be added to the cost estimates.

Senator PELL. Of course if they do emancipate their children, they then lose their deduction.

Dr. MARLAND. Mr. Chairman, we would see this as a relatively minor sacrifice in families at that income level and the advantage of gaining $1,200 to offset it.

Senator PELL. The level you indicate, the whole $1,200, is not all that significant either but as a general rule if you lose the $600 deduction it is a loss.

Dr. MARLAND. Thas is correct, sir, and we acknowledge that in making this criticism.

Senator PELL. You mentioned reluctance to disclose necessary tax information in order for needy students to obtain the Federal grant, there could be some but I would wonder if that reluctance would not be overcome by the securing of the aid. All life is a question of alternatives and this, too, is a question of alternatives. Nobody is pointing a gun saying you have to seek a basic education opportunity grant.

Dr. MARLAND. In our appearances before the House we have had very serious counsel concerning the invasion of privacy related to higher education eligibility. I think that this has sensitized us somewhat and has lead us to say that the invasion of privacy implicit in anything as delicate as this is to be avoided, if possible.

Senator PELL. All that is needed is a third, fourth or fifth carbon, on the IRS return which shows what the total tax paid is. I don't think most people are terribly reluctant about showing what they pay, particularly poor people. People who are reluctant about it are usually the richer and members of the community who figure out perfectly legally and properly how to pay lower taxes. I cannot imagine a family that is able to take advantage of this that would be ashamed of indicating the fact that it only pays $600 worth of taxes instead of much more.

I can imagine somebody who is living entirely on write-offs or municipals might be a little ashamed of showing this fact. This is all to the good, then they would not get the advantage of the deduction or the advantage of the grant. Really your argument works completely the way I would like it. There are people who are reluctant to let their income tax be known and they are the very ones who darn well should not get any extra break, but I have never yet heard of a factory worker who paid maybe $600 worth of taxes a year who was ashamed to let that fact be known. However, individuals might well be ashamed if they paid none.

Dr. MARLAND. I hear you, sir, and I would still have to argue respectfully that the scrutiny of taxes on the part of government, especially by an agency of government unrelated to the formalities of enforcement, would not be welcomed by many persons. Our evidence would suggest that, in spite of your argument to the contrary, those paying low taxes are extremely leary of the invasion that is implicit in the program.

Senator PELL. This is not a general examination, what is asked for is the amount of the taxes paid. We are not trying to delineate what deductions there were or how the tax was arrived at. We are simply dealing with the amount of taxes paid.

Carry on.

Dr. MARLAND. Very good.

Continuing then, the projections also assume a minimum grant of $200; the legislation provides for no such minimum, unless appropriations are inadequate to fund all grants fully.

In addition, the cost of the basic grants program cannot be looked at in a vacuum, since supplemental grants and cost of instruction allowances hinge on the receipt of a basic grant. The total cost of the proposal is approximately $4.153 billion (if the cost of instruction allowance remains at $1,200 less tuition imposed); if amendment

No. 85 (making the Allowance flexible and up to $1,000) were adopted, the proposal could cost more than $5 billion.

The proposal therefore makes a promise that cannot be fulfilled. Initial educational opportunity grants have been funded at a level of less than 40 percent in recent years. There is little likelihood that the funding levels contemplated in S. 659 could be attained. Its primary impact would be to raise expectations which must remain unrealized.

My second objection is to section 403 of S. 659, which requires the Commissioner to conduct a study of all rules, regulations, guidelines and other published interpretations or orders issued by him or the Secretary of HEW in conjunction with any applicable program, to determine their consistency with congressional intent and statutory authority. I believe this study would be duplicative of regular processes of the program administration now in force.

Regulations and other printed instructions are issued by the Office of Education only after close scrutiny of legislative history. They represent our best interpretation of the law and congressional intent. If we have misunderstood either, the Congress should clarify them for us by appropriate legislation.

Let me insert here in addition to this statement speaking of the recent discussion of two items in which the chairman called attention to what might have been a lack of responsiveness in the Office of Education.

First, the establishment of a top level advisory council relating to excellence in education. I should perhaps include here the comments of Senator Nelson as to the advice of legislation concerning Teacher Corps. I have declared to the chairman, as you will recall, Senator Pell, that I want very much to establish, consistent with the wishes of Congress, the top level advisory council in the Office of Education.

Merely to establish it, however, in the face of what are now some 30 other councils and commissions—established either under Presidential order or direction of Congress—which find themselves at cross purposes, serving a great variety of overlapping functions, funded and staffed at widely variant rates ranging, for example, in funding costs from $7,000 a year for such a commission up to $135,000 a year for such a commission, would accomplish nothing.

There is disorder on the subject, sir, and as soon as we restore order and can bring together what seems a rational setup of advisory commissions, whether under Presidential order or mandated by Congress, I would expect immediately to move to establish an advisory commission made up of delegates from these many parts of functioning commissions and reinforced by additional citizens at large.

If we move precipitously, and I would have to say that in my short time in this office it would have been precipitously, I believe we will end up in more chaos than if you allow me time to follow the more sober actions which I recommend, sir.

Senator PELL. That is good news, but what may seem precipitous to you because of the relatively short time of your being on the job, seems rather languid to us with regard to the date on which we originally passed the bill. I recognize the different viewpoint.

Dr. MARLAND. A reexamination of our own interpretations of the many laws and programs in practice would be a task of great magnitude and would not seem to be especially productive. We would, I

believe, merely reaffirm what is our practice and policy; namely, the conscious pursuit of the intent of Congress in all programs which we administer.

Existing law already requires citation of specific authority for each substantive provision of our regulations and guidelines; this study would only duplicate existing provisions. I strongly urge the subcommittee not to adopt the requirement.

In conclusion, I would like to thank the subcommittee for the opportunity to present our views in such detail today as have been submitted in my earlier piece of testimony numbering quite a number of pages of very technical information.

Dr. MARLAND. That does conclude my testimony and I would be happy to answer questions.

Senator PELL. I would also like to insert in the record apropos the testimony you have given what we consider to be a couple of examples of instances where the citation of specific authority has not been made. We will give you a full opportunity to see what we are putting in the record so that you can put a sentence underneath to make it fair.

The following guidelines, regulations, and notices have been issued after April 13, 1970, the effective date of the General Education Provisions Act, without citations to their statutory authority, as required by section 421 of that act:

(1) State Vocational Education Programs.

(2) Copyright Guidelines.

(3) Research and Training, Exemplary and Curriculum Development Programs in Vocational Education.

(4) Notice of Availability of Supplemental Funds for College Work Study Programs (limits funds to institutions in which more than half the students are from families with annual incomes of less than $7,500).

(5) Financial Assistance for Construction of Academic Facilities (criteria for determining priorities for eligibility.

(6) Federal, State, and Private Programs of Low-Interest Loans to Vocational Students and Students in Insitutions of Higher Education (complete revision).

(7) Contracts and Grants for Planning and Evaluation of Office of Education Programs. (sec. 61.3, criteria for selection, and sec. 61.4, terms and conditions of awards).

(8) Experimental Schools.

(9) Allocation of Student Aid Funds to Institutions by Family-Income Level (Proposed change in method of allocation of funds under College Work-Study Program and Educational Opportunity Grant Program).

(10) College Work-Study Program (allocation of Student And Funds to Institutions).

(11) Educational Opportunity Grant Program (allocation of funds by family income level).

Dr. MARLAND. Thank you, sir.

Senator PELL. I would like to first ask Senator Prouty if he has any questions.

Senator PROUTY. Mr. Chairman, first I would like to pay tribute to Commissioner Marland's competence in reading rapidly.

Senator PELL. So would I.

Senator PROUTY. I was unable to be here when Secretary Richardson made his statement and I will have some questions for him and perhaps a few later for Mr. Marland. Perhaps the Secretary is in a hurry to leave so perhaps we could interrogate him.

Senator PELL. Fine. Please go ahead.

Senator Schweiker.

Senator SCHWEIKER. I have no questions.

Senator PELL. Senator Beall.

Senator BEALL. I have a series of questions but I defer to you, Mr. Chairman.

COMPETITION FOR NEEDY STUDENTS

Senator PELL. I have one basic question addressed to the Secretary and this concerns the new thought you have with regard to institutional aid. I see some improvements in our own concept between your approach and that found in S. 659. It would seem to me that there would be no great problem to arrive at a satisfactory consensus with regard to institutional aid.

One specific question. Should there not be some element in here of competition, to encourage the institutional aid to go to those institutions that seek out the students who need help the most? This is the only element I am not sure of in the three points that you cited in your testimony.

Secretary RICHARDSON. Let me say, Mr. Chairman, first that I think we would wholly agree that this is a desirable criterion and I had thought that we did seek to underscore this notably in my summary remarks at the top of page 16.

Senator PELL. I am looking but I don't see it.

Secretary RICHARDSON. These are prefaced by the point that a cost-of-education allowance should have the following three features. (1) It should be based on a student aid program that equalizes opportunity. Only then will it give an incentive to colleges and universities to expand equal opportunity, and that must be its main justification.

If I understood you, you said that it should create an incentive to competition among institutions to the extent that they do something about creating educational opportunities for students who need student assistance. Is that right?

Senator PELL. Right. What I am driving at, what we have in our approach is that the institutional aid would directly follow the students who are receiving the basic education opportunity grant.

Secretary RICHARDSON. That is what we are proposing also.

Senator PELL. Then we are on the same track.

One other query. As you know, there are two general approaches to this point being discussed in the Congress. In the other body they are discussing a per capita approach. Our approach is a larger amount but to fewer students, which would probably equalize out not too differently in the end.

Do you have a view on either of those two and could you spell out a little more in fiscal terms your own approach, what kind of grant were you thinking of, how much money, could you be a little more specific?

Secretary RICHARDSON. Yes, Mr. Chairman. The last document referred to by Commissioner Marland and one which he asked to have inserted in the record contains a breakdown of funds by categories of institutions depending upon the components of student aid that you take into consideration. For example, it shows as between public and private 4-year institutions and public and private 2-year institutions how it comes out in the assumption of a total amount of money available and depending on whether you count the numbers of students who are receiving work study in EOG grants.

You add to that the number who are receiving national student loans, the National Defense Education Act student loans or NDEA

type loans which are subsidized. You then add to that the number who are receiving nonsubsidized guaranteed loans, further add the students who are receiving GI bill benefits and so on, and these are all spelled out.

There is some variance in the allocations among institutions depending upon what is included. We in our own thinking would be inclined to recommend that the committee in its legislation count only students receiving EOG grants, participating in the work study program or receiving subsidized student loans. These are, of course, the most disadvantaged students and the one, from the families in greatest need. The results are also, as it turns out, somewhat more helpful to the institutions which we think in terms of financial need should have proportionately greater help. It is somewhat more helpful, for example, to 4-year independent colleges, more helpful to black colleges and so on. These figures are shown in the tabulations.

Now as to the total amount of money to be committed to the program, we are not clear at this point that we ought to suggest any specific amount in legislation itself, and what then becomes possible is the function of what we can afford in terms of budgetary allocation. We have already of course urged that the Congress adopt student aid legislation that would increase total Federal outlays for this purpose by some $800 million. We have asked for another $100 million for the National Foundation for Higher Education.

So I don't think that we would be in a position in the short run to propose any very large amounts of money. For example, we have been looking at what could be accomplished if we were to allocate to institutions an amount equivalent to 10 percent of the total financial aid dollars received by students in these three categories—EOG, work study, and NDEA-type loans.

Depending upon the action of Congress on student aid legislation this would produce an amount in the range of $100 million plus but it is nothing like the amounts of money that have been proposed for this purpose. On the other hand, the approach is one that as additional funds became available could be increased. Let me just emphasize once more the point that whatever the percentage used we do feel quite clear on the point that the total amount going to an institution should be a portion of the dollars allocated to them for these three types of student assistance as distinct from an amount measured by the number of individual students receiving such grants since, as we pointed out in my testimony to use the latter approach would simply stimulate an artificial process of spreading the funds as thinly as possible rather than; utilizing the best judgment of financial aid officers in determining what each student should get.

Senator PELL. I realize that in a sense we are charting new courses, but I was wondering if you could be a bit more specific. As I understand what you say, your general thrust is along the lines of the bill the committee is considering which is that the assistance would be geared or related to the number of youngsters in need, but the one difference is that the aid would go directly to the institution and not follow the individual students. Would that be correct?

Secretary RICHARDSON. It would go to the institution. What determined the amount the institution would receive would be the amount of dollars that were paid out through the institution to students attend-

ing that institution in the form of EOG or work study grants or in the form of subsidized NDEA type loans. This would mean, therefore, that a black college, for example, which under our present administrative practice and proposed legislation would receive a relatively higher ratio of EOG and work study money than an institution attended by a higher ratio of students from more advantaged backgrounds, would also receive a higher ratio of our proposed cost of education grant.

Senator PELL. I won't pursue this further. I am very glad to have your view on this because I think it is very similar to the view of the committee. I would hope that the staff, the committee members and the administration would work together in arriving at a certain common philosophy although the figure may be different.

Secretary RICHARDSON. Thank you.

Senator PELL. Senator Prouty.

STANDARD ACCOUNTING FOR INSTITUTIONS

Senator PROUTY. Thank you, Mr. Chairman.

Mr. Secretary, when considering the budget for the various institutions of higher education, are there standard accounting criteria available to compare one institution with another?

Secretary RICHARDSON. No, Senator Prouty, there are not, and this of course is one reason why the determination of relative financial distress is for all practical purposes impossible at the present time. One reason among others is the fact, as I pointed out earlier, that you have to determine what it is they are trying to do before you determine whether or not somebody has enough money to do it.

Generally speaking, institutions of higher education don't have that kind of clear, sharply defined mission, so the short fall at any given institution is a function of what they have proposed they ought to try to do or may in the past have undertaken to do and what their present resources are. We have had the experience in the administration of making funds available for financial distressed medical schools and of struggling with the inadequacy of present accounting and the inconsistencies of accounting approaches. At least in the case of medical schools we do have underway an active effort to achieve a degree of consistency in measuring uses of funds.

In the case of the medical schools we are trying to develop a simpler sort of approach that will phase out our present financial distress grants. The more we have thought about that kind of an approach to higher institutions of higher education, generally the more concerned we have become that to try to get at the problem of financial need on that basis could involve a much greater degree of Federal intrusion than might be helpful.

GENERAL INSTITUTIONAL AID

Senator PROUTY. In your opinion, would a general institutional aid program tend to perpetuate the conditions which lead to the financial "crunch" to which you referred?

Secretary RICHARDSON. Yes, I think it could well have that effect. Put another way, a general institutional aid formula subsidizes the status quo equally across the board.

Senator PROUTY. And if we enact the cost of educational proposal at a certain percentage of student aid, is it not likely that this will be a reversible program with increasing levels of support?

Secretary RICHARDSON. It is likely that the program would be continued indefinitely depending on whether we were able to develop more fine or sophisticated approaches to the general subject of the institutional aid in the meanwhile. This is of course among the reasons why we urge caution in the Federal approach to this subject. The question of the percentage or how much the institution ought to get in proportion to what it provides or what it provided through forms of Federal financial assistance to its students, raises the very significant philosophical issue of the long-term Federal role in support of higher education. Again I think this is a reason for caution.

I urged in the course of my testimony that there be much wider debate on this subject than there has been. Given the scope and responsibility of institutions of higher education in the United States this subject has had surprisingly little hard thought. So what I hoped I could do today, apart from any affirmative suggestions, is to identify issues that we think should get much more consecutive thought than they have to date.

Senator PROUTY. If present student aid programs are not more targeted to need as proposed by the administration would the cost of educational allowance concept meet your first three guidelines for institutional aid fulfilling national purposes and benefiting those institutions which are experiencing the greater distress?

Secretary RICHARDSON. I think not, Senator Prouty. We can justify, or if you will, rationalize, a cost of education allowance to the extent that it is related to student assistance which has the aim of equalizing opportunity. The farther you depart from the cost of educational allowance tied to that specific purpose, the closer it comes to general institutional aid and the harder time we would have in justifying it in terms of a specifically identifiable national interest.

Senator PROUTY. I share your concern about the chairman's institutional proposal, particularly along the lines of your observation that there will be a strong tendency for institutions to recruit students barely meeting the eligibility requirements for students. Would it be correct to assume that under the chairman's proposal, students from the lower middle class, say with family incomes of $8,000 a year, would be the most attractive to a school from the standpoint of student and institutional aid and thus the most sought after?

Secretary RICHARDSON. Yes, I think that would be a valid prediction.

Senator PROUTY. You indicate that there is insufficient evidence indicating that low-income students place an additional financial burden on institutions. What evidence is available to support additional assistance to those schools enrolling low-income students?

Secretary RICHARDSON. We think that in an illustrative and exemplary basis it is possible to establish that many institutions that have made a specific effort to enroll students from disadvantaged backgrounds have also incurred associated costs. But, we could not prove that this was as invariably true, and indeed I am sure it is not invariably true, and yet we think that it is often enough true to be a supporting consideration in favor of the approach we have discussed. It has the additional advantage of providing means whereby an institution

that has not to date sought to provide supplementary or enrichment programs for students with an inadequate high school education might seek to undertake this kind of reinforcement.

Senator PROUTY. Thank you, Mr. Chairman.

Senator PELL. Thank you.

Senator Javits.

INSTITUTIONAL AID JOINED WITH STUDENT ASSISTANCE

Senator JAVITS. Mr. Chairman, I shall be very brief.

First I wish to apologize for my absence as I was on an emergency dealing with narcotics use in the Armed Forces.

I welcome very much the administration's initiative in submitting its own counterplan. I think this was a singular lack in the administration's program. I am very indebted to our chairman for raising the issue so markedly and I believe that naturally his views and his proposal are entitled to our first review, and I think it will be very helpful if the administration has accepted the principle of institutional aid be joined with student assistance. That is the only question I would like to ask, Mr. Secretary, that a cost of educational allowance be joined with the aid to the student in order adequately to meet the needs of American higher education.

Secretary RICHARDSON. This is the principle which we endorse.

Senator JAVITS. Having gotten over that mountain top I have greater confidence that we will get together and I thank you very much.

Senator PELL. I didn't want to put good words in the Secretary's mouth, but as I understand it (and I am delighted) you oppose institutional aid but you are giving a view as to which kind of institutional aid would be the least objectionable, or do you actually support the concept? I think it is important that you make that clear.

Secretary RICHARDSON. I think, Mr. Chairman, what I have done in effect is to try to say that we think that a purely general formula is objectionable but that on the other hand we support an approach that would provide a cost of education allowance tied to students in need and on the basis previously described. In other words, we are talking about a range between objection on the one side and partisan support on the other.

Senator PELL. I am very glad and join you.

Senator JAVITS. Does the chairman now accept my view that this does represent the view of getting over the mountain here and meeting both problems—the student's needs and the institution's needs though the administration proposes to meet the institution's needs in their own way?

Senator PELL. I do, and I am gladly surprised because it is a degree of change from 24 hours ago.

Senator JAVITS. Yes. Sinners are always redeemable.

Secretary RICHARDSON. We work at it very hard.

Senator PELL. Senator Beall.

Senator BEALL. Thank you, Mr. Chairman.

Mr. Secretary, I would like to congratulate you on your usual precise presentation.

Thank you also, Dr. Marland.

I have been concerned in Maryland about the difficulties that we have been experiencing in higher education. Just for the record I

think it is interesting The Baltimore Sun some weeks ago had an article entitled "Maryland's Private Colleges Going In The Red," and I would like to submit this for the record.

Senator PELL. Without objection it will be inserted in the record.

(The newspaper article follows:)

[From the Baltimore, Md., Sunday Sun, Apr. 25, 1971]

MARYLAND'S PRIVATE COLLEGES GOING IN THE RED

(By Frederic Kelly)

The nation's private colleges and universities are deeply in debt, and alarmed educators are scrambling out of their ivory towers with warnings of collapse of our system of private higher education unless significant aid is forthcoming.

Their case may be somewhat overstated, but there is no escaping that a large majority of the more than 700 private, four-year institutions of higher learning closed out fiscal 1970 in the red.

Faced with spiraling costs in virtually every area of college operations, the average institution, according to a recent report issued by the Association of American Colleges, finshed 1970 with a deficit more than five times greater than the previous year's—$103,000 per institution compared to $20,000 in 1968–1969.

Compounding the problem is a decline in enrollment in private colleges and universities. The percentage of total enrollment in private higher education has dropped from more than 50 percent in 1950 to 26 percent in 1971. If the decline continues at its present rate (about 1 percent a year), the American Council on Education warns that enrollment in private higher education will be zero by the year 2000.

Educators concede it is unlikely this will happen. But the unhappy combination of lower enrollment and higher costs has already taken its toll.

The U.S. Department of Health, Education and Welfare directory for 1969–1970, for example, lists 24 institutions, including 17 private institutions, that have merged. As a result of these mergers, 4 of the 17 schools have become public institutions. Moreover, 21 colleges, of which 20 were classified as private, have closed. All 14 colleges listed as closed in the 1968–1969 directory were private.

CRISIS AFFECTS MARYLAND

Maryland has not escaped the crisis. That fact is strikingly evident in an examination of the status of nine of the state's private, four-year liberal arts colleges. Taken together, they form the Association of Independent Colleges in Maryland, Inc., one of 40 such associations in the U.S. established to channel money from corporations, firms, foundations and individuals into private colleges.

(Eight rather than nine might be a more practical working number. Mount St. Agnes College, a classic example of a private college beset by overwhelming financial problems, has merged with Loyola College and will terminate its membership in the association after this year. Since 1968, the college has accumulated a deficit in excess of $300,000. In addition, St. Joseph College of Emmitsburg, with an operating deficit of $115,000 last year, announced just last week it would close in June, 1973.) The other members of the association, Loyola and Notre Dame College, both of Baltimore, Hood College of Frederick, Mount St. Mary's College and St. Joseph College, St. John's College of Annapolis, Washington College of Chestertown and Western Maryland College of Westminster, face an aggregate deficit this year of about half a million dollars on total current fund expenditures or nearly $22 million.

What happened? How did the crisis evolve? How did nine colleges with a collective surplus of $446,000 two years ago suddenly find themselves operating in the red? There seem to be several basic reasons: lower enrollments, higher operating costs, decreased endowment income (reflecting a generally depressed stock market) and a decline in gift-giving.

The typical college in the association (excluding Mount St. Agnes) faces a deficit of between $50,000 and $60,000 this year.

Enrollment, on the average, is down 5 percent. Operating costs have skyrocketed: faculty salaries have increased 20 percent in five years, building costs costs are up an average of 10 percent a year, and average real expenditure per student has risen 65 percent in 10 years.

DECLINE IN GIFTS

In addition, last year, for the first time since 1953, when the Association of Independent Colleges in Maryland, Inc., was formed, gifts to the colleges declined, falling from a peak $196,500 in 1969 to $186,000 in 1970.

Based on the formula for sharing—60 percent divided equally among the member colleges and 40 percent distributed on the basis of enrollment—the average association member's share declined by between $800 and $1,100. It may decline again this year if the campaign goal of $190,000 is not reached.

Hood College, although an all-girls school, is fairly typical of the small liberal arts school caught in the financial pinch. Hood suffered its first serious deficit last year ($131,000) and anticipated a deficit of $262,000 this year.

"But because we were successful in attracting gifts from three foundations," says Randle Elliott, Hood president, "We may be able to pare the deficit to around $55,000 or $60,000."

Similarly, Washington College, which suffered a deficit in excess of $150,000 last year, anticipated a $350,000 deficit this year. Gifts have cut that figure somewhat, but Charles J. Merdinger, the president, still estimates the college will be from $50,000 to $100,000 in the red by the end of the year.

Unlike Hood, Washington College is operating at capacity enrollment (650). Hood was at capacity (750) until three years ago, but enrollment has steadily declined. Today, there are an estimated 200 vacancies.

TUITIONS KEEP RISING

To compensate for the loss in revenue (roughly 80 per cent of a college's operating revenue is derived from tuition), Hood has had to raise its tuition and fees. It now costs $3,150 to attend Hood. Next year it will cost $3,400.

Notre Dame College, under its acting president, Sister Mary Elissa, S.S.N.D., faces an anticipated deficit of $50,000 after a surplus last year of about $235,000. Enrollment is expected to remain steady (about 720 students), but tuition will increase $100, bringing total charges for room, board and tuition to $2,700.

Loyola has suffered a decline in enrollment (from a near-capacity 870 students in 1968–1969 to slightly below 800 students today). Worse still, it has experienced four successive deficits totaling $430,000.

"We anticipate no appreciable deficit this year," says the Rev. Joseph A. Sellinger, S.J., president of Loyola. "Nor," he adds, "will our tuition and charges for room and board ($2,700) increase."

Both Washington College and Western Maryland have announced tuition hikes. Lowell S. Ensor, Western Maryland president, says the college, which is at full enrollment (1,080 students), will raise its tuition to $1,950 next year, an increase of $200. Washington College will boost its rate $250, bringing the total for room, board and tuition to $3,200.

Msgr. Hugh J. Phillips, president of Mount St. Mary's College, estimates next year's freshman class may be down about 5 per cent. Tuition and fees will increase $100, bringing the total cost per student to $2,770 next year.

"We're in the black," says Monsignor Phillips, "but if the work that should be done was done, we'd be deeply in the red. We'll show a small surplus of between $15,000 and $20,000 this year, but to do it we've had to defer essential maintenance."

POLLUTION LAWS WILL COST

Improved classroom and gym facilities at Mount St. Mary's, if undertaken now, would plunge the college $200,000 in debt. In addition, the president estimates, contingencies based on pollution laws alone could add, in the next two to five years, another deficit of $270,000.

Deferring essential maintenance and raising tuition, neither of which can go on indefinitely, are two of the methods used by private colleges to offset deficits. (Others include transferring money from surplus funds, borrowing—both from endowments and other financial sources—and increasing fund raising activities.)

"It's awfully tempting to raise tuition," admits Washington's Dr. Merdinger, "but one of the greatest fears we all live with is the fear that someday we'll go too far and price ourselves completely out of the market."

To compensate for the fact that public institutions are taking about three out of every four students today, private schools have generally taken two courses of action: they have raised tuition to stay in operation and they have increased scholarship aid in an effort to bolster sagging enrollment. Their actions are essentially self-defeating.

Scholarship aid adds to already mounting costs. Association members estimate that about one out of every two students receives some form of financial aid. Moreover, as costs go up and tuition is raised, more and more students are siphoned off to tax-supported institutions.

A comparison of tuition charges alone illustrates why. Mount St. Mary's, for example, charges $1,520 a year for tuition. The tuition charge at Notre Dame College is $1,400 a year. Maryland residents attending the University of Maryland at College Park, on the other hand, pay $539 a year tuition.

(Both Mount St. Mary's and Notre Dame College will increase tuition $100 next year. The University of Maryland plans a modest $50 hike.)

Add to that the changing image of state-supported institutions and their growing ability to attract some of the nation's foremost scholars, and it should not be too difficult to understand the almost irresistible allure public education has for beleaguered parents.

In an effort to compete, private colleges and universities have turned to alumni and business sources. Alumni giving has generally remained stable, if a small part of total operating revenue. Ideally, it should be between 10 and 20 per cent of income. In practice, though, it's probably closer to between 2 and 5 per cent.

Gifts from businesses and corporations, however, have grown steadily. At least up until the last couple of years.

In 1953, for example, the first year of the Maryland association's existance, 20 gifts totaling $8,000 were received. Last year, the association received 360 gifts amounting to $186,000, for an average gift of about $20,000 per institution. (Some of course, got more, others less, depending upon enrollment.)

"It sounds like a lot of money, but it really isn't, not in comparison with what some of the other associations in the country are raising," says Leonard Kraemer, executive director of the association and its only full-time employee (other than Mrs. Ann Dubin, a secretary, who has been with the association for 13 years).

"For example," continues Mr. Kraemer, "Virginia raised over $1 million for 12 of its association schools last year. West Virginia raised $235,000 for seven of its schools, and Pennsylvania, with 47 schools, raised $900,000."

MARYLAND LOW IN GIFT-GIVING

Equally as striking are the differences in the size of individual gifts. Last year, Virginia, for example, received several individual donations of $50,000 or more. The largest single gift the Maryland association received last year was $5,000 (excluding a gift of $9,000 from the U.S. Steel Corp., which annually donates $1,000 a school to the more than 500 schools in the 40 state associations).

"Maryland's average gift of $400 remains one of the lowest in the nation," says Mr. Kraemer, "and one of the reasons it does is that Maryland is a 'branch' state. In other words, few large corporations have their home offices here. Under the circumstances, we don't have the same kind of leverage we would have on an organization born and bred in Maryland."

An even more significant problem, however, is the competition the association is waging with other community-oriented organizations for funds. It boils down to just so many dollars to go around.

"Inflation and the generally depressed state of the economy in the past couple of years have caused many firms to cut down or cut out entirely their gift-giving," says Mr. Kraemer. "But we're also finding that we have to compete for funds with a variety of sources, sources that didn't exist a few years ago.

"Businessmen, for example, are becoming increasingly aware of their obligation to the urban community; more of this money is finding its way into urban programs. Firms also have pollution-control commitments and are diverting part of their profits into this area."

The dip in giving last year (down about $10,000 from $196,500 in 1969) was accompanied by a drop in the total number of gifts (360 as compared to over 400 in 1969). And, despite intensive, year-round campaigning by Mr. Kraemer, by other businessmen involved with the association and by the college presidents themselves, who give a minimum of one day a month to the campaign, the total raised annually still amounts to only about 1 per cent of each college's operating budget.

ARE THEY WORTH SAVING

The crisis, educators believe, is upon us. "Most colleges in the red," points out the Association of American Colleges, "are staying in the red and many of them are getting redder, while colleges in the black are generally growing grayer."

Significant aid is needed—and soon—but before it can be decided how to save the nation's private colleges and universities from going bankrupt, it must first be decided if they are worth saving.

"It is the critical question," agrees Loyola's President Sellinger. "Somehow, before we can convince people to support us, we've got to convince them we're worth supporting. We've got to get our story across."

The story is not a particularly easy one to grasp. It is filled with intangibles. Cited are such reasons as the "necessity to retain a dual system of education (public and private)" in this country; the comparative "freedom of private schools to experiment and innovate," and the "emphasis in private schools to develop the 'whole person.'"

Laudable as these goals may be, facts tell the story best and educators in private colleges and universities who spent the good years in a sublime state of moral rectitude are at last coming forward with facts to support their case.

Nationally, for example, private colleges and universities account for only 17 per cent of the college population. Yet they have produced 31 per cent of all Woodrow Wilson scholars. Forty per cent of all Phi Beta Kappa chapters are found in private institutions. Yet they only comprise about 25 per cent of the nation's colleges and universities.

A recent national survey showed that of 33,500 business executives in the U.S., 80 per cent were college graduates. Of that number, 71 per cent came from small liberal arts colleges. In Maryland over a five-year period (1963–1964 to 1967–1968), 55 per cent of the state's college graduates who chose a career in business were products of private colleges.

"We feel," says Loyola's Father Sellinger, "that business has a stake in helping to keep us alive and healthy. We're supplying them with a major source of their leadership."

The state may also have a stake in the future of private colleges and universities. It would cost Maryland an estimated $100 million to duplicate the association's facilities. Moreover, if the state had to take over the function of educating students now attending association colleges, it would require about $10 million in additional tax money.

WHAT CAN BE DONE

So what can be done?

Aside from the obvious ways to increase income—borrowing and raising tuition—private schools can start by cutting back on their spending.

Several association schools already have. Washington College has frozen faculty salaries. Hood went a step further and cut salaries. Western Maryland has put a moratorium on new construction. Scholarship aid is getting a long, hard look and once-almost-inviolate rules about low student-teacher ratios are being questioned. Washington College, for example, will add 100 more students next year, while maintaining the same number (60) of faculty members.

To cut costs further and to make more efficient use of existing facilities, many association schools have undertaken cooperative ventures. St. Joseph's and Mount St. Mary's are sharing classroom space. So are Notre Dame and Loyola, which will also share new library facilities. Hood has begun a co-operative project with Frederick Community College, which allows full-time students at either school to attend classes at the other school.

Private colleges and universities, in general, are casting covert glances at increased state and federal aid. In Maryland, Governor Mandel's program to share $1.9 million with the state's 24 private colleges and universities has drawn almost universal endorsement. Under the program, the association members will share about $500,000—or enough to practically wipe out the aggregate deficit of eight schools.

Church support is virtually nonexistent. Although several of the association schools are classified as "church related," few, in fact, receive church aid. The

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few that do, describe it as minimal, amounting to, in most cases, less than 2 per cent of their operating budgets.

There are, then, two essential areas that private schools must stress for increased income: state and federal aid and the so-called traditional sources—friends, alumni, foundations and business corporations.

Increased state or federal aid may cause private schools to run the risk of surrendering some of their independence. It is a risk they must be willing to take.

Virtually riskless is an all-out assault on the business community, a traditional source and the source most favored by the private schools. There, however, educators must be prepared to present convincing evidence that there is a need for private higher education. Pleas won't work; neither will blandishments.

They must be prepared to come up with a satisfactory answer to the question: "Is this increase in costs really producing better education?"

MARYLAND EMERGENCY SCHOOL AID PROGRAM

Senator BEALL. I noticed in our own State, for instance, that the Governor recently proposed $500,000 in emergency aid to be provided for private institutions of higher education. I have been concerned over the financial problems of higher education and I have been examining the possibilities of institutional aid. Like most everybody else, the more you look at institutional aid the more questions it raises in your own mind and I have not been able to answer all those questions satisfactorily. I think something should be done in the interim and I have been toying with some legislation myself.

PROPOSAL FOR FEDERAL EMERGENCY AID

I would like to ask you a couple questions and you might prefer that these questions be for the record since they do relate to legislative ideas you many not have explored.

The legislation I am exploring would do this basically. First of all, the bill would provide an emergency assistance to institutions who could demonstrate that they are in need of financial assistance in order to stay open or prevent a curtailment of your academic program to the detriment of the quality of education. The public institutions would first have to submit their request to the appropriate State agency and the appropriate State agency would have to certify to the Commissioner that the need was there. Private institutions could follow that route also or they may come directly to the Commissioner but in any case they would also have to send a copy to the State agency.

Secondly, the institutions seeking emergency assistance would have to agree to conditions requiring disclosures of financial information necessary for a determination of the reasons for the schools problems. This would be a cost analysis study. The institution would have to agree to implement any financial reforms that the examination disclosed were necessary, or give in writing the reasons for not doing so.

Thirdly, because we don't have enough information on this subject, particularly on the subject of institutional aid, the legislation would provide that there be a study made of the financing of higher education. This would include an examination of various pending institutional aid proposals, as well as other viable alternatives. In addition, the study would seek to find out what concerns me and that would be the optimum role of the Federal and State and local responsibility for providing higher education.

Finally, the legislation would make grants to institutions qualifying for emergency assistance to approve their planning and management capabilities. In addition, the Commissioner would be authorized to make other managerial grants to other institutions where applications were deemed to be of national significance.

Now you may not want to comment on this legislation or if you prefer, you may comment at a future date.

Secretary RICHARDSON. Thank you very much, Senator Beall, for the invitation to comment at a later date. I would simply say at this point that the proposal that you have outlined will make a useful contribution to the kind of national dialogue so badly needed on the whole subject of institutional support for higher education.

In HEW we have considered an approach in principle similar to this. We have, it is fair to say, found difficulties with it inherent in the degree to which a Federal entity would be charged with the responsibilities very directly involving the internal administration and management of institutions of higher education which leads to the point I made earlier in response to Senator Prouty's first question. Certainly the proposal is one that deserves very careful consideration and we would be glad to respond to it more fully at a future date.

Senator BEALL. Thank you.

An additional question that you also may prefer to answer later, would it be feasible for the Federal Government to match State aid to different institutions of higher education?

Secretary RICHARDSON. It is certainly possible, Senator Beall. The problems, of course, inherent in matching programs historically have always involved the questions of the criteria under which the Federal Government would recognize the State expenditure as qualifying under federally established conditions. In the case of public welfare, for example, this leads to endless questions of compliance by the State of Federal requirements.

In the case that you propose the questions would arise whether the State was being too loose or insufficiently consistent in its own determination of what is financial distress for purposes of qualifying for State funds and thus automatically obligating Federal funds. Again the approach is one that is worth exploring; it would have the advantage of removing from direct Federal determination the question of who is in financial distress.

I would just add one word of concern and that is in the case of an institution of higher education financial distress is an exceedingly elusive concept which certainly cannot be predicated simply on the fact that the institution is for the time being in the red. The institution may have had eyes bigger than its stomach when it came to capital outlay and have overbuilt in terms of student enrollment that followed in future years.

They may have been overambitious in adding departments of specialized studies in order to compete qualitatively with institutions having broader sources of financial support. They may have numbers of courses which enroll two or three or five students in any given year. These are all components of the difficulty of determining what is financial distress. At any rate, as I said, and I don't want to undercut the basic response I made to you, which is that an approach along the lines you have described belongs among those that get carefully thought

through as we begin to chart a course which will determine perhaps for a decade or more to come what is the role in the relationship of the Federal Government to higher educational institutions generally.

We have traveled for a decade or more on the momentum of the kind of categorical approach laid down by the National Defense Education Act—support of construction student assistance, and so on. We have not had to be as tough-minded about the long-term Federal role as we must be today. And, it is fair to say, that the institutions of higher education as collective groups and organizations tend to unite upon the broadest common denominator rather than to face up to the necessity of thinking this through with a greater degree of rigor.

We look forward to the role of the proposed National Foundation for Higher Education, which would be created by legislation pending before you, in both supporting this analysis and in encouraging the kind of experimentation which would in turn contribute to new answers.

ANALYSIS ACCOUNTING

Senator BEALL. Thank you. Analysis and accounting seems very basic to finding a successful program for aiding higher education. Senator Prouty mentioned this. We have trouble in aiding hospitals in the health program. We have to establish, or at least move in the direction of standardization of accounting principles throughout the whole educational fraternity.

Secretary RICHARDSON. That would be absolutely essential. I would fully agree, Senator Beall, especially for purposes of an approach that sought to respond to financial distress.

EFFORT COMPONENT

Senator BEALL. That is all of my questions, Mr. Chairman.

I have a question that Senator Dominick has requested be asked. I might read that question in the record for the Secretary and Commissioner Marland.

Are you familiar with the work done by Dr. Robert Wallhaus and Dr. Ben Lawrence at WICHE (Western Interstate Commission for Higher Education) on institutional aid formulas? They have developed formulas for general assistance to States and general assistance to institutions, both of which contain strong effort components. Don't you believe that your institutional aid formula should encourage and reward those institutionals which make strong efforts to be financially self-sufficient?

Answer that for the record.

Mr. MUIRHEAD. The work that he is doing will provide additional information to help us understand many of the problems we don't know. I would like to respond also to Senator Beall by saying that the proposal that we have before you today is directed to that part of the higher education problem that we seem to know, and that part of the higher education that we seem to know is that the Federal interests and the Federal commitment toward equal education opportunity over the years that has been so splendidly supported by this committee has indeed contributed to the financial ill-health of higher education.

We have before you now a cost-of-education proposal that addresses itself to that factor of saying that as a result of our efforts of encouraging additional numbers of young people from low income families to attend both public and private institutions that that has contributed to the financial crises and that the next logical step would seem to be to help institutions in dealing with that problem.

Dr. MARLAND. It might be useful, Mr. Chairman, to add that we are pressing our support for the study of WICHE. We are closely affiliated with them and funding some of their activities and are supported by them.

Senator PELL. Thank you very much.

I want to return for a minute to this basic educational opportunity grant. I realize that it is a concept which is very hard to work out in a fair and effective way. I would like to. We are grateful for help from you and from anybody else in improving it. It is my understanding that your objections to our presently written bill are basically threefold: The sophisticated family can take advantage of the basic grant through either the emancipation of the children, new investment and the use of tax shelters; concerns with regard to the invasion of privacy and your very real concern with regard to cost.

Dr. MARLAND. Substantially our points of disagreement, Mr. Chairman.

Senator PELL. Yes. Now as to the question of cost; this is really a question of priorities and we in the Congress think we should determine what cost is justified and what cost is not. This is where honest men can often disagree both within the Congress and between the Congress and executive branch. The question of privacy is again an important matter for us to determine, taking into account the views of the executive branch.

On the question of sophisticated use of the tax laws, your views are very valid indeed and it is up to us to be able to write legislation that meets your objections. There will be occasional instances of abuse just as there are in the tax laws today, but if we can write legislation that covers 99.5 percent of the instances that are involved, I think that we could take the chance of an occasional abuse in those instances when they occur.

With regard to the emancipation provision, I realize it is a problem and again we are going to try to draft legislation to meet this problem. There is another problem, too. The family that has more than one child at college should get extra help, not just equal help, and we are planning to try to draft legislation to cover that. What I have sought to do with this concept was to get discussion moving by first drafting it very simply and then as we define man's complexity and ingenuity you have to make the proposal more complex and ingenuous to cover the situation.

Speaking as one Senator I feel very strongly on this approach. I will however take into consideration your thinking on these matters. The approach is one that to me seems to have great advantages and I would really very much hope to see it tried for a period of time and if it fails we can move on into some other way.

Dr. MARLAND. Mr. Chairman, before closing I would like your permission to invite Mr. Muirhead to add further advice to your committee on your points.

Senator PELL. Thank you.

DETERMINATION OF NEED

Mr. MUIRHEAD. Mr. Chairman, I am delighted this morning that we seem to be coming to many more areas of agreement than disagreement as we move toward associating a cost-of-education allowance with the equal education opportunity objective that we all serve. I would like to share with you, Mr. Chairman, the concepts for determining financial need that have been so carefully and conscientiously built by the colleges and universities themselves over the years so that there has been developed now a very sensitive approach on the part of colleges and universities through their financial aid officers in weighing the contribution of the family toward the cost of education. It would not really be a fair or equitable thing for us to say that the same concepts, that the same criteria that apply to the rules of the Internal Revenue Service are transferable to the concepts that student finance officers and colleges and universities have built in determining what family contribution might be.

In other words, a student financial aid officer drawing upon the experience that he has had for many years is probably in a much better position to determine what that student's real needs are than to draw the information from an Internal Revenue Service blank.

Senator PELL. I think your point is very, very well taken and I agree with you 100 percent. Nobody would be better able to judge the merits of this proposal than the financial aid offices. They came forward as a group and unanimously supported the approach found in S. 659.

Mr. MUIRHEAD. I would think that the student financial aid officer would be very much interested in having you develop additional legislative language that would give them additional flexibility in determining what the financial need is.

Senator PELL. I think this is a wonderful hearing because we are coming together, and your point about bringing in the views of the financial aid officers is very valid. Their endorsement was absolute. They supported it with no reservation at all. I recognize that this may be over enthusiastic but sharing with you a high regard for them, we would take into very serious consideration any language or refining that you might offer. I think the point you are making is really probably unintentional but it is one very much in support of this concept and I am very glad.

Mr. MUIRHEAD. My point certainly is in support of the concept but raising some serious questions about the process. I would like also with all respect of course to the point that the chairman has made that it is of course within your purview to determine what the level of support might be. But judging as all of us do from the past experience of programs of this kind it seems to me to be indeed unfortunate if we were to proclaim that all students in financial need would be able to get this level of support at the level that it is in your bill and that we would ultimately come to a tremendous disappointment on the part of many students. As the Secretary, I think so very eloquently pointed out, we have before the Congress now a very carefully developed student financial aid program that will for the first time assure that all students coming from low income families will get proportionate to their need support for higher education.

I think the very compelling thing about that program is that we also have before the Appropriations Committee a request to make it

becomes a reality. I would hope that the committee would have a solution to this problem and that you would come close to devising a program that will come into reality insofar as helping the number of students we are concerned with.

I think I would like to say for the record, too, that the administration's proposal has in many respects been misunderstood and has been too often characterized as a program that supports but a very limited number of students whereas the obverse is true. The administration's program will provide support for more than 2½ million students which is a very sizable proportion of the students now on our campus. I would like to say that a cost-of-education allowance that would be associated with the program that would be providing support to more than 2½ million students would really have a very significant impact upon resolving the problem that all of us are very sensitive to and that is the need for strengthening the financial help of higher education.

Senator PELL. Right. Incidentally, I appeared before the Appropriations Committee on behalf of our subcommittee recommending the full funding of the programs we had authorized. What we are seeking to do is to provide a floor of assistance, on which could be built the various grants and loans as needed. Your approach, understandable with the budget as tight as it is, is to do it more on a loan basis, if for no other reason than it keeps the debt down and means less of an immediate imposition on the taxpayer.

This is the question that is different in view, but it seems to me that we are coming out with very many very similar ideas. I would only hope that we can finally agree. I know that none of our figures are embedded in concrete, it is the grant principle of a guarantee floor, that we are after.

Commissioner Marland.

Dr. MARLAND. I would like to add to your statement as you have analyzed the administration's position on this that you have restated that which has been misunderstood and perhaps exaggerated in the administration bill; namely, that it seems to lean more toward a lending system as distinct from a work study and economic grant system.

This is not entirely the case, Mr. Chairman. We are in the administration position doubling the resources behind the work study and the EOG programs as well as greatly increasing the opportunities for borrowing, and it should be noted that the doubling of the basic line is important.

Senator PELL. Right. I think I would ask that you send us the figures. I am sure the figures are available for the simplicity of the record.

Dr. MARLAND. Yes.

Senator PELL. If you would put the figures supporting your statement in the record at this point.

Dr. MARLAND. We will be pleased to do that.

(The figures referred to had not been received when this hearing went to press.)

Senator PROUTY. At this point I think it should be pointed out that the grant works study was $328 million and in 1972 the budget authority was $971 million which is an increase of $648 million.

Dr. MARLAND. That is correct. Some of that is forward funding. I didn't want to claim it being three time but two time.

Senator PELL. Thank you very much.

Senator PROUTY. Yes; I have a few questions.

You touched on some of these, Dr. Marland, but I would like to go further. Certainly I share Senator Pell's desire to simplify the student aid mechanism but I wonder how simple his proposal would be if enacted. Has the Office of Education considered the possible administrative impact of this proposal on the Office of Education?

Mr. MUIRHEAD. We have indeed considered the administrative problems with regard to administering the proposal advanced by the chairman and I would be the first to say that administrative problems should not stand in the way of good educational objectives but I must also report that they would put a demand upon the colleges and universities that would be indeed difficult for them to carry out in searching out the information on the internal revenue service practice which they have not carried out before.

Senator PELL. May I interrupt here simply to say that all that is necessary is that when people pay their income tax an added piece of paper could be torn off and presented and that is it, it is not a complex procedure.

Mr. MUIRHEAD. I would have to respond as I did before, Mr. Chairman, that that single piece of information would not be as sensitive to the actual needs of that student as would be the exercise by the student financial aid officer of the viewing of the family assets and income and particular obligations which many times are not reported in income tax forms in order to arrive at an equitable figure as to what family can contribute to the Office of Education.

Senator PROUTY. I might observe that I think most families regardless of income are very hesitant to reveal their income tax figure. I think you find a great deal of resistance to that on the part of an overwhelming majority of the American people.

Now let us assume that upper income families emancipate their children. How could the Office of Education prevent these parents from contributing money to their children during their college years? Is there any way you can bring about surveillance over student allowances?

Mr. MUIRHEAD. We have always taken the position, which I am sure this committee would support, that unless there are very extenuating circumstances prevailing that it is the responsibility of a family to contribute to the support of their children at the undergraduate level, so that if this should become law we would take rather vigorous steps to make it most difficult for a family to escape the obligation which we and you believe is rightly theirs.

Senator PROUTY. What I am referring to is a parent giving students substantial amounts of money while they are in college, in the form of an allowance of some sort. Now obviously the Federal Government cannot survey the amount of money given each individual student by a rather wealthy family.

Mr. MUIRHEAD. You are quite right, Senator Prouty, in pointing that out. It would place an additional burden on the Federal Government and in turn place vigilant intruding into the actions of families if they had emancipated their student and then to continue surveillance as to whether or not they were evading that particular obligation and providing support to the student in return for the $1,200.

Senator PROUTY. Now looking down the road a few years, could not

parents in anticipation of the tax advantage contribute heavily to their children's savings, thus in effect paying the college cost in advance?

Mr. MUIRHEAD. I quite agree with you.

Senator PROUTY. I don't suggest that is going to happen frequently but I think it could.

Mr. MUIRHEAD. I think in summary what I would like to say is that the income tax route for determining family contributions to the support of higher education is not well suited to that particular purpose, that a much better procedure is the procedure that colleges and universities have so carefully built up over the years.

Senator PROUTY. Are there any figures available from the Internal Revenue Service which indicate how many American taxpayers with incomes over $20,000 paid less than $1,200 in Federal income tax in a particular tax year?

Mr. MUIRHEAD. I do not know, Senator, but I would expect there would be.

Senator PELL. Again I would make the point that those families who would want to take adavntage even of the basic educational opportunity grants, even those who come from thrifty New England families with which we are both familiar, would be reluctant—if they had a large income—to publicize the fact that they worked their income in such a way that they pay no taxes and have to take advantage of it.

Senator PROUTY. I have never been faced with that problem.

Senator PELL. All right. Thank you very much.

This is the final open hearing of the subcommittee. As presently planned the record will stay open for 10 days. I would hope very much that my colleagues on both sides of the aisle would bear with us as we move into the mark up session so that we can try and get together and really report out a consensus bill of which we are all proud and which we can agree on and on which we will consult with the administration.

(The following material was subsequently received for the record:)

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

JUN 23 1971

Honorable Claiborne Pell
Chairman, Subcommittee on Education
Committee on Labor and Public Welfare
United States Senate
Washington, D. C. 20510

Dear Mr. Chairman:

In accordance with my testimony of June 9, I am forwarding the enclosed proposed amendments to S. 1123, the Administration's proposed Higher Education Opportunity Act of 1971.

These amendments embody the Administration's proposal on the subject of institutional aid. They would provide for grants in fiscal years 1972 and 1973 to each public and nonprofit private institution of higher education participating in our proposed educational opportunity grant, college work-study, and subsidized loan programs. The amount of the grant for each year would be equal to ten percent of the amount of assistance given under those programs to students of the institution for that year.

We urge your Subcommittee to give favorable consideration to this proposal.

We are advised by the Office of Management and Budget that enactment of S. 1123 with these amendments would be in accord with the program of the President.

Sincerely,

Secretary

Enclosure

AMENDMENTS TO S. 1123, 92d CONG.

I

On page 15, strike lines 5 through 22 inclusive and insert in lieu thereof the following:

"INSTITUTIONAL ALLOWANCES

"Sec. 409. (a) From sums appropriated under section 410(b) for any fiscal year, the Commissioner shall, subject to subsection (b), make a grant to each public or nonprofit private eligible institution in an amount equal to ten per centum of the aggregate of (1) educational opportunity grants and work-study payments under part B of this title, and (2) subsidized loans under part C of this title (including loans under section 406), made for such year to students who are enrolled in such institution.

"(b) The amount of the grant to each eligible institution for any fiscal year under subsection (a) shall be reduced by the percentage by which the sums appropriated under section 410(b) for such grants for such year are less than the aggregate of the sums which would be payable under subsection (a) for such year without regard to this subsection.

II

On page 15, strike line 23 and insert in lieu thereof:

"AUTHORIZATION FOR APPROPRIATIONS

"Sec. 410. (a) There are authorized to be appropriated such

III

On page 16, after line 23, insert the following:

"(b) There are authorized to be appropriated such sums as may be necessary for the fiscal year ending June 30, 1972, and for the following fiscal year, for grants under section 409."

IV

On page 16, strike lines 10 through 14, inclusive, and insert in lieu thereof the following:

TECHNICAL PROVISIONS

Conforming Amendment

Sec. 402. (a) Clause (2) of section 421(b) is amended by inserting "(except with respect to loans made to students eligible therefor under sections 402 and 404)" immediately after "student loans".

Transitional Provision

(b) Notwithstanding any provision of title IV of the Higher Education Act of 1965, as amended by this Act, a student who, on the date of enactment of this Act, is receiving or (if such date of enactment is not during any academic year with respect to such student) who, during the most rece academic year ending prior to such date, received assistance under part A or C of title IV of the Higher Education Act of 1965 or title II of the National Defense Education Act of 1958 (as in effect on the day before the date of enactment of this Act) shall, in accordance with regulations prescribed by the Commissioner for carrying out the purpose of this subsection, be eligible for grant, work-study, or subsidized loan assistance under such part A or C and such title II to the same extent as if this Act had not been enacted.

UNIVERSITY OF MAINE

Office of the Chancellor

228 Deering Avenue
Portland, Maine 04102
207/774-9845

June 8, 1971

IN 10 1971

e Honorable
iborne Pell
ator
ted States Senate
hington, D.C.

r Senator Pell:

As Chancellor of the single, 8-campus, state-wide University Maine, I am writing to urge your continued support for leg- ation initiating Federal grants for general support of colleges universities.

Through testimony before your Subcommittee, you have already rd the unified position of the national educational organiza- ns in support of institutional grants.

In this letter I'd like to stress the particular needs of lic higher education, especially in a relatively poor state e Maine.

Public higher education has a special mission: a commitment nass education. Over the years, we have consistently expanded ollments. The results have been impressive. In the decade to 1970, enrollments in public higher education expanded percent. In Maine, enrollments at the University increased percent in the same period. Nationally, public institutions enroll 70 percent of all students in higher education.

Public higher education has also consistently favored low ion. As a consequence, we have depended primarily on state opriations to expand enrollments.

With few exceptions, public higher education benefited the prosperity of the 1960's. In Maine, for example, in the ten years, State appropriations for higher education increased

396 percent. In the past two years, Maine has increased its appropriations for higher education by 55.5 percent. In every year since 1965, the University of Maine's enrollment has increased by approximately 10 percent. For the last two years, we have accepted an additional 1,200 students each year. This means creating a new Colby College each year of our existence!!!

But still Maine ranks almost last among states in the proportion of high school graduates (34 percent) going on to some form of higher education. Furthermore, while the percentage increased from 31 to 34 from 1963 to 1968 (a 7.7 percent increase), Maine's rank nationally actually declined.

A closer look at the students being served by public higher education in Maine reveals other gaps. Even though the State has a population of about 1,500 Indians within its boundaries, just a couple of years ago the University had only three or four Indians enrolled. Today the total Indian enrollment is not much over 20. We simply are not getting to the disadvantaged and members of the minority groups.

At the present time, 18.2 percent of University of Maine students come from families with incomes under $6,000, and 45.1 percent come from families with incomes under $9,000. Given present tuition levels, the unmet student financial assistance need for the next biennium will approach $5½ million.

These statistics set the background for the crisis in financing higher education we face in Maine today. For the first time in a decade, the State legislature has cut the University's appropriations request to the point that enrollment must remain at the 1970 level of 15,083. With the squeeze of inflation, little is available to provide even cost-of-living increases for faculty and other employees. We are concluding a decade of dramatic expansion in which we taxed our State resources to the limit in order to accommodate the thousands of additional Maine students seeking an education.

In practically every area, Maine is behind the rest of New England and the Nation: in faculty salaries, in library volumes needed, in depth of programs. But the mood of the State and the Nation has changed. Other priorities - the environment, welfare and tax relief for the elderly in Maine - are taking precedence.

Given the dilemma we face - steadily increasing demands for admissions at a time that our resources are over-taxed and State support is going elsewhere - what can we do? To go the route of increasing tuition and putting the cost to the student through loans and pay-back plans would not only violate the things public higher education is all about but would certainly exclude from educational opportunity the very people we are seeking to serve. Even our present students cannot bear the burden of higher prices. If we are to have students pay for their collegiate education in accordance with an ability to pay principle, then why shouldn't we do the same thing for high schools? We don't, because public education has been deemed a public good.

The answer for states like Maine has to be some form of general institutional support from the Federal Government. I would agree that all states are hurting and institutional grants are needed almost everywhere. To a great extent, financing of higher education must be a national responsibility.

Many of our students leave Maine following graduation to seek employment. We're educating manpower not only for Maine but also for Massachusetts, Connecticut, Rhode Island, New York and so forth. The mobility of today's population is well-known. Elimination of regional inequities in the extent and quality of educational opportunity was a principal goal of the Presidents Commission on Higher Education in 1947. It is of no less importance in 1971.

While we must state the case for public higher education, private higher education also is facing financial crisis, but of a different kind. Their's is to maintain quality for a relatively small number of students, while our's is to continue to expand opportunity for masses of Americans. We support institutional grants for private as well as public institutions.

Our case, then, is simply this: we're taxed to the limit as an institution and as a State in our commitment to educating the masses of Americans who seek and deserve expanded educational opportunity. Before we can get on with the job of filling the gaps which still exist, we need a base of support from the Federal Government which only general institutional support can provide.

I would hope that the specific case of Maine could provide some of the ammunition you need to generate support within the Congress for passage of legislation for institutional grants during this session.

Cordially,

Don McNeil

Donald R. McNeil
Chancellor

DRM:ml

cc: The Honorable Margaret Chase Smith
The Honorable Edmund S. Muskie
The Honorable Harrison A. Williams, Jr.

Dr. MARLAND. Thank you.

Senator PELL. Senator Mondale, a member of our subcommittee and former chairman of the Migratory Labor Subcommittee, and Senator Stevenson, present chairman of that subcommi'tee, wish to have printed on the record, materials regarding the title I, ESEA migrant education program.

(The material referred to follows:)

wednesday's children

A Report on Programs Funded Under the Migrant Amendment to Title I of the Elementary and Secondary Education Act

NATIONAL COMMITTEE
ON THE EDUCATION OF MIGRANT CHILDREN
145 East 32nd Street
New York, N.Y. 10016

Summary of Findings

1. The education of migrant children is interstate in nature and national in scope. Solutions to the educational problems of migrant children are not to be found in the hit or miss manner of present patterns of program development by the states and local districts but must become part of an organized national thrust. (Chapter I)
2. The federal funds for migrant education are not equitably allocated because they depend on unreliable estimates of the school-age migrant population and inadequate methods for identifying migrant children. (Chapter II)
3. A combination of late Congressional appropriations and inflexible allocation procedures has severely hindered the effective use of funds. Of $97 million appropriated by Congress during the three fiscal years ending with 1969, $4.4 million were not granted to any state. (Chapter II)
4. At this writing, no audits of migrant education programs have been completed by the Audit Agency of the Department of Health, Education, and Welfare. Because of the absence of federal audits and the varied interpretations of legislative provisions regarding accountability for the use of federal migrant education funds by state education agencies and local school districts, it was difficult to determine to what degree the states and local schools were maintaining support of migrant education. (Chapter III)
5. At all administrative levels—federal, state, and local—officials who are responsible for planning and implementing educational programs are often out of touch with those who make budget decisions and keep track of program expenditures. Site observers found much confusion about the respective fiscal responsibilities of state and local officials. Some local project directors had not participated in preparing budgets for their projects and had no flexibility to adjust budgets to meet actual needs. (Chapter III)
6. Over a three-year period (fiscal 1967, 1968, 1969), a total of $12.6 million in federal migrant education grants to the states was not spent, according to the most recent official state expenditure reports filed with the United States Office of Education. In addition there were $4.4 million in unallocated funds, making a total of $17 million in unspent funds. (Chapter III).
7. An analysis of actual per pupil expenditures from federal migrant education funds by migrant education projects included in our local project sample showed that more federal funds were spent for seven weeks in the summer than for seven months in the regular school year. The average per pupil expenditure from ESEA Title I migrant funds in 1968-69 school-year projects was $177; in 1969 summer projects, $195.

   The range of these federally supported supplementary per pupil

expenditures was extraordinary: from $11 to $1,002 in the school year and from $24 to $1,021 in the summer.

Our analysis shows that the higher per pupil expenditures from federal migrant funds were to some extent correlated with (1) lower local and state support and (2) more ample staffing and food services in summer projects. *However, the clearest correlation was between higher expenditures and separate programs for migrant children.* Beyond these factors, the extreme range in per pupil expenditures seemed largely random and inequitable. (Chapter III)

8. It was impossible to arrive at a figure on the number of migrant children served in educational programs financed through ESEA Title I migrant funds. Neither unduplicated enrollment figures nor average daily attendance records are available for migrant children by school-year and summer session at any administrative level. (Chapter IV)

9. All evidence points to the existence of many migrant children who are not being reached by federally financed educational services. (Chapter IV)

10. Sixty-nine per cent of the migrant children served by school-year projects included in our local questionnaire sample were placed in classes together with non-migrants. In the summer, the situation was almost reversed: 71% were being educated in separate schools or classes.

    Consultants who made site visits did not find that placing migrant children separately or together with non-migrants made a decisive difference in the conditions under which they were educated, or in the reactions of migrant parents to school programs. They noted, however, that some school districts provided more staff and special services to migrant children who attended separate schools. (Chapter IV)

11. In the migrant education projects visited by NCEMC consultants, late funding, teacher shortages, local school district prerogatives, and weak leadership were factors which tended—singly or in combination—to block the development and use of criteria for the selection of staff best suited to meet the educational needs of migrant children. (Chapter V)

12. Local practice exerted a decisive influence on the ethnic group composition of migrant education staff. As indicated by local questionnaire response, only 28% of the 1968–69 school-year programs and 46% of the 1969 summer programs in our sample employed any migrant adults in any capacity. (Chapter V)

13. In the projects visited, consultants found wide variations in the amount and quality of in-service staff training. In most projects, they found little evidence that in-service training programs were having an important impact on day-to-day classroom performance. (Chapter V)

14. In the projects we visited, staffing ratios were at least as favorable for migrant pupils as they were for non-migrants. However, in some school-

year projects, staffing for all children was so sparse that the few positions added by federal migrant education funds could not begin to meet migrant children's needs.

By contrast, in most summer projects we visited, staffing was ample. Most had class sizes of 15 to 20 pupils with two or more adults assigned full-time to each class. (Chapter V)

15. Despite the inexperience of many administrators and teachers in using their services, paraprofessionals, volunteers and students made important contributions to the migrant education projects we visited. They helped to reduce the essential isolation of many migrant education projects from both the migrant and the non-migrant communities.

    Classroom aides sometimes represented the only tangible link between the school and the migrant child's own cultural background. In a few communities, volunteers provided essential services to migrant families and were in closer touch with their needs than were the paid members of the project staff.

    Where migrant high school or college students were employed, there were reciprocal benefits to both the students and the projects. (Chapter V)

16. In many of the migrant education projects we visited, consultants found no real educational plan. They often reported that a listing of educational techniques was being substituted for clearly defined program objectives and components.

    Some project officials seemed to consultants poorly qualified by interest, experience, or attitude to plan and direct an educational program for migrant children.

    Some projects depended heavily on programmed teaching materials, to the exclusion of curricular balance and human interaction. (Chapter VI)

17. In none of the projects we visited did consultants find that there was adequate individualization of instruction. There were, however, some promising approaches and experimental attempts. (Chapter VI)

18. All of our sources of information indicate that only a very small number of migrant students are receiving a high school education.

    Available data from state education agencies shows that less than one-fourth (22%) of the migrant pupils reported for the 1968–69 school year had gone beyond the sixth grade. For the United States school population as a whole, the percentage—44%—was twice as high. (Chapter IV)

    Local questionnaire responses from 120 projects enrolling about 35,000 migrant pupils include reports of only 201 migrant pupils who graduated from high school during the 1968–69 school year. These graduates came from only 28 projects; over three-fourths of the sample projects reported no migrant high school graduates at all. (Chapter VI)

19. In order to determine the factors which had helped this small number of migrant students to graduate from high school, follow-up letters were sent to projects which reported at least five migrant graduates. Their replies showed the comprehensive nature of the effort which was required.

    The factors they listed as having helped migrant pupils to graduate included: part-time jobs; college scholarships; individual help from teachers; individualized curricula and special courses, including language arts, industrial arts, home and family living, and vocational programs; participation in athletics and other extra-curricular activities; intensive counseling of pupils and parents; supportive services for students and families, including clothing, shoes, better housing and health care, and care for young brothers and sisters so that high school students would not have to leave school to baby-sit. (Chapter VI)

20. Of migrant children included in our local questionnaire sample for 1968–69 regular school-year programs, only 13% received breakfast in school and only 39% received free lunches in school.

    For the 1969 summer session, the sample showed a higher percentage of migrant children receiving breakfast (60%) and free lunches (92%) in school.

    While migrant children went hungry, almost a million dollars ($954,986)—or about 31% of the migrant education funds budgeted for food services in fiscal 1969—were not spent.

    Site observations did not show improved nutrition services during fiscal 1970. Few breakfasts were served in projects we visited. Some project directors doubted that the children were hungry. One saw a free breakfast program as the first priority of his school. (Chapter VII)

21. The local questionnaire sample showed that of the migrant children included in both school-year and summer programs during fiscal 1969, less than half received physical or dental examinations or immunizations, and less than one-fifth received medical or dental treatment.

    While this abysmal neglect was allowed to exist, about $686,000 (or 30% of the $2.3 million budgeted by the states for health services in fiscal 1969) were not spent.

    Observers found no single pattern in the 1970 health services to migrant children and families in the projects they visited. The quality and scope of health services ranged from excellent to non-existent. Even the best were reaching only a fraction of the migrant children in their areas. (Chapter VII)

22. In the projects we visited, program coordination to meet the total needs of migrant families was lacking. Only three of the 13 migrant education projects we visited provided all-day programs for migrant children for the full time their parents were working. In others, even where there were nearby day care centers under other auspices, no care was

provided before or after school for young children enrolled in Title I migrant education projects. Children of all ages were left without supervision in migrant camps for several hours in the morning, and for a large part of the afternoon and early evening. (Chapter VII)

23. In all but three of the migrant education projects we visited, consultants found home-school contacts to be the weakest part of the program. Few school personnel visited migrant children's homes, and even fewer migrant parents had any voice in planning, implementing, or evaluating education programs for their children. In the two projects where home visiting was a regular part of the program, all other aspects of the educational program benefited greatly. (Chapter VIII)

24. Almost all of the parents we interviewed hoped that their children would be able to leave the migrant stream. Some parents hoped that they themselves might be able to do so. In addition, many who knew no other way to earn a living were afraid of being forced out by the mechanization of farm labor. (Chapter VIII)

25. Some migrant parents saw education as a key to realizing their aspirations. They saw their children's need for more education, but some felt inadequate to help them. They expressed anxieties and the need for help.

    Many parents wanted a better life for their children but did not understand the relationship between education and their hopes for the future. Some teenagers were also uncertain about the relationship between education and employment opportunities. (Chapter VIII)

26. Parents who were interviewed during the summer expressed appreciation for the food, health, and recreational services which were available to their children in summer schools. However, many families reported that their children could not attend summer schools because they had to work in the fields to earn money for their regular school-year expenses. Parents stated again and again that it is the home base schools which really make a difference because the children are there longer. All expressed concern about the high cost of school lunches and other school expenses in the home base areas, where too little work is available. (Chapter VIII)

Recommendations

The findings of this report indicate that the Migrant Amendment to Title I of the Elementary and Secondary Education Act has succeeded in mobilizing most State Education Agencies to develop services for migrant children. These efforts vary greatly in the degree of their commitment, competence and effectiveness. However, migrant children cannot yet count on finding programs geared to their needs in many communities which they enter. Where such programs do exist there is a wide variation in the kind and quality of services provided. This is caused, in part, by the lack of consistency in funding from state to state and from project to project within a state, attitudes of communities and school leadership, and lack of criteria for staff selection. Other factors are the failure of the United States Office of Education to effectively mandate the establishment of nationwide goals and priorities.

That the Migrant Amendment to Title I as now constituted and administered can meet the demands of migrant children is doubtful. It is clear that immediate changes are required to guarantee that migrant children receive the services which they need.

We recommend that action be taken by the appropriate and/or designated agencies in the following areas:

Legislation and Administration

1. The United States Office of Education must give stronger leadership to the development of national goals and strategies. The Office's Migrant Programs Branch must be more adequately funded and staffed and must more vigorously fulfill its responsibilities for national program planning, technical assistance, monitoring, and evaluation.
2. It is imperative that the Congress appropriate funds in time for states to receive notification of the full amount of their migrant education grant at least one year in advance of the beginning of each fiscal year.
3. The Audit Agency of the federal Department of Health, Education and Welfare should include migrant education programs in its investigations in order to assure accountability within the intent of the law.
4. While we recognize the urgency of meeting the educational needs of all rural poor children—especially those handicapped by years of former migrancy—*regular* Title I funds should be used to serve them. Until all *current* migrant children have been reached by the concentration of educational services they so desperately need, Title I *migrant* funds should not be diverted for other purposes.
5. Present allocation procedures must be changed. Financial support should be provided on the basis of pupil needs, providing higher per-pupil expenditures where needs are greater and less where needs are less. Assistance formulas should consider not only the concentration of pupils

in a project area, but the financial ability of the area to provide for the needs of pupils. The federal allocation procedures must apply not only to state grants, but also to the distribution of funds by the state to local projects.

6. The Commissioner of Education should take steps to see that all appropriated funds are allocated. If a State Education Agency fails to request its maximum allocation then the balance of funds should be made available to another public or private non-profit agency in the state.
7. Federal, state, and local officials must coordinate their program and fiscal planning. National and state program officials must be routinely informed about expenditure reports prepared by their accounting departments. State Education Agencies must clearly define their own and local projects' fiscal responsibilities.
8. Because of the wide variations in per-pupil expenditures by local projects which appeared in our sample we recommend further investigation by the Migrant Programs Branch of the USOE to determine whether they are as random and inequitable as our analysis would indicate.
9. The USOE must develop consistent and comprehensive procedures for collecting and recording data essential to fiscal and program planning. These should include such records as are required to substantiate maintenance of effort and comparability of services. They should provide proof of identification and eligibility of each child for participation in programs and assure the availability of complete enrollment, placement, and attendance data.

STAFFING

1. Congress must eliminate delays in approving appropriations so local projects can be assured of funding in time to employ the best staff. (See recommendation two, under Legislation and Administration.)
2. Clearly stated criteria should be developed by the Migrant Programs Branch of the USOE in cooperation with State Education Agencies for the selection of all migrant education staff, including state project administrators.
3. Open recruitment policies must be instituted which will permit the selection of the best qualified applicants from all sources. Special efforts should be made to find and hire migrant, minority group, and bi-lingual staff.
4. A national program for recruitment of competent teachers and administrators of migrant education programs should be initiated by the USOE in cooperation with appropriate teacher training institutions. A program could include such approaches as internships and Teacher Corps.
5. In-service training programs should give priority to helping staff learn

to diagnose individual interest and needs quickly and to provide immediately relevant learning experiences.

6. More funding and staffing priority should be given to school-year projects. (See recommendation four, Educational Planning.)
7. Use of paraprofessionals, volunteers, and students in migrant education programs should be continued and expanded. Wherever possible, migrants and former migrants should be employed. Preference should also be given to qualified applicants with the same ethnic and language background as the migrant children who are served. Much greater use should be made of paid teen-age migrant aides. Their employment can contribute not only to the education of the younger migrant children, but also to helping them complete their own education.

EDUCATIONAL PLANNING

1. The initiative for educational planning and implementation must be assumed by the Migrant Programs Branch of the United States Office of Education. It must assist the states and local projects to more clearly define program objectives and components which are built on specific assessment of the individual educational needs and interests of the migrant children served, and on consultation with migrant parents about their educational aspirations for their children. (See recommendation two, Home-School-Community Relationships.)
2. Program personnel must participate in preparing budgets and be enabled to adapt them to meet changing program needs. (See recommendation seven, Legislation and Administration.)
3. Programmed teaching materials must not be substituted for a balanced curriculum and good human relationships.
4. The correlation between high per-pupil expenditures and separate migrant schools needs special examination by the Migrant Programs Branch of the USOE and the U.S. Congress. It should not be necessary to place migrant children in separate programs in order to provide for their special needs, therefore, we believe, more funding priority should be given to projects where children are grouped together. While we are not, at this time, recommending that summer schools be discontinued, our analysis of the cost factor would indicate that priority should be given to integrated school-year programs.
5. All segregated school facilities whether on the basis of race or migrant vs. non-migrant must be eliminated except where and as long as temporary separation is required for language or other special instruction.
6. The USOE must take the initiative for planning a comprehensive nationwide effort to enable more migrant students to graduate from high school. The experience of the small number of local projects which are already having some success in this effort should be fully utilized.

Educationally Related Services

1. The Department of Health, Education, and Welfare, in cooperation with the Office of Economic Opportunity, the U.S. Department of Labor and the U.S. Department of Agriculture, should provide leadership for the coordination of the various federal education, health, nutrition, and day care services available to migrant children.

2. All local projects funded under the Migrant Amendment of the Elementary and Secondary Education Act should include funds for the basic health needs of all children enrolled. This should include a) immunizations as needed, b) a school nurse, and c) medical and dental examinations followed by essential treatment. The school health program should be coordinated with any existing community health program for migrants.

3. Every migrant child, regardless of age, should receive a free breakfast and lunch during both the school-year and summer sessions. These meals must be provided to all migrant children without any identification of or humiliation to children or parents. School personnel should visit the parents' homes to let them know that their children are welcome to make use of this service and to answer any questions they may have about it.

4. All programs should include, or have available through a cooperating agency, pre-school, or Head Start facilities with appropriate care before and after school hours for all children.

   The extension of the school into the camp or residential community with after school and/or evening recreation programs, especially for older youth, should be considered.

   Where children are left alone for many hours, the best use of ESEA funds would be the development of expanded child care or day camp type facilities which would give the children not only protective care but an enriched environment over a longer period of time than that now provided by most summer schools.

Home-School-Community Relationships

1. Non-enrollment of migrant children must be the concern of local education agencies. They must assume the responsibility for identifying and enrolling every migrant child who lives in the school district for any part of the year. They must develop greater outreach into less accessible areas and provide for more home contacts. Identification criteria must be clarified and observed. Stricter enforcement of school attendance and child labor laws is required, but such enforcement mandates that the school and community assist migrant families in compensating for the income no longer available when children are removed from the fields. (See recommendation four below.)

2. Home visits by teachers and project directors should be a regular part of every migrant education project both during the school year and summer sessions. These visits should be used to acquaint the parents with the objectives and services of the school as well as to share reports on the progress of the children.
3. Local schools should provide much more guidance to both parents and children. Families should be helped to understand the relationship between education and future work potential. The schools should help them plan for ways to keep their children in school. They should also provide guidance in planning for careers beyond farm labor. Adult education programs, planned after thorough consultation with migrant parents, should be a part of every migrant education project.
4. Schools should also provide the supporting services migrant families need if they are to be able to keep their children in school until high school graduation. Migrant education projects should be a place to which migrant parents can turn for help to secure the services they need from all sources in the community.
5. Each community must work together with other communities throughout the nation to bring about basic changes in the farm labor system which will assure the farm worker of adequate wages and decent working conditions.

* * *

In order to provide for a vehicle through which continuous efforts can be made to bring the resources of public education to bear more effectively on the educational needs of migrant children, we recommend the formation, under private auspices, of a coalition of concerned agencies. This coalition would be expected to use the resources of each member agency to bring about the action needed for the development of legislation and new program goals and techniques. It would also establish and carry out continuous nationwide monitoring of migrant education programs.

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Summary and Fact Sheet

WEDNESDAY'S CHILDREN

A Report on Programs Funded
Under Title I of the ESEA

The report was prepared by the National Committee on the Education of Migrant Children, a private non-profit agency, operating as a program Division of the National Child Labor Committee. Miss Cassandra Stockburger is the Director. A Ford Foundation grant supported the study.

Description of Study:

The Report was developed over a 15-month period, beginning Oct. 1, 1969, by the staff of the National Committee on the Education of Migrant Children, assisted by nine part-time interviewer/consultants. Information was secured through 1) interviews with migrant parents and children, 2) questionnaires to state and local education agencies, 3) fiscal data filed with Dept. of HEW, 4) site visits to programs in eight states (Ca., Fla., Ill., N.J., N.Y., Tex., Wa., Wisc.) and 5) interviews with staff of USOE, state and local programs and community leaders.

Migrant Education Under 1966 Amendment to Title I of ESEA:

1. Allocations: State education agencies receive funds on basis of number of migrant children resident in state on full time equivalency basis.

2. Purpose of funds: To provide supplementary services. State and local agencies required to maintain effort.

3 Appropriations: (in millions) FY 1967 - $9.7 FY 1968 - $41.7
FY 1969 - $45.6

4. Administered by: Migrant Programs Branch, Division of Compensatory Education, BESE, USOE, Vidal Rivera, Chief.

5. Eligibility: To qualify for program child must have met migratory definition within last five years. (A migrant child is defined by USOE as a child who has "moved with his family from one school district to another during the past year in order that a parent or other member of his immediate family might secure employment in agriculture or in related food processing."

6. States Participating: All states, except Alaska, Hawaii and Rhode Island, qualified for allocations in 1969. Of these 45 picked up allocation. Not participating were Nevada and New Hampshire.

Conclusions:

As presently conceived and administered, the ESEA program for migrant children is not meeting, and cannot meet, the needs of migrant children. Findings of the study indicate that:

- The inability of the USOE to give leadership to national planning has resulted in a hodge podge of programs of varying degrees of effectiveness.

- There is a shocking lack of correlation between cost of programs and services provided. (p. 21)

  The average per pupil expenditures in 1968-69 school year was $177 for average 7 month term; in 1969 summer term it was $195 for average 7 week term.

  The range of per pupil expenditure in 1968-69 school year was $11 (in Lee Co., Fla. and Las Vegas, New Mex.) to $1,002 (in Kans. City, Kas.); in 1969 summer projects the lowest supplementary expenditure per pupil was $24 (in Albuquerque, N. Mex.) and the highest, $1,021 (in Spartanburg, S.C.).

- Many parents interviewed saw summer school as nice for the kids but not significant in the child's education progress. Work frequently took precedence over school.

- Most classroom teaching observed was dull, traditional, textbook oriented and teacher centered.

- Hungry children were not fed and sick children did not receive medical care even when funds were available. (pp. 77 & 85)

In FY 1969 31% ($954,986) of funds budgeted for food and 30% ($686,000) of that for medical care was returned unspent. In 1968-69 school year, 13% received free breakfast, 39% free lunch.

In 1969 summer school 60% received breakfast and 92% lunch.

In 1968-69 school year 34% received medical examinations, 18% medical treatment. In summer of 1969, 44% were examined and 11% received treatment. During this time only 15% received dental examinations or treatment.

- Poor program planning coupled with late funding resulted in failure to spend $17 million of the $97 million appropriated in fiscal years 1967, '68, '69.

- No accurate census data is available on school-age migrant children. Many children are not receiving supplementary aid because communities are unwilling to operate programs even though funds are available. (pp. 23 - 24)

- No more than 22% of children in sample were enrolled beyond sixth grade, half that for the nation as a whole. (pp. 30 - 31)

  This would indicate that so far these programs have made little impact on migrant children staying in and advancing in school. (Greene found in 1954 that almost 21% of his sample were enrolled beyond 6th grade.)*

- Many migrant children were found to be enrolled in separate, all migrant, classes or schools.

  In the 1968-69 regular term, the figure was 31%. In the summer, 71%.

<u>The Report recommends that</u>:

1. In order to concentrate funds on greatest needs, <u>eligibility</u> should be limited to currently migrant children. <u>Allocations</u> should be based on needs of children and the school district, not on numbers alone. <u>Priority</u> in funding should be given to regular schools, not summer or short term programs.

2. The Migrant Programs Branch of USOE must be adequately funded and staffed so that it can assume a responsible role in development of national goals and strategies, can provide competent technical assistance to states and carry out essential monitoring and evaluation functions. (pp. 6 - 7, 115)

3. Total supportive services and counseling facilities should be provided through the school to enable the migrant family to plan for and give priority to their children's education. (This could mean work-study programs, financial assistance to compensate for loss of income when children do not work, adult education, easy access to other community services, etc.)

4. Comprehensive care for all children during time parents are working to replace the summer schools which usually operate for only a few hours each day.

5. All segregated classrooms and/or campuses, whether by race, or on a migrant - non-migrant basis, should be terminated immediately except where temporarily required for special instruction.

6. A continuing monitoring system to see that schools develop effective programs for all migrant children be developed under private auspices.

*Greene, Shirley., The Education of Migrant Children, National Education Association, 1954.

March 19, 1971

Remarks of Senator Walter F. Mondale (D-Minn.)
upon release of a Report "Wednesday's Children"
on the Migrant Education Program

I am pleased to be here with the new Chairman of the Migratory Labor Subcommittee, Senator Adlai E. Stevenson.

As many of you know, Senator Harrison Williams of New Jersey who is now Chairman of the full Committee on Labor and Public Welfare, was the first Chairman of the Migratory Labor Subcommittee. He served in that capacity for ten years and made significant contributions toward focusing attention on migrant problems.

It was Senator Williams who initiated the migrant education program. The difficulties which beset that program are described in the Report. As Chairman of the Migratory Labor Subcommittee for the last two years, I was similarly frustrated in achieving legislative action, only to find that little was accomplished.

I regret that the Chairmanship of the Subcommittee cannot change hands on a more positive note. But the issuance of the Report on "Wednesday's Children", which so expertly describes the failure of yet another migrant program, sadly reflects that the gavel is changing hands under the same unhappy circumstances.

Only the Chairmen of this Subcommittee can really know the frustrations in trying to find meaningful, enforceable solutions to the migrant farmworker problem.

I know that Senator Stevenson will carry on the struggle to bring meaningful solutions to the plight of the migrant and seasonal farmworkers. I know that he shares a deep and conscientious interest in the problems of the migrant and seasonal farmworkers and in rural poverty generally.

The report released this morning stands as concrete evidence that our response to the plight of the migrant farmworker at the national, state, and local level has been half-hearted at best. In fact, it is clear that the migrant child is a victim of our well-intentioned education program, rather than its benefactor.

I will not repeat the conclusions and recommendations of the Report, as they speak for themselves. They come as no real surprise to those of us who have for so long seen the literal destruction of our children by the institution of migrancy and rural poverty.

There are certain initiatives which I intend to pursue regarding the recommendations of this Report.

First, as a member of the Migratory Labor Subcommittee, I will work closely with Senator Stevenson in sustaining the investigation and oversight functions of the Subcommittee. He will also have my help in implementing a legislative program to correct, wherever possible, the inadequacies which have been reported.

Second, several matters raised in the Report have also been investigated by the Select Committee on Equal Educational Opportunity of which I am Chairman. I will continue to seek solutions to the very important recommendations in the Report through the work of this Committee.

Finally, as Chairman of the newly created Subcommittee on Children and Youth, I intend to pay particular attention to federal programs which have been designed to assist our disadvantaged children, but are sadly failing to do so.

60-433 O - 71 - pt. 5 - 36

March 19, 1971

STATEMENT BY SENATOR ADLAI E. STEVENSON III

Chairman, Subcommittee on Migratory Labor
Senate Committee on Labor and Public Welfare

The publication of this report at the time that I assume the Chairmanship of the Subcommittee on Migratory Labor confirms the need for continuing attention to the problems that are the concern of this Subcommittee. We are indebted to the National Committee on the Education of Migrant Children for this report. I cannot think of anything that might have defined for us more compellingly the shameful plight of our migrant workers and their families.

Before coming to the Senate I was aware of the tireless work of Senator Harrison Williams, who founded this Subcommittee and for ten years served as its Chairman. He helped focus national attention on human problems which can too easily be ignored. His interest in the well-being of children stimulated his efforts in behalf of the legislation that created the program which this report reviews. I know that in his new capacity as Chairman of the Committee on Labor and Public Welfare, and as a member of the Subcommittee on Migratory Labor, Senator Williams will continue to provide effective leadership in this area.

Under the more recent Chairmanship of Senator Mondale, the Subcommittee has maintained a high level of activity in its continuing effort to make the deprivation and degradation of migrant workers a matter of national concern.

I am hopeful that the report that is being released today will help us combat indifference and inaction found in the Executive Branch of the Government and, too often, in private and public agencies at the state and local levels.

The findings of the report are shocking. The initial purpose of the legislation enacted in 1966 was to assure that migrant children would obtain their fair share of compensatory education under the Elementary and Secondary Education Act. That purpose, as this report demonstrates, has been ignored and thwarted. The program appears to have operated in a hit-or-miss manner with little direction and much confusion. The strong national direction necessary in view of the interstate nature and national scope of the problem appears to have been non-existent or ineffectual.

How else can we explain why only 22 per cent of migrant pupils attend school beyond the sixth grade?

How else can we explain why, in a sample of 120 projects serving 35,000 migrant children, only 201 graduated from high school in the 1963-1969 year?

How else can we explain why more than three-fourths of all projects in that sample reported no high school graduates among migrant children?

The Subcommittee on Migratory Labor will give careful consideration to the recommendations made in this report. I will work closely with my colleagues on the Subcommittee, on the Education Subcommittee, and with Senator Williams and the full Committee in drafting corrective amendments to the Elementary and Secondary Education Act if, in our judgment, such action is necessary to assure that this Act serves migrant children as they should and must be served.

I have this morning sent letters to the Secretary of Health, Education and Welfare and the United States Commissioner of Education asking for their comments on the findings of this report. The Migratory Labor Subcommittee, in its legislative oversight function, will give prompt attention to those aspects of the report that relate to the accountability which we must expect in the administration of the program at the federal, state and local levels to insure that the objectives of the Congress will be met.

As the new Chairman of the Subcommittee, I am struck by the fact that education programs are but one example of a number of social and worker benefit programs that are not meeting the needs of migrant and seasonal farmworkers. It is my hope that the Subcommittee will be able to help bring meaningful change to the lives of those in rural areas who are systematically excluded from benefits that most other Americans take for granted.

SUGGESTED LEGISLATIVE CHANGES

Late Funding

Delay by Congress in passing a Federal appropriations bill creates a multitude of problems for States attempting to develop and operate educational programs for a mobile population of migratory children. The allocation to each State for migrant programs cannot be determined until the total amount of Title I funds is known. This has been as late as March and April of the operating fiscal year. In the interim, funding is permitted only on a quarterly basis under a "continuing resolution." By the time many States receive their total allocations, the migrants have come and gone. This present procedure and uncertainty of funding prevents adequate program planning, program expansion, service to children and is a primary factor in States ending the fiscal year with unexpended funds. It is realized that because of the complex and lengthy procedures in Congress required to pass an appropriation bill that this is a difficult problem to solve. However, we recommend that the problems created by late funding be brought to the attention of the proper people with the thought in mind of providing changes that would alleviate the problem.

It should be pointed out that the carry-over provisions of Public Law 91-230 have helped to a small degree with some of the problems caused by late funding. One solution to the problem might well be authorizing funding on a three-year basis.

Teacher Exchange Program

Teachers, especially those in receiving States, in most cases are not trained by teacher training institutions to teach migratory children nor to cope with the problems inherent in this mobile group of children. Their normal classroom performance does not meet the needs of the migrant child. In order to improve teacher performance, we would suggest that consideration be given to include in the legislation authority for an interstate teacher exchange program whereby new teaching techniques, educational methodology and new insights could be provided by teachers from other States.

Discretionary Funds

States look to the Migrant Programs Branch in the U.S. Office of Education to provide leadership to them in areas such as replication of model programs, program criteria, improved testing devices, implementation of interstate programs, curriculum improvement, etc. In order for the Migrant Branch to be able to exercise this leadership, suggest that consideration be given to include in the legislation provision for a specific sum of money for this purpose.

Preschool and Day Care

Many States have indicated to the Migrant Branch that there is a definite need for preschool and day care programs for children of migratory agricultural workers. This need has become especially acute

since the Office of Economic Opportunity has withdrawn funding from many of its previously funded day care centers. If preschool and day care centers are not available in areas of migrant concentration, children who should be in school must stay at home as babysitters so that parents can work in the fields. In order that this situation be prevented, suggest that consideration be given to include in the legislation provisions for preschool and day care services.

Definition

One of the problems in developing programs involving inter-agency cooperation is the wide variation in the definition of migratory agricultural workers as applied by the various Federal agencies. If cooperative programs involving the Departments of Labor, Agriculture, Health, Office of Economic Opportunity, Housing and Urban Development, and Health, Education, and Welfare are to be successful, a common definition suitable to all agencies should be developed and incorporated into the applicable legislation.

Five Year Provision

Public Law 90-247 amended the definition of a migratory child by adding "... with the concurrence of his parents, a migratory child of a migratory agricultural worker shall be deemed to continue to be such a child for a period, not in excess of five years, during which he resides in the area served by the agency carrying on a program or project under Title I." This amendment increased the number of children eligible to be served but did not include any provision for funding these additional children. Suggest that consideration be given to include in the legislation additional funding procedures to accommodate children being served as a result of the amendment.

Senator PELL. Senator Moss has an amendment we have been considering which I order printed in the record along with a letter I received from him.

FRANK E. MOSS
UTAH

United States Senate
WASHINGTON, D.C. 20510

COMMITTEES:
COMMERCE
INTERIOR AND INSULAR AFFAIRS
POST OFFICE AND CIVIL SERVICE
AGING

SECRETARY OF
DEMOCRATIC CONFERENCE

June 18, 1971

Honorable Claiborne Pell
Chairman
Subcommittee on Education
Senate Labor and Public Welfare Committee

Dear Clay:

The initial cost of amendment no. 22 to S. 659, which would constitute the College of the Virgin Islands and the University of Guam as Land-Grant Colleges is $3 million for each institution.

In the future, these institutions would, of course, participate annually in the other programs which are authorized for all Land-Grant colleges.

A copy of the amendment to which I refer is attached.

Sincerely,

Ted

Frank E. Moss
United States Senator

FEM/gg

92D CONGRESS
1ST SESSION

S. 659

IN THE SENATE OF THE UNITED STATES

MARCH 16, 1971

Referred to the Committee on Labor and Public Welfare and ordered to be printed

AMENDMENT

Intended to be proposed by Mr. MOSS to S. 659, a bill to amend the Higher Education Act of 1965, the Vocational Educational Act of 1963, and related Acts, and for other purposes, viz: At the end of the bill, add the following new title:

TITLE V—CONSTITUTING THE COLLEGE OF THE VIRGIN ISLANDS AND THE UNIVERSITY OF GUAM AS LAND-GRANT COLLEGES

SEC. 501. The College of the Virgin Islands and the University of Guam shall be considered land-grant colleges established for the benefit of agriculture and mechanic arts in accordance with the provisions of the Act of July 2, 1862, as amended (12 Stat. 503; 7 U.S.C. 301–305, 307, 308).

Amdt. No. 22

1 SEC. 502. In lieu of extending to the Virgin Islands
2 and Guam those provisions of the Act of July 2, 1862, as
3 amended, referred to above, relating to donations of public
4 land or land script for the endowment and maintenance of
5 colleges for the benefit of agriculture and the mechanic
6 arts, there is authorized to be appropriated to both the
7 Virgin Islands and Guam the sum of $3,000,000 each.
8 Amounts appropriated under this section shall be held and
9 considered to have been granted to the Virgin Islands and
10 Guam subject to the provisions of that Act applicable to
11 the proceeds from the sale of land or land script.
12 SEC. 503. The Act of August 30, 1890, as amended
13 (26 Stat. 417; 7 U.S.C. 322-326), is further amended—
14 (1) by striking the words "and Territory" wher-
15 ever they appear and substituting in lieu thereof the
16 words ", Puerto Rico, the Virgin Islands, and Guam";
17 (2) by striking the words "and Territories" wher-
18 ever they appear and substituting in lieu thereof the
19 words ", Puerto Rico, the Virgin Islands, and Guam";
20 (3) by striking the words "or Territory" wherever
21 they appear and substituting in lieu thereof the words
22 ", Puerto Rico, the Virgin Islands, or Guam";
23 (4) by striking the words "or Territories" wher-
24 ever they appear and substituting in lieu thereof the

1 words ", Puerto Rico, the Virgin Islands, or Guam";
2 and
3 (5) by striking the words "or Territorial" where
4 they appear.
5 SEC. 504. Section 22 of the Act of June 29, 1935, as
6 amended (49 Stat. 439; 7 U.S.C. 329), is further amended—
7 (1) by striking the words "and Puerto Rico"
8 wherever they appear and substituting in lieu thereof
9 the words ", Puerto Rico, the Virgin Islands, and
10 Guam";
11 (2) by striking the figure "$7,800,000" and sub-
12 stituting in lieu thereof the figure "$8,100,000"; and
13 (3) by striking the figure "$4,320,000" and sub-
14 stituting in lieu thereof the figure "$4,360,000".
15 SEC. 505. The Act of March 4, 1940 (54 Stat. 39; 7
16 U.S.C. 331) is amended—
17 (1) by striking the words "and Territories" wher-
18 ever they appear and substituting in lieu thereof the
19 words ", Puerto Rico, the Virgin Islands, and Guam";
20 (2) by striking the words "or Territories" wher-
21 ever they appear and substituting in lieu thereof the
22 words ", Puerto Rico, the Virgin Islands, or Guam";
23 and
24 (3) by striking the word "State" wherever it

1 appears in the third proviso of that Act and substituting
2 in lieu thereof the words "State, Puerto Rico, the Virgin
3 Islands, or Guam".
4 SEC. 506. Section 207 of the Agricultural Marketing Act
5 of 1946 (60 Stat. 1091; 7 U.S.C. 1626), is amended by
6 striking the period at the end of the section and adding the
7 following words: ", and the term 'State' when used in this
8 chapter shall include the Virgin Islands and Guam."
9 SEC. 507. Section 3 of the Act of May 8, 1914, as
10 amended (38 Stat. 373; 7 U.S.C. 343), is further amended
11 by redesignating subsection (b) as paragraph (1) of sub-
12 section (b) and adding a new paragraph (2) to subsection
13 (b) to read as follows:
14 "(2) There is authorized to be appropriated for the
15 fiscal year ending June 30, 1971, and for each fiscal year
16 thereafter, for payment to the Virgin Islands and Guam,
17 $100,000 each, which sums shall be in addition to the sums
18 appropriated for the several States of the United States and
19 Puerto Rico under the provisions of this section. The amount
20 paid by the Federal Government to the Virgin Islands and
21 Guam pursuant to this paragraph shall not exceed during any
22 fiscal year, except the fiscal years ending June 30, 1971, and
23 June 30, 1972, when such amount may be used to pay the
24 total cost of providing services pursuant to this Act, the

1 amount available and budgeted for expenditure by the Virgin
2 Islands and Guam for the purposes of this Act."
3 SEC. 508. Section 10 of the Act of May 8, 1914, as
4 amended, is amended by striking the words "and Puerto
5 Rico" and inserting in lieu thereof the words ", Puerto Rico,
6 the Virgin Islands, and Guam".
7 SEC. 509. Section 4 of the Act of October 10, 1962 (76
8 Stat. 806; 16 U.S.C. 582a-3), is amended by striking the
9 period at the end of the first sentence thereof and adding the
10 following language: ", except that for the fiscal years ending
11 June 30, 1971, and June 30, 1972, the matching funds re-
12 quirement hereof shall not be applicable to the Virgin Islands
13 and Guam, and sums authorized for such years for the Virgin
14 Islands and Guam may be used to pay the total cost of pro-
15 grams for forestry research."
16 SEC. 510. Section 8 of the Act of October 10, 1962 (76
17 Stat. 807; 16 U.S.C. 582a-7), is amended by striking the
18 period at the end thereof and adding the words ", the Virgin
19 Islands and Guam.".
20 SEC. 511. Section 1 of the Act of August 11, 1955 (7
21 U.S.C. 361a-361i), is amended by striking the period after
22 the second sentence and adding the words, "Guam and
23 Virgin Islands," and deleting "and" between the words
24 "Hawaii and Puerto Rico."

1 SEC. 512. Section 3 of the Act of August 11, 1955 (7
2 U.S.C. 361a–361i), is amended by redesignating subsection
3 (b) as paragraph (1) of subsection (b) and adding a new
4 paragraph (2) to subsection (b) to read as follows:
5 "(2) There is authorized to be appropriated for the
6 fiscal year ending June 30, 1971, and for each fiscal year
7 thereafter, for payment to the Virgin Islands and Guam,
8 $100,000 each, which sums shall be in addition to the sums
9 appropriated for the several States of the United States and
10 Puerto Rico under the provisions of this section. The amount
11 paid by the Federal Government to the Virgin Islands and
12 Guam pursuant to this paragraph shall not exceed during
13 any fiscal year, except the fiscal years ending June 30, 1971,
14 and June 30, 1972, when such amount may be used to pay
15 the total cost of providing services pursuant to this Act, the
16 amount available and budgeted for expenditure by the Virgin
17 Islands and Guam for the purposes of this Act."
18 SEC. 513. With respect to the Virgin Islands and Guam,
19 the enactment of this title shall be deemed to satisfy any
20 requirement of State consent contained in laws or provisions
21 of law referred to in this title.

Senator PELL. We have some material submitted by Senator Randolph which is very pertinent to these hearings. I order it printed at this point in the hearing record.

(The material referred to follows:)

UNITED STATES DEPARTMENT OF THE INTERIOR,
BUREAU OF MINES,
Washington, D.C. June 8, 1971.

Senator JENNINGS RANDOLPH
Labor and Public Welfare Committee,
Senate Office Building, Washington, D.C.

DEAR SENATOR RANDOLPH: The following represents the information which you requested by phone, from the Bureau's Office of University Relations on Friday, June 4, 1971. The sources of this information are: The Engineer's Council for Professional Development, 345 East 47th Street, New York, New York 10017 and the universities themselves. The undergraduate enrollment figures have been collected since January 1, 1971. If you require additional "up-to-date" enrollment or graduate information, a survey of the universities would be necessary.

Universities Offering B.S. in Mining Engineering/Undergraduate Mining Engineering Enrollment (1/1/71):

Colorado School of Mines, Golden, Colo	136
University of Arizona, Tucson, Ariz	77
Pennsylvania State University, University Park, Pa	72
University of Utah, Salt Lake City, Utah	69
University of Missouri at Rolla Rolla, Mo	63
Michigan Technological University, Houghton, Mich	49
Virginia Polytechnic Institute, Blacksburg, Va	45
University of Nevada, Mackey School of Mines, Reno, Nev	34
South Dakota School of Mines and Technology, Rapid City, S. Dak	32
University of Alaska, College Alaska	21
Montana College of Mineral Science and Technology, Butte, Mont	20
University of Idaho, Moscow, Idaho	15
Columbia University, Henry Krumb School of Mines, New York, N.Y	8
University of Wisconsin, Madison, Wis	1
University of West Virginia, Morgantown, W. Va	[1] 78

[1] (Although listed as having a Mining Engineering Program, accurate enrollment figures are not available at this time—we have not had a response to our inquiry.)

We hope we have been of assistance, and please call on us for any additional information you may require.

Sincerely,

JOHN P. CANNON,
Assistant Chief, Office of University Relations.

West Virginia University | MORGANTOWN, WEST VIRGINIA 26506

Office of the President

October 22, 1970

Dear Senator Randolph:

This is to express to you my strong interest in the enactment of legislation that can provide increased support to training and research in the mineral industries fields at this time. Demands for increased sources of energy, requirements for upgrading lower grade sources of mineral raw materials, and the need for the development of technology conducive to better health and safety in mining combine to make new support most urgent. Concurrently, the continued decrease in interest of young people in careers in mining at all levels must be reversed if the industry is to meet its responsibilities to the economy and security of this country.

Some of these concerns are considered in H.R. 19492 as introduced in the United States House of Representatives on September 29, 1970. It is proposed as an amendment to the Higher Education Act of 1965 under a new section entitled, "Improvement of Mineral Conservation Education." It appears, however, that the "regional" aspects of allocation under this bill might make it difficult to provide support for institutions of two neighboring states such as Pennsylvania and West Virginia, both of overall comparable rank in mineral production, and favor one or more of the leading petroleum producing states in which industry, technology and training needs are not as critical. Furthermore, the state matching requirements would tend to favor the states having large populations and tax base -- not those having the best mineral conservation programs, largest mineral production, or manpower and technology needs.

I hope that legislation will be enacted that will provide new support flexible enough to meet the peculiar needs of the institution designated in the states chosen. If matching state funds other than those now providing for the School of Mines are required, the effect would be to cause long delays not in accord with present needs which are of national importance.

West Virginia has shown its commitment in keeping its School of Mines moving forward in the face of national and international trends, which have shown the closing of many such schools.

Furthermore, as you know, West Virginia University has recently concluded a study of its School of Mines in planning for its most effective administration in the university structure and an even more progressive role in service in the future. We are fortunate in having been able to enlist Dr. Jay Hilary Kelley to refine and put these plans into effect as the new Dean of the School. He is already working effectively in the assignment.

It would be a tremendous spur to our efforts at this point if an additional program of substantial flexible support would become available. I hope you will want to use your good office in furtherance of the types of legislation we have outlined, and would appreciate your letting us know of developments in this and other possible related legislation.

Yours very truly,

James G. Harlow

James G. Harlow
President

The Honorable Jennings Randolph
United States Senate
2109 New Senate Office Building
Washington, D. C. 20515

Presentation To The Committee On Interior And Insular Affairs At April 28, 1971 Hearings On S. 635, A Bill To Amend The Mining And Minerals Policy Act of 1970

Mr. Chairman: I am John C. Ludlum, Dean of the Graduate School of West Virginia University, Morgantown, West Virginia 26506 and for 25 years Professor of Geology there.

I have studied Senate Bill 635 and consider its enactment and implementation a most urgently needed step in upgrading research technology and training in resource fields vital to our economy and national strength. The President of West Virginia University and the Dean of our School of Mines have considered the Sections of this bill with me and concur in this support; so do industrial leaders of the mineral industries in West Virginia where the annual value of mineral production is now on the order of one billion dollars. One billion dollars a year are also added to West Virginia's economy in production, transportation, and manufacturing connected with the industry, and in wages, services, and purchase of equipment and supplies.

West Virginia is central to an Appalachian region comprised of other important mineral-producing states including Pennsylvania, Illinois, Ohio, Kentucky, and Virginia which together have annual mineral production of between four and five billion dollars in value. All have many problems, some unique, that the enactment and implementation of this bill can go a long way toward correcting.

The provisions of S. 635 wisely provide sufficient flexibility to accommodate the peculiar needs of each state and region and yet include the necessary controls to insure focus on only mineral-related problems. The strong base of mineral production in our state and region is coal and we have the problems associated with

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coal mining. In states where metallic mineral production is most important, problems of developing the technology to discover and produce low-grade deposits profitably are important because the finds of high-grade ore are now very few. In states of high population and economy based on manufacturing, land use in the production of construction materials and disposal of waste products at the surface and underground will be some of the problems that can be given the corrective attention they need under this bill.

As Director of the Office of Research and Development at West Virginia University in 1963, I was responsible for formation of the Water Research Institute. Support for this institute was later authorized under the Water Resources Research Act of 1964 (P.L. 88-379) and each state has now such an institute. In my judgment, this plan for water research institutes is proving itself in the solution of water supply problems and the training of persons in water research, conservation, and development. I see similar provisions in S. 635 and therefore much of the same promise of fast implementation and sure accomplishments.

I am certain that the two institutes - water and mineral - would be mutually supportive, and they should be. There are few mineral production operations that do not require water and have potential effect on water - surface or underground. Areas of study and research now more or less closed or outside the main concern of the water resource research institutes should expect to be opened up in multidisciplinary approach to problems in cooperation with the proposed mineral research institutes.

I have experienced opportunities for special insight regarding the state of the mineral industries in the last few years, first,

as a result of attending the 8th Commonwealth Mining and Metallurgical Congress in Australia and New Zealand in 1965, then the 9th Congress in Great Britain, Sweden, and Norway in 1969, and then this past year serving as chairman of the West Virginia University School of Mines Committee--planning its future upon the retirement of the dean and searching for a successor. Our committee met over a period of a year with mining and petroleum engineers and geologists, representatives of professional associations, alumni, advisory committees, consultants from other universities and industry, corporation representatives including railroads, utilities, coal, oil and gas companies, the W. Va. Geological Survey, the U. S. Bureau of Mines, and specialists, particularly in mine safety and occupational health of organized labor. Much that I have seen and heard during these assignments leads me to concur in a statement in the recent study by the National Academy of Sciences that "the state of mineral technology in the United States is wretched." It need not be.

Thirteen out of 30 U. S. schools or departments accredited for teaching mining engineers in 1947 have since been discontinued. Fortunately, our school has the stature gained over almost 60 years, and will not only be continued, but be strengthened to meet its increasing responsibilities. But our state has a small population and our state government is too hard pressed to be able fully to finance the progress needed. Schools that have continued to provide quality programs in the face of adverse international trends now merit the support of this Federal partnership.

Since 1913 the West Virginia University School of Mines has had a cumulative enrollment in excess of 130,000 miners, foremen, and other industrial personnel in mining extension classes, and about

500 persons have received degrees in mining engineering. The school is the best there is in this country in training and research in the mining of bituminous coal, but there is a large gap between where it is and where we know it should be to bring technology and training up to meet national energy requirements, with maximum health and safety for personnel, and concern for how we work and live.

The coal industry alone can absorb our present nationwide output of mining engineers for the next five years. I understand that the Soviet Union graduates each year over ten times the number that we do, and in general, is working with mineral deposits of higher grade. Our search for new staff finds the pool of those qualified and available very, very small indeed in the face of increasing demands upon us for research and training in areas of new emphasis.

Today per capita demand for minerals in the U. S. amounts to about $150 per person per year and projections indicate almost a tripling to $420 by the year 2000. Our present production deficit is about 22 percent of production requirements and projections indicate a production deficit of 50 percent by the year 2000. As mines in other countries are nationalized, it is obvious that filling the deficit from imports will be increasingly more difficult and certainly more expensive. We had better plan, train, and develop the technology necessary for the best sufficiency possible in mineral resources for the future, or stand to expect serious disruptions to our economy and living standards. Senate Bill 635 is a logical approach incorporating much of the best in proven models for such a national effort in preparedness. I support it fully.

STATEMENT OF
DR. THOMAS F. BATES
VICE PRESIDENT FOR PLANNING, THE PENNSYLVANIA STATE UNIVERSITY AND
CHAIRMAN, COMMITTEE ON MINERAL RESOURCES
NATIONAL ASSOCIATION OF STATE UNIVERSITIES AND LAND GRANT COLLEGES
BEFORE THE
SENATE COMMITTEE ON INTERIOR AND INSULAR AFFAIRS
MINERALS, MATERIALS, AND FUELS SUBCOMMITTEE HEARINGS
ON
S. 635, APRIL 28, 1971

Mr. Chairman and Members of the Subcommittee:

I am Thomas F. Bates, Vice President for Planning and Professor of Mineralogy of The Pennsylvania State University. I appear before you as Chairman of the Committee on Mineral Resources of the National Association of State Universities and Land-Grant Colleges. I am accompanied by four of the members of this nine-man committee, namely Dr. Earl H. Beistline, Dean, College of Earth Science and Mineral Industries, University of Alaska, Dr. John C. Ludlum, Dean, Graduate School, West Virginia University, Dr. Joseph A. Pask, Assistant Dean, College of Engineering, University of California, and Dr. Theodore J. M. Planje, Dean, School of Mines and Metallurgy, University of Missouri.

Together we represent over one hundred State Universities and Land-Grant Colleges that are the member institutions of the National Association. We are here today in behalf of these institutions to express strong support of Bill S. 635. The panel before you is constituted in a manner designed to represent the great variety of mineral resource problems of our states and some of the subject matter areas most involved in their ultimate solution. Each of us is prepared to present a brief statement and answer any questions you may wish to ask.

All of us who have been closely associated with mineral science and technology have been well aware of trends in the mineral resource field which, should they be allowed to continue, jeopardize the future domestic economy and the international security of our country. Documentation in support of this statement is

effectively presented in the recent report of the National Academy of Sciences on "Mineral Science and Technology : Needs, Challenges, and Opportunities". And, indeed, the very promulgation of Bill S. 635 is eloquent testimony that action at the national level is called for and Federal leadership is required. Our committee commends the Senate Committee on Interior and Insular Affairs for its leadership and supports the recommendation to the effect that the Secretary of the Interior be charged with the administrative responsibilities for which the bill provides.

The major provision of this bill, namely "the establishment of an appropriate research and training center in each state", is considered by our Committee to be the most important, initial step that can be taken in effectively tackling our national mineral resources crisis. Two specific examples of the problems facing us may be used to illustrate the particular suitability of going to the mining schools, state universities or Land-Grant Colleges for all-out support of a national effort. At the present time, the fraction of U.S. metal requirements obtained from abroad is almost always appreciable and often very large. For copper it is about 30 per cent; for lead 33 per cent; for zinc 60 per cent; for iron ore over 33 per cent; for nickel about 90 per cent; for manganese almost 100 per cent; for chromite essentially 100 per cent; for mercury slightly less than 40 per cent; and for platinum over 90 per cent. The purchase of all these metallic raw materials causes a sizeable addition to our unfavorable balance of payments, and our failure to produce them here results in a loss of jobs for American workers. Nevertheless, exploitable deposits of these metals have been known in this country in the past, and, indeed, the nation abounds in examples of

mines that, though far from exhausted, have been shut down because they cannot compete with the products of foreign deposits. Obviously, this has been done because these mines cannot make a profit with the methods in use and the prices paid. Successful research in many instances might put these mines back on a paying basis. Examples include: (1) the hematite mines of the Birmingham, Alabama district; (2) the magnetite mines of the Dover, New Jersey area; (3) most of the fluorite mines of the Southern Illinois-Kentucky fluorspar district; (4) the tungsten mines of Nevada such as Mill City, Oreana, and Silver Dyke and the inactive mines of the Bishop area that lies on both sides of the Nevada-California line; (5) the copper deposits of eastern Vermont; (6) the copper deposits of the Foothills belt of California; (7) the chromite mines of Oregon; (8) the closed primary iron mines of the various districts of the Lake Superior area; (9) the tungsten mines in northern North Carolina; (10) the Gossan Lead of western Virginia; (11) the lead-zinc mines of central Pennsylvania that have not been worked since just after the Civil War; (12) the iron mines of northern New York State; (13) the zinc-lead mines of southwestern Wisconsin and northwestern Illinois; and (14) the anthracite coal mines of Pennsylvania.

Most of the research work to be done on such deposits as these would be in the disciplines of mining and mineral beneficiation, but in numerous others the problems lie in the field of extractive metallurgy. For example, at the Sanford Lake iron-titanium mine in central New York State, huge tonnages of magnetite concentrates that are too high in titanium to be used in the production of pig iron and too low in titanium to be titanium ore are now stockpiled. A method of separating these two elements would release valuable amounts of both.

A second type of mineral resource problem area is illustrated by our Pennsylvania anthracite situation. Here, where we have one of the highest concentrations of some of the best coal in the entire world, up to 50% of it -- in much of the region -- is not recoverable by present mining methods. A similar situation exists in the bituminous region of Pennsylvania, West Virginia and, indeed, most of our coal producing states. Furthermore, our coal reserves are literally an unknown warehouse of other valuable metals, as, for example, tin, germanium, and uranium, all of which are now literally going up in smoke or piling up in fly ash or mine refuse. We will not be making effective use of this tremendously important natural resource until we:

1. can get it out of the ground without the present hazards of underground mining, surface subsidence, and mountains of waste;
2. can recover all the mineral values from it;
3. can develop more effective combustion processes;
4. can eliminate acid mine water in the streams and suiphur dioxide in the air;
5. can do all this in a cost-effective manner.

The specific problems of our mineral industries are endless, but these examples illustrate major characteristics typical of most that make it evident why the research institute approach proposed in S. 635 can be extremely effective in their ultimate solution.

First, the example of our present import situation illustrates the <u>national</u> scope and significance of many of these problems. Our committee is here today representing a <u>national</u> association -- one which has ably demonstrated in the

area of renewable resources, agriculture, how effectively the universities of 50 states can work in concert for the solution of national problems.

Second, the example of unworked mines of differing character in various parts of our nation, points up the necessity of the state by state approach where experts trained in the particular problems of varying ore types, varying geological conditions, and varying environmental conditions imposed by man and nature can apply their particular expertise to local conditions while at the same time contributing to the regional and national pool of knowledge.

Third, as illustrated by the coal example, modern mineral resource problems must be solved using a "systems" approach. No longer can the mining engineer do his "thing" without regard for the problems he may be generating for the metallurgist, mineral economist, pollution expert, or public at large. Our State and Land-Grant Universities are experienced in the interdisciplinary approach. The Mineral Resources Institutes will bring together, from a variety of departments, those experts most capable of interacting on mineral resource problems. They will also be in close touch with and have available the professionals already working in our air environment centers, the water research institutes, the agricultural experiment stations, and numerous other interdisciplinary groups organized to work most effectively on the problems of our society in the true Land-Grant tradition.

Fourth, our mineral resource problems -- and their solution -- are different from those we have faced in the past. Words and phrases like recycling, solid waste, liquid extraction, rapid excavation, cost-benefit ratios, and underground storage, have only relatively recently become part of our "working" vocabulary.

New kinds of problems need new breeds of men. The graduate students that train in these institutes had better be good, for they must be the leaders in facing mineral resource problems of a magnitude and a technical, economic, and sociological complexity that those of us here today can barely appreciate. It is the job of our universities to produce such men. These institutes will provide the vehicle which, with adequate support, will enable us to do so.

In concluding this statement I would reiterate that our Committee strongly favors the provisions made in S. 635. We would also highly recommend that consideration be given to two additional areas of possible support, which, if incorporated in the present bill would, in our opinion, further increase its effectiveness. Recognizing that experts in the Mineral Sciences and Techology are in extremely short supply, we believe it would be very desireable to have a provision that would make contract and grant funds available to eligible professionals at all universities. Furthermore, we would consider most essential an adequate provision of funds to the institutions for use in attracting and properly supporting an increasing cadre of students to be trained in the solution of today's problems in preparation for facing the more complicated ones of tomorrow.

Thank you for the opportunity to appear before you and present this statement.

S.635 - TO AMEND THE MINING AND MINERALS POLICY ACT OF 1970

Prepared by J. Richard Lucas, Head, Department of Mining Engineering, Virginia Polytechnic Institute and State University, before the Senate Committee on Interior and Insular Affairs on Wednesday April 28, 1971.

Mr. Chairman:

I am here to strongly support S.635 - TO AMEND THE MINING AND MINERALS POLICY ACT OF 1970. This bill will strengthen education and research support for the strategic mineral industry of this nation.

I am in agreement with the findings that the Committee on Mineral Science and Technology, National Academy of Sciences, National Academy of Engineering, National Research Council, published in 1969 after an extensive study of this grave problem. My purpose is not to dwell upon the extensive data and recommendations put forth in the report, but to concentrate on my immediate and detailed experience in this area, which could best be described as mining or minerals engineering. I would like to define minerals engineering as including mineral exploration, evaluation, development, production, beneficiation, and economics. Our minerals engineering schools should be viable in each of these fields and should be able to pursue a vigorous teaching and research program for the advance of mineral technology.

In recent years three new challenges that must reach an adequate resolution have tested our mineral technology. These challenges require more talent than presently exists as well as sophisticated trained professionals. The manpower shortage in mineral engineering has aggravated these three major problems which include: (a) Ecology and Environment (b) Mining Health and Safety (c) The Energy Shortage. The Congress has enacted significant legislation in some of these areas and is currently considering far-reaching legislation in others. The Congress has passed landmark legislation in the

"Metallic and Non-metallic Mine Safety Act of 1966" and the "Coal Mine Health and Safety Act of 1969." The latter act has precipitated a continuing national debate on its implementation. It has not been possible to implement this act fully because mining engineering talent is just not available, and it does not exist in the number that is required. The manpower shortage in the mining industry has made it next to impossible to meet the goals set by Congress in its legislative mandate. As a result, standards of qualification for industrial and government employment related to this legislation have been substantially reduced. Thousands of mining men are now required for positions concerned with mining health and safety, rather than the few hundred required in the past.

If this act currently being considered makes no other contribution to the nation than to supply an increasingly growing number of trained professionals in mining and mineral engineering, it will have achieved a major goal. The most valuable resource the mineral industry in this nation has is the body of trained manpower that it can call upon to solve its problems. In pursuit of our national interest, arrangements must be made to provide the trained manpower necessary to implement the far-reaching legislation that has recently been passed.

The mineral industry has much strategic importance since it affects international leadership as well as our nation's economic welfare. It is our minerals industry that is the foundation of our industrial society, and our world leadership potential is built upon this foundation. There are indications that the U. S. has not developed this foundation with the strength that is desired and required at present.

An example of outstanding performance in this area is seen by considering the spectacular development of the Japanese economy, and especially its

minerals industry. With dedication and great future planning, Japan has assured herself of present and future supplies of many basic mineral raw materials that are so necessary to a rapidly developing economy. This nation has accomplished much in what the U. S. should be doing in better planning and protecting its national interest. However, results speak louder than words, and Japan will probably surpass the Soviet Union in steel production, possibly by 1975. Further, steel industry leaders in the U. S. have publicly indicated that Japan will possibly surpass the U. S. in the production of raw steel by the end of this decade.

To protect its domestic and international future, this nation should better support mineral education and research because this important activity has grown weaker and weaker with less and less financial aid being extended to it from both state and national sources.

Most of the mineral education and research centers in the nation are at state-supported institutions. The funds and resources of these universities have many pressing needs, and there are never quite enough to fill the demands. University administrations of these institutions have not supported mineral education and research because no agency with budgetary support capabilities in the federal government appeared interested in the welfare of these programs. Other disciplines have been supported by government agencies that had an interest in their welfare. For example, the AEC has strongly supported the discipline of physics over the years to strengthen and increase the size of the trained manpower pool, and NASA was quite instrumental in strengthening the academic and educational areas that have an impact on its innovative program.

The disciplines involved in mineral education and research have to look largely to the Bureau of Mines for leadership and support on the national level.

In the past, the Bureau of Mines had insufficient resources for supporting its own program, let alone giving budgetary support to strengthen the important academic disciplines that have a major impact on its programs. As a result, mineral education, research, technology have not kept abreast of the demands made upon it and have lagged behind the pace of other disciplines.

When we consider the three materials: animal, vegetable, and mineral, it is readily apparent that minerals should share an overwhelming national priority, but, in fact, they have been exposed to a relentless neglect during the past two decades.

I think that every activity in mineral education and research can be increased from five to ten fold. As an example, recent data indicates that the nation is currently producing somewhat in excess of one hundred (100) graduate mining engineers annually, but current national needs are from five to ten times this number. The Soviet Union, with a population approximately that of the U. S., is graduating five to ten times this number of mining engineers. Further, the number of mining engineers produced each year in the U. S. is not enough even to counter the annual losses due to retirement, death, and resignations.

It is much easier to attract young men to white collar occupations, but much more difficult to attract them to the challenges involved in the underground production of minerals. For example, in my own state the deepest coal mines in the country are located twelve hundred feet (1200') under the valley floor and three thousand feet (3000') under the mountain tops. The coal mined in this area is some of the most valuable in this nation if not the world, and is a strategic raw material both domestically and internationally. Longwall mining systems employed in these operations result in continuous massive failure of roof and overburden, under carefully controlled

conditions in which men must continually function effectively and safely. This environment, while an extreme, is an indication of the great necessity, but yet demonstrates the difficulty, encountered in attracting the talented and the educated individual.

I supported the "Mining and Mineral Policy Act of 1970" and appreciated the opportunity to offer supporting material for this Committee's hearings on this bill. Speaking on behalf of myself and the institution that I represent here today, I am strongly in favor of adoption of S.635 to amend the "Mining and Mineral Policy Act of 1970." This Committee can do much to improve a deplorable condition that has existed far too long by strengthening mineral education and research at appropriate universities in our many deserving states.

(Whereupon, at 12:10 p.m., the subcommittee adjourned.)

APPENDIX

(2765)

APPENDIX I.—Education Task Force

EDUCATION Subcommittee - TASK FORCE

5/6/71

NAME	INSTITUTION & ADDRESS	TELEPHONE	SECRETARY	ADMIN. ASSISTANT
Glenn W. Ferguson, President Chairman	Clark University 950 Main Street Worcester, Mass. 01610	617-793-7320 793-7329	Mrs. Wood	
James M. Hester, President	New York University Washington Square New York, N.Y. 10003	212-598-2345	Miss Bruhn	
Robert W. Fuller, President	Oberlin College Oberlin, Ohio 44074	216-774-1221	Mrs. Price	
G. Alexander Heard, Chancellor	Vanderbilt University 21st Ave. and West End Nashville, Tennessee 37203	615-322-2508	June Dorman	Dan Martin
Hugh M. Gloster, President	Morehouse College 223 Chestnut St., S.W. Atlanta, Georgia 30314	404-681-2800	Mrs. King	
Howard R. Swearer, President	Carleton College Northfield, Minnesota 55057	507-645-4431	Ann Peltrano	
Howard R. Bowen, President	Claremont ~~College~~ University Center Claremont, California 91711	714-626-8511		Mrs. Gilmsa
Paul E. Bragdon	Vice President for Public Affairs New York University Washington Square New York, New York 10003 (President-elect - Reed College)	212-598-2318		

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June 18, 1971

The Honorable Claiborne Pell
Chairman
Subcommittee on Education
Committee on Labor and Public Welfare
United States Senate
Washington, D.C.

Dear Senator Pell:

At the April 22 hearing of the Subcommittee on Education, Senator Javits and you asked me to convene an informal group of college presidents representing a few of the independent, smaller institutions. The Presidents of the Claremont University Center, Reed College, Clark University, Oberlin College, Morehouse College, and Carleton College agreed to serve. In addition, to insure that size was not the controlling factor, the Presidents of New York University and Vanderbilt University were also included.

During recent weeks, this informal task force has been meeting to discuss the implications of Senate Bill 659 which you, as Chairman of the Subcommittee, introduced. At this time, we would like to submit our conclusions.

As Dr. Clark Kerr stated in the forward to the latest publication of the Carnegie Commission on Higher Education; entitled: "Models and Mavericks, A Profile of Private Liberal Arts Colleges":...."The (private) liberal arts colleges continue to hold a place of considerable influence and even leadership. They provide some of the highest-quality under-

graduate institutions. They are the principal source of diversity and innovation. They set standards for concern with the welfare of the individual student. They serve as models for institutional autonomy. ..... for they are by nature more adaptable to the new concerns of so many students." We feel that the Chairman of the Carnegie Commission on Higher Education has captured the essence of the unique contributions of private institutions of higher education, and we are hopeful that the Federal Government, through significant financial support, will encourage these independent colleges and universities to continue their vital assignments.

There are a number of issues in the present higher education authorization bills about which we might comment; however, based on the focus of Congressional attention concerning the institutional aid potential, we will confine our recommendations to this important new concept.

The task force is pleased that you have introduced Senate Bill 659 which incorporates a cost of instruction allowance and that the Administration has endorsed the institutional aid principle. We are convinced that direct grants to colleges and universities, in addition to adequate categorical and project support, constitute an important ingredient to insure development, as well as survival.

We also recognize the merit of your proposal to relate institutional aid to the present level of Federal support to individual students who receive assistance under work-study and equal opportunity grants. Student-related institutional grants, based on the needs of economically disadvantaged students, respond to an important national priority.

In fact, many independent colleges and universities have stretched scarce internal financial resources in order to provide essential support for qualified applicants. This commitment has been independent of public support for the equal opportunity goal. For many independent colleges and universities, a vital contributing factor in the current financial emergency is related to the allocation of significant private funds to support this national objective.

In acknowledging the importance of a student-related basis for awarding institutional grants, we suggest that this approach does not provide a sufficiently broad rationale. In addition to promoting equal opportunity, we feel that the Federal Government has a stake in preserving the dual system of higher education, in insuring that viable institutions have an opportunity to survive, and in guaranteeing that the increasing number of qualified students who are demanding a college education have both independent and public options. (e.g., educational philosophy, fields of study, curricular approach, and institutional size, per se.)

Many independent colleges and universities, which reflect high qualitative standards and a continuing commitment to essential public purposes, require financial aid which is not directly related to present Federal support for the economically disadvantaged student. (We stress again that many independent colleges and universities are applying their own scarce funds to broaden educational opportunities for the economically disadvantaged. These private efforts would not be recognized adequately under a student-related Federal assistance formula). For this reason, our task force has examined a number of proposed formulae which relate institutional grants to an enrollment, or capitation, approach.

Since we feel that the institutional grant principle should be implemented, we are more concerned with the concept than with the criteria selected to determine institutional grant levels. Without citing any particular capitation formula, we propose that the student-related institutional grant mechanism, reflected in S. 659, should be expanded to incorporate an enrollment factor.

We do not recognize any inherent contradiction in suggesting that Federal institutional grants can serve two related national higher education objectives ---- facilitating equal educational opportunity and insuring the requisite financial stability to meet the general student population explosion.

In the past, Federal categorical aid has been of inestimable value to higher education. This form of financial assistance should be continued, (e.g., work

study and equal opportunity grants). At the same time, Federal institutional grants, funded at a realistic level, can provide higher education leadership with the flexibility to apply financial resources to the unique priorities of a given college or university. To sustain and improve quality, while meeting the twin national objectives of equal opportunity and increased enrollment, and, at the same time, strengthening America's traditional and unique system of public and private higher education, Federal institutional aid will be critical.

We hope that this brief report will assist the Senate Subcommittee on Education in formulating the institutional grant proposal. If we may provide any further assistance to the Subcommittee, we would be happy to comply.

Sincerely yours,

Glenn W. Ferguson

Glenn W. Ferguson, Chairman
President, Clark University
Worcester, Massachusetts

GWF/w

Howard R. Bowen, Chancellor
Claremont University Center
Claremont, California

Paul E. Bragdon, President-elect
Reed College
Portland, Oregon

Robert W. Fuller, President
Oberlin College
Oberlin, Ohio

Hugh M. Gloster, President
Morehouse College
Atlanta, Georgia

G. Alexander Heard, Chancellor
Vanderbilt University
Nashville, Tennessee

James M. Hester, President
New York University
New York, New York

Howard R. Swearer, President
Carleton College
Northfield, Minnesota

APPENDIX II.—Junior College Material

NORTHAMPTON COUNTY AREA COMMUNITY COLLEGE

SERVICE FOR THE SEVENTIES

STUDENTS

...2365 total enrollment in 1971 from 844 in 1967
...828 evening students in 1971 from 441 in 1967
...nearly 10% of full-time students come from families earning less than $6000
...47% of full-time students receive financial assistance
...540 graduates as of June, 1971
...matriculants from age 17 to 70
...434 military veterans with most financing their education with veterans' benefits
...nearly 7% of full-time students receiving Social Security benefits
...student transfers to over 51 different four year colleges and universities
...work-oriented with over 50% of the full-time students holding part-time or full-time jobs
...47.4% of public high school graduates in Northampton County in 1970 now go on to college as compared with 31.5% in 1966 before we opened. The state average was 35.6% and now is 42%.
...graduates, 96% still reside in Pennsylvania with 92% within the Northampton County area

COMMUNITY INVOLVEMENT

...19 Citizens' Advisory Committees of nearly 300 people
...computer time free to sponsoring school districts and area governments and at cost to area non-profit organizations
...Dental Hygiene Clinic at low cost to area residents
...College Foundation of area citizens to support priority programs
...808 adults enrolled in 17 Continuing Education and Community Service programs in 1970-71 financed by fees and private grants
...Center for Lifetime Learning to offer seven courses tailored for our older citizens

PROGRAMS

...15 career/technical degree programs
...6 college parallel transfer programs
...5 certificate programs
...Citizens' Advisory Committees to plan paraprofessional programs to meet the area's needs
...4 degrees available--Associate in Arts, Associate in Science, Associate in Applied Science, and Associate in General Education

IMMEDIATE AND CONTINUING NEEDS

... support funds to finance scholarships and support new programs
...expanded program of community services
...programs and courses to help the disadvantaged
...programs and courses to assist the area's senior citizens
...new programs to meet the community's changing needs
...expanded facilities to handle an expected 30% increase in enrollment

FLEXIBILITY

...open-door admissions to all high school graduates or anyone over 18 to give everyone a chance to succeed
...classes from 8 a.m. to 10 p.m., twelve months a year
...23 student organizations
...free placement service for students and alumni
...innovative teaching which has received national attention
...low tuition to make education available to all
...intercollegiate and intramural athletics offering competition in nine sports financed by student activity fees
...opportunity to transfer from one program to another if career goals change
...Basic Education curriculum to prepare students who lack communications and math skills for college level work
...$186,107 in financial assistance granted to students in 1970-71
...high school equivalency diploma awarded after successful completion of thirty hours of degree credit

FACILITIES

...an emerging 165 acre campus
...a 20 building temporary campus
...a 10 million dollar Phase II permanent campus under construction including a library, cafeteria and auditorium center; two division centers; an engineering and business technologies center and gym
...Dental Hygiene Clinic

RECOGNITION

...College accredited by Middle Atlantic States Association, April, 1970, in shortest time possible
...Dental Provisional Accreditation by Council on Dental Hygiene Education, May, 1971
...Nursing Program State Board of Nurse Examiners full approval, May, 1971
...Nursing Program reasonable assurance of accreditation from National League For Nursing

NCACC begins its fifth year of operation in 1971. Serving a population of 211,901, we are committed to providing quality education to meet the needs of our sponsoring school districts.

Statement of Dr. Lawrence L. Barrell, Assistant to the President
Rockland Community College, State University New York, Suffern,
New York, 10901.

As a higher education administrator, having served in various senior higher education positions, I realize the need for more specific programs directed toward resolving the critical problems involving the future of higher education in the United States. Therefore, I offer this suggestion, as one of several possibilities.

The specific educational prescription is:

That there be established a National Center for Community Colleges and Colleges and Universities. It would deal with programs of human resources and community development.

Such programs include: Allied Health, Education, Child Care, Mental Health, Rehabilitation, Social Service, Recreation, Public Service, Manpower Programs, Urban Renewal, Tranportation, Housing and Environmental Services.

The "Enhancement" and Assistance" to the role of Colleges and Universities especially the Community College as a social and economic rehabilitator would be the prime consideration of this National Center.

The Center would serve as the national coordinating agency for the national community of colleges of human resources and community development or colleges and universities offering divisions or programs in human resources and community development.

This specific program could especially, in the area of community colleges provide, for example, via the proposed National Foundation for Higher Education, leadership in a most urgent area of need and could via program modelling enhance the element of cost-effectiveness to an emerging concept of the Community College.

This is a conscious effort nationally to emphasize via the Center, the junior college, community college, colleges and universities as a social and economic rehabilitator, directly utilizing the application of youthful altruism to national problems. (To assist the young to think beautiful and big!)

It is essential, in any legislation to avoid creating a division between post secondary occupational education designed to lead directly to a job on one hand and education leading to the Baccalaureate on the other. Young people wish to be allowed to try for the Baccalaureate and above. They do not wish a finite career education. They wish to have the opportunity to try and let their own perceptions settle their goals. All jobs must have an education tie which is not by definition finite or terminal.

The Center utilizing the community college, junior college and colleges and universities as a Social and Economic Rehabilitator further would:

(1) Act to open up new roads to the professions; to break with traditional models in education, social service, child care, mental health, allied health services, rehabilitation, environmental services and public service careers including law enforcement.

(2) Act to develop career ladders and lattices, actual jobs which are non-dead-ended, through a continuous dynamic interrelationship of colleges, students, the community and various agencies in cooperative training programs including field instruction, curricular development and experimentation.

(3) Provide the formalizing and articulating of educational and other credential continuums up from entry level training through the doctoral level by interrelating training agencies---vocational schools, Community Colleges, four year Colleges and Universities.

(4) Develop additional avenues and additional financial assistance to the needy young, young adult, and mature person of the nation.

(5) Establishing 'real jobs' within agencies and institutions and develop systematized ties with the Federal and State apparatuses, health services, housing, urban development and transportation, department of labor, federal, state and local civil service, rural health services, juvenile agencies, day care and geriatric centers.

(6) Develop year round programs including: dormitory facilities in rural areas.

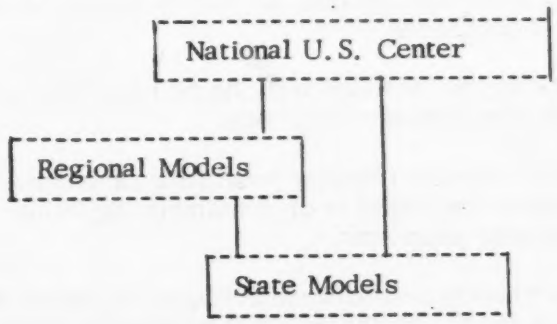
(7) Develop, finance, support and cooperate with regional models (Community Colleges in urban, suburban and rural and rural envionments, including Puerto Rico and Pacific Islands).

(8) Develop regional curriculum concentrations instead of attenuated curriculums. The center would examine and devise programs solutions on a national and state basis.

(9) Develop or expand field instruction and cooperative programs, nationally, including semester turn around, weekly turn around, or the split week program of actual field instruction combined with education emphasizing paid practicums; and

(10) Bring into national educational cooperative effort the many agencies throughout the country as well as interrelating the agencies of Urban Government, County Covernment and other municipalities by means of acting as technical advisors, program advisors, and grant developers for the various political agencies of the local and regional area via the proposed Regional and State models.

This is the mechanism which I recommend to develop, monitor and sponsor the Community College, Junior College, Colleges and Universities as a Social and Economic Rehabilitator within the National Foundation for Higher Education: I entitle, The Center for Colleges of Human Resources and Community Development.



In effect, therefore, The Center will:

1. Serve as the national resource for the national commmunity of colleges, human resources and community development or colleges and universities offering division or programs in human resources and community development.

Programs included are: Allied Health, Education, Recreation, Child Care, Mental Health, Social Service, Rehabilitation, Public Service, Manpower Programs, Urban/Rural, Transportation, Housing and Environmental Services.

And will also:

2. Serve as the National Clearing House for expert knowledge for the development of human resources and community development programs.

3. Conduct feasibility studies concerning the development of human resources and community development programs.

4. Serve as technical assistance resource for the design, development and implementation of human resources and community development programs.

5. Provide consultation from Center with site visitation to community colleges and other institutions contemplating the development of human resources and community development programs.

6. Develop curriculum materials suitable for use in human resources and community development programs.

7. Develop instruments for the evaluation of the effectiveness of human resources and community development programs.

8. Design and provide in-service training programs for faculties and staff of institutions and agencies enganged in or contemplating human resources and community development programs.

9. Promote systematic cooperation between colleges, agencies and students and potential students in the formation and development of human resources and community development programs.

10. Sponsor annual workshops for administrators, faculties of colleges and schools of education and social work, agency board members, executives, supervisors, workers, superintendents and principals of schools, teachers representatives and adults and youth from black, poor and deprived groups on the organization, and instrumentation of human resources and community development programs.

In conclusion, I urge the establishment within the Foundation of a National Center for Community Colleges and other Colleges and Universities with Programs of Human Resources and Community Development.

Mr. Chairman, I ask that there also be included as part of my statement my curriculum vitae attesting to my experiences in the area to which I have testified.

Dr. Lawrence L. Barrell
15 Oriole Street
Spring Valley, New York 10977

Home: 914-352-7503
Office 914-356-4650

Assistant to the President, Rockland Community College, State University of New York, Suffern, New York. Present

Associate State Coordinator, Title III Elementary and Secondary Education Act, Department of Public Instruction, Commonwealth of Pennsylvania, Harrisburg, Pennsylvania. 1963-1967

United Nations Advisor to the Government of Israel-On leave DPI*

Director of Research, Professor of Political Science, State College Mansfield, Pennsylvania. 1962-1963

Dean and Professor of Political Science, New York Institute of Technology, New York City. 1960-1961

Director of Mitchel College of Long Island University, and Associate Professor of Political Science, Hempstead, New York. 1957-1960

Intelligence, Administrative Officer, United States Airforce in Europe, Adjunct Professor of Political Science, University of Maryland(Europe). 1952-1956

Assistant Professor of Political Science, Pace College, New York City. 1947-1952

Other Administrative Experience

Intelligence Administration, United States Air Force, Europe, 1953-1956
Vice President, International Teaching Machines Corporation, 1961-1962

Education:

Bachelor of Science in Social Science, College of the City of New York, 1942.
Master of Arts, Teachers College, Columbia University, 1946
Ph.D. Government, Sociology, New York University, 1957
Certificate-Russian Language and Area, Syracuse University, 1953
Certificate-East Central Europe, New York University, 1957
Foreign Affairs Review, George Washington University, 1947

Teaching Experience:

Instructor, Assistant Professor Pace College, New York City, 1947-1952
Adjunct Professor University of Maryland, West Germany, 1952-1956
(Leave of Absence from Pace College with USAF)
Assistant Professor, Pace College, New York City, 1956
Associate Professor, Long Island University, 1957-1960
Full Professor, New York Institute of Technology, 1960-1961
Full Professor, Mainsfield State College, 1962-1964
Adjunct Professor, Harrisburg Area for High Education, 1965
(Temple, Pennsylvania State, Lebanon Valley, Elizabethtown)

Field: Political Science, International Studies, Foreign and Comparative Govt., Political Theory, Political Sociology, History, Area Studies-Russia, Soviet Union, East Europe, Sociology.

Married: Adele Paone, 3 children: Steven, Zoe, Alexander
Age: 48

Aerial Navigator, USAAF; Distinguished Flying Cross, Air Medal, 40LC 1942-1945

Languages: French, German, Russian

Dissertation: Middle European Blueprint: The Lost Opportunity, 1939-1945

Publications: Poland and East European Union: Polish Review
et al : Palestine Refugee Problem: Institute of Mediterranean Affairs
et al : United States Foreign Policy in the Near East, Inst. of Med. Affairs
Art and Music Survey of the Commonwealth of Pennsylvania, D. P. I.
edit : Improving Teacher Competency, D. P. I.
Emerging Role of the Vice-Principal, D. P. I,

* Served as United Nations Advisor to the Government of Israel on Implementation of large scale Educational Innovation -Sept 1965-April 1966; July.1966-November 1966.

MONTCALM
COMMUNITY COLLEGE

SIDNEY, MICH. 48885
517 328-2111

OFFICE OF THE PRESIDENT

January 19, 1971

The Honorable Robert P. Griffin
United States Senate
Washington, D.C.

Dear Bob:

January, 1971 introduces a new era of decision-making in our Nation's Capital. We who struggle daily to keep community colleges financially viable fervently hope that the new year, a newly-seated Congress, and a White House determination to achieve educational reform will result in new visibility and financial soundness for our institutions.

The recent flurry of correspondence between the Congressional Offices, the White House and community college leaders regarding the vetoed Manpower Training Act illustrates a basic, underlying need for our colleges - one which could be remedied by an obvious change in wording. It is no longer adequate to use such generalized terms as "post-secondary institutions" when the meaning is "community colleges and/or technical institutes."

What we are seeking most urgently is an intentional and forthright identification of community colleges as recipients of aid by name, not implication. Here are some reasons why:

1. Enrollments. Over 2 million of the 7 million students in post-secondary education are now attending community colleges. We most certainly are not receiving 2/7 of the total federal or state financial effort for higher education. The limits of funding may make it very difficult to accept the 4 million students predicted by 1975. At present, ½ of all first-time college enrollments are frequently being funded in a manner akin to a "generous afterthought."

2. Responsiveness. The presence of locally-elected trustees and a philosophy of local involvement is making the community college the most responsive institution in educational history. We are very much involved in local industry, business, as well as education at other levels. Through such movements as Community Services, education has achieved the nearest things to "instant response" ever conceived.

3. Know how. Daily, the two-year institutions are repeatedly demonstrating their know how, particularly in the vocational and technical fields.

4. Creativity. In order to respond quickly to needs, open and maintain liason with local citizens and employers, and remedy cultural and educational gaps, community colleges have had to become creative and innovative.

5. Reform. For a great variety of reasons, community colleges have been actively engaged in reform - in teaching methods, in finance, in developing curriculums, and in meeting educational needs and problems.

I sincerely believe that the two-year institutions have arrived at that point in their development (and the history of American Education) when they merit:

1. Separate identification in the United States Educational Structure as a Bureau, Division, etc.

2. Funding by direct designation in the various legislation affecting all of education.

Thank you for your attention, and please accept my hearty best wishes for a productive year in 1971.

Sincerely yours,

Don

Donald D. Fink
President

DDF/ls

60-433 O - 71 - pt. 5 - 39

RHODE ISLAND JUNIOR COLLEGE
199 PROMENADE STREET PROVIDENCE, RHODE ISLAND 02908

March 11, 1971

MAR 13 1971

Senator Claiborne Pell
United States Senate
Committee on Labor and
Public Welfare
Washington, D. C. 20510

Dear Senator Pell:

Thank you for your answer of March 3 to my inquiries concerning S. 659, "Education Amendments of 1971", and specifically Section 161 and 162, which deals with the extension of authorization of appropriations for the Higher Education Facilities Act of 1963.

I am extremely pleased to find that the bill does extend the program for a five-year period. The Higher Education Facilities Act of 1963 and its amendments have been an extremely important factor in the development of Rhode Island Junior College and the permanent facilities to house the exploding enrollment demands being placed upon us. We at Rhode Island Junior College feel that this portion of the bill is vital in the continued development of the Rhode Island Junior College State System.

I would also like to extend my full support of S. 659 and especially Section 142, which pertains to your new Educational Opportunity Grant Program. I feel that your work towards greater financial assistance to students desiring to enter higher education deserves every acclamation and support. As you no doubt are aware, we at Rhode Island Junior College feel that public higher education should provide an opportunity for open door education at the junior college level. Eliminating the financial barrier is a very important part of this educational plan.

Thank you again for the information regarding the proposed higher education legislation and also for your continued support and goodwill toward Rhode Island Junior College.

Respectfully yours,

R. G. Henderson

Robert G. Henderson
Dean of Administration
and Development Officer

RGH/lm

May 18, 1971

The Honorable Claibourne Pell, Chairman
Subcommittee on Education
United States Senate
Washington, D.C. 20510

Dear Senator Pell

When I wrote you April 16 to thank you for placing my statement on higher education contained in my letter March 26, 1971 in the printed hearing record, I overlooked one detail.

I would greatly appreciate my statement being preceded as follows:

"Mr. Chairman and Members of the Subcommittee:

On behalf of the American Association of Junior Colleges which I serve as chairman of its Commission on Legislation, I appreciate the opportunity for testimony which your Subcommittee has provided President William F. Flanagan of Rhode Island Junior College, Chancellor Dana Hamel of the Virginia Community College System, and Chief Executive Officer J. Harry Smith of Essex County College on April 1, 1971, with whose testimony I concur and am pleased to be associated.

I have had further the privilege of representing the American Association of Junior Colleges in a panel statement by higher education associations, March 30, 1971, before the Special Subcommittee on Education in the U.S. House of Representatives and which panel statement represents also the American Association of State Colleges and Universities, American Council on Education, Association of American Colleges, Association of American Universities, Association of Urban Universities, National Association of State Universities and Land Grant Colleges and the National Council of Independent Colleges and Universities. This panel statement was also submitted before your subcommittee on April 1, 1971. Mr. Chairman, it is a privilege to join with the above associations in commending you and your committee for the important support which you give to higher education and vocational education.

It is to some particular problems of underwriting effective and relatively costly programs, especially in colleges where students themselves can pay only a small portion of the cost, that I address myself to in the following statement [my letter to you March 26, 1971]. I believe this statement to be significant for many private colleges and especially private junior colleges who are providing effective and relatively costly programs serving primarily needy students."

I will appreciate insertion of the above at the head of my March 26 letter if the record is still available for this insertion.

Very sincerely yours,

William S. Hayes

William S. Hayes
President

APPENDIX III.—Title I, Higher Education Act

NATIONAL UNIVERSITY EXTENSION ASSOCIATION
SUITE 360
ONE DUPONT CIRCLE
WASHINGTON, D. C. 20036

Telephone
(202) 659-3220

March 31, 1971

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University of Washington
Council for Educational Services and Media

The Honorable Claiborne Pell, Chairman
Subcommittee on Education
Committee on Labor and Public Welfare
United States Senate
New Senate Office Building, Room 4228
Washington, D. C.

Dear Senator Pell:

In accordance with your request, we are pleased to submit the attached statement on Title I, Higher Education Act, and the student assistance program in lieu of oral testimony.

You will note that we strongly endorse S. 659's thrust to amend Title I and we have made additional recommendations in keeping with the changes in S. 659.

We also strongly urge you to consider amending the student assistance provisions of S. 659 to include part-time students who have too long been discriminated against.

We are joined in support of this statement by the American Association of Junior Colleges, the Association for University Evening Colleges and the National School Boards Association.

Our staff will be pleased to work with you or your committee staff on any of the recommendations contained in the statement.

Sincerely yours,

Robert J. Pitchell
Executive Director

May 9-12, 1971—Fifty-sixth Annual Conference—Portland, Oregon

Statement of Robert J. Pitchell

Executive Director, National University Extension Association

before the

Subcommittee on Education

Committee on Labor and Public Welfare

United States Senate

Submitted March 31, 1971

Mr. Chairman and Members of the Committee:

This statement is presented on behalf of the following associations who have a vital interest in Title I of the Higher Education Act as it relates to continuing education and community service programs at institutions of higher education.

American Association of Junior Colleges
Association of University Evening Colleges
National School Boards Association
National University Extension Association

Mr. Chairman, we appreciate very much your courtesy in providing the opportunity to present our views to the committee on extension of this legislation.

The members of this committee are well aware of the need to amend Title I of the Higher Education Act. S. 659 is the first major effort to effectuate important changes in that title. We applaud and support that effort. We would also respectfully suggest other changes which we believe will provide additional thrust to the amendments in S. 659.

In a sense, Title I is at a crossroads. Everyone agrees that the program has suffered from malnutrition and, as a result, impact. Three factors have contributed to this situation. First, not enough institutions have been involved. An average of 627 institutions have participated each year since the program began in 1966 (Appendix Table I), or about 25 percent of a total of approximately 2,500 institutions of higher education in the United States. Not all institutions of higher education in the United States have capabilities to carry out Title I programs, but far more have such capabilities than we had previously thought. For example, comprehensive surveys were made of institutions of higher education in Pennsylvania in 1968 and 1969 (reports attached). These surveys revealed that in 1968, 89 out of a total of 133 reporting institutions (67 percent) carried out continuing education programs in the state on their own. In 1970,

this proportion increased to 79 percent or 115 institutions with such capabilities out of 146 existing institutions. Contrast this with the average of 20 Pennsylvania institutions which participated in Title I programs during these years.

Other data support the Pennsylvania experience. Out of a total of 1,071 community colleges in the country, 852 (or 80 percent) report ongoing continuing education and community service capabilities. Only 108 of these participated in Title I projects last year. Similarly, all 69 campuses of the State University of New York have ongoing continuing education programs, but only two received Title I grants in 1970. The same is true of other major state systems and multi-campus universities.

This underutilization of available institutional resources has reduced the ability of Title I to make the impact expected of it by the Congress. Appropriations committees have often denied adequate funding for the program because it was claimed that the program was not making the expected impact, yet its impact was limited by appropriations at a level which resulted in the serious underutilization of available institutional resources. A way out of this impasse must be found.

A second reason why Title I has not provided a durable system for satisfying community service needs arises from the fact that the current system requires the submission of annual project proposals to designated state agencies. No institution has any assurance of continuity from year to year, nor do the divisions within any institution have such assurance. For example, Institution X may get a grant this year, but not next year; or within Institution X, the political science department may receive a grant this year; next year it may be the sociology department or the extension division. As a result, no substantial impact is made upon building continuing

institution-wide competence and commitment to community service activities.

This lack of administrative and program continuity seriously diminishes both the efficiency and effectiveness of institutional impact upon community problems. Compare this system with the highly successful agricultural extension service which has been able to professionalize its staff and provide unbroken service to meet the needs of agriculture and agribusiness for more than 55 years. A major reason for that record is the unbroken annual funding of the same institutions to plan and carry out programs to meet changing needs.

A third factor in the current situation is the lack of a specific mandate in the statute for the states and participating institutions of higher education to attack community problems of high national priority. The program was designed to assist in the solution of community problems as perceived by local community leaders and institutions of higher education. In most cases, the system, as intended, has identified a series of local problems and solutions which were tailored to individual community needs. Under the current system, therefore, there has been little or no chance that all states would identify and attack the same problems of national concern in a coordinated way. As a result, it has also been extremely difficult to compile meaningful data on accomplishments which reflected Congressional concerns about national problems and program priorities.

Mr. Chairman and members of the committee, we believe something can be done to correct these deficiencies. The associations supporting this statement would like to suggest for your consideration several changes in the structure of the program which will not only make it more reportable, but, more importantly, will also better enable it to come to grips with priority state and national problems

which are of most concern to Congress and the people of the states.

1. Expand the Program to Incorporate Unused Institutional Capabilities

The first step must be to involve more institutions of higher education in the program. This will not only bring more resources to bear on community problem-solving, but will also provide broader geographical coverage by local institutions and their own communities. This cannot be done by thinning out current appropriations among two or three times the number of participating institutions. (The average Title I project grant since 1966 has been only $13,815. Appendix Table I) Nor can it be done through the annual project proposal method Participating institutions must have minimum basic support in predictable amounts each year in order to maintain administrative continuity in an efficient manner. We, therefore, propose that each participating institution be eligible to receive a basic grant of $25,000 annually. This should not be an institutional or block grant to be spent as the institution desires. Rather, the basic grant should have the following conditions and requirements:

a. It should be awarded to institutions which have a commitment to continuing education and community service. That commitment should be measured by a 30 percent matching requirement along with a maintenance of effort criterion.

b. It should be awarded to those institutions which agree to participate in state and national priority programs as identified in the state plan (see below). This requirement would be crucial to the success of the proposed Title I program.

In other words, the basic grant program would assure continuity of funding to participating institutions without the inefficiencies and inadequacies of annual project proposals or the uncertainty of the proposal approval process.

At the same time priority programs as determined by the Congress or the state plan would have institutional resources available

for implementation without additional effort.

2. Identification of State and National Priorities

As a second step, in order for the system to work, the State plan should involve two program elements which have not been specifically required heretofore. Each state plan should have to identify at least one state priority which is sufficiently broad in scope to require institutional involvement throughout the state. The state plan should also have to include national priorities which are determined by Congress, or with its approval, the Office of Education, as administering agency.

If, for example, Congress or the Office of Education would determine that drug abuse and environmental education are priority concerns next year for extension and continuing education at institutions of higher education (as they actually did in separate legislation passed last year), each state would have to incorporate drug and environmental programs in its state plan. And if the State of California were to identify community planning for floods and earthquakes as the top state priority, it too would become part of the California state plan. Each of California's participating institutions' $25,000 basic grant would have to be used to carry out its share of state and national priorities in its state plan. Additional funds would be available through the existing process for institutions having greater outreach or with capabilities for special programs other than state and national priorities.

If these changes are adopted, Title I would be better able to attack previously identified and planned program priorities and be able to attack them on statewide and national bases. Its achievement, or lack thereof, would be reportable in more meaningful ways than heretofore.

The authorization for this basic grant program should either be open-ended or in the neighborhood of $50 million. In the first or

second year we estimate that approximately 1,500 institutions would participate at a cost of $37,500,000. If eventually 80 percent of the 2,500 institutions of higher education in the country were to participate, the annual cost of the basic grant program would be $50 million.

3. Special Planning Funds

The crucial role of the State plan in carrying out Title I priority programs leads to our third recommended change: the need for an additional investment in preparing the plans. In the larger states--in which as many as 100 or more institutions may participate--staff time for the creation of a viable state plan is in the order of man/years rather than man/weeks or man/months under the current system. Plans would probably have to be regionalized in New York, California and other large states, and travel costs would be involved for institutional representatives. For these reasons, we propose that $5,000,000 be allocated annually for State planning (without matching requirements)--the funds to be divided in accordance with the current formula for all program funds, i.e., the larger population states would get proportionally larger planning funds. Appendix Table II provides the breakdown per state for planning funds using a distribution formula similar to the one currently used. States that are able to save planning funds should be authorized to use them for program purposes.

4. National Program Priorities

Our fourth recommendation concerns national program priorities. Congress, with its greater sensitivity to grass-roots needs, is in the best position to determine national program priorities. S. 659 takes two approaches to this. First, it authorizes $5,000,000 for programs in standard metropolitan areas; secondly, it authorizes an allocation of ten percent of all appropriations over $9.5 million to USOE for national and regional problems relating to urbanization, technological

and social changes, and environmental pollution. We applaud this vital change, but are concerned about the uncertainty of the appropriation under the ten percent provision in S. 659. We respectfully suggest that categorical programs be explicitly identified and provided with specific funding authorizations.

In addition to the $5 million authorization for standard metropolitan areas in S. 659, we would recommend that $5 million each be authorized for problems relating to technological and social changes and environmental pollution in lieu of the ten percent authorization.

Other problems are also demanding attention and must also be considered as national priority programs for Title I. We are all aware that the awakening of women's concerns for equality has raised as many questions as it has resolved. We all need further exposure to, and analysis of, these problems through community-based educational programs. A $5 million Title I program would enable institutions in every state to begin this dialogue.

From Chief Justice to police officer, from social worker to warden, from university administrator to political leader, the level of consciousness and concern for inmates of correctional institutions has magnified recently. Many institutions of higher education have conducted correspondence and extension courses for inmates in the past, but much remains to be done. A Title I program funded at the $5 million level would not only involve more local institutions but enable states to cover all correctional institutions in a systematic way.

Finally, one of the greatest concerns of continuing education administrators today is the lack of adequate counseling in educational and occupational objectives for part-time students. Funds simply are not available for this assistance at a time when the part-time student is coming into his own, not only in Washington but at state

and local levels. This committee and the Congress could make a major contribution to the part-time student by authorizing $5 million to initiate this program through Title I.

We believe that these categorical funds should not be subject to matching requirements because it would be an unreasonable burden on Title I institutions. Of the sixteen major continuing education programs newly enacted or extended by the last Congress, only one--the Law Enforcement Program--requires a ten percent match. The Arts and Humanities Program has some Federal matching for private contributions and some matching is urged but not required in their public programs. The Corporation for Public Broadcasting also has Federal matching for some private contributions. But all of the other categorical programs have 100 percent Federal funding.

Distribution of categorical funds should be made in accordance with a separate formula for each category. Mr. Chairman, our staffs would be happy to work with your committee staff to provide suggestions on specific formulas if you desire.

5. Special State and Local Needs

In addition to the programs proposed above, we recommend that a $10 million authorization be maintained for special state and local projects with a 30 percent local matching requirement. This authorization would in effect continue the current program. It would allow the strengths of the current program to be realized while the amendments proposed above are adding new strengths.

6. Student Assistance for Part-time Students

As a final recommendation, we refer to the provisions of S. 659 on Student Assistance. At the present time, student assistance programs apply only to students in full-time attendance. It would almost seem to be unnecessary that we bring to the attention of this committee that the part-time student has been discriminated against long

enough. A large number of them are part-time because of the necessity to earn a living for themselves or their families. We need only apply the same eligibility tests to part-time as we do to full-time students to end this unjustified discrimination.

In conclusion, Mr. Chairman, the members of the committee have an opportunity to create new and significant dimensions for continuing education and community service programs in this country. The changes we have recommended for Title I will enable us to involve public and private, large and small institutions in an attack on our common problems--an attack that will be made not in isolated geographic areas or for limited clientele groups but for the people in each community, county and state where need exists.

APPENDIX TABLE I

PROJECT GRANT SIZE 1966-1970

COMMUNITY SERVICE AND CONTINUING EDUCATION PROGRAM

Title I, Higher Education Act of 1965

	FY 1966	FY 1967	FY 1968	FY 1969	FY 1970
Federal Dollars Obligated to Projects	$8,352,600	$8,772,896	$8,778,085	$8,503,991	$8,578,624
Number of Projects Conducted	548	602	721	653	610
Average Amount of Federal Dollars Per Project	$15,242	$14,572	$12,175	$13,023	$14,063

Average Amount of Federal Dollars Per Project, 1966-1970 = $13,815

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APPENDIX TABLE II

TABLE OF STATE ALLOTMENTS: $ 5,000,000.00 by Formula*					
TOTALS					
1. Alabama		92,563			
2. Alaska		53,260			
3. Arizona		69,231			
4. Arkansas		73,699			
5. California		274,696			
6. Colorado		73,797			
7. Connecticut		84,554			
8. Delaware		56,141			
9. District of Columbia		59,792			
10. Florida		120,768			
11. Georgia		103,613			
12. Hawaii		58,669			
13. Idaho		58,462			
14. Illinois		179,924			
15. Indiana		109,742			
16. Iowa		83,675			
17. Kansas		77,447			
18. Kentucky		88,742			
19. Louisiana		93,467			
20. Maine		62,039			
21. Maryland		93,149			
22. Massachusetts		115,457			
23. Michigan		151,548			
24. Minnesota		93,491			
25. Mississippi		78,193			
26. Missouri		104,846			
27. Montana		58,584			
28. Nebraska		67,814			
29. Nevada		55,299			
30. New Hampshire		58,217			
31. New Jersey		132,794			
32. New Mexico		62,381			
33. New York		271,070			
34. North Carolina		110,255			
35. North Dakota		57,961			
36. Ohio		175,040			
37. Oklahoma		79,889			
38. Oregon		73,663			
39. Pennsylvania		191,426			
40. Rhode Island		60,879			
41. South Carolina		81,135			
42. South Dakota		58,376			
43. Tennessee		97,007			
44. Texas		179,314			
45. Utah		62,136			
46. Vermont		54,933			
47. Virginia		103,967			
48. Washington		86,299			
49. West Virginia		72,161			
50. Wisconsin		100,548			
51. Wyoming		54,029			
52. Guam		13,428			
53. Puerto Rico		44,648			
54. Virgin Islands		13,025			
55. American Samoa		12,757			

*Formula consists of a basic amount to 50 States and D.C. of $ 50,000 and $12,500 to American Samoa, Guam, Puerto Rico and the Virgin Islands. The balance is distributed on the basis of total population, July 1, 1966.

Statement of the Public Members
Of the National Advisory Council on Extension and Continuing Education

We are pleased to submit this statement in support of Title I of the Higher Education Act. We believe Title I is an effective mechanism for combining local initiative with Federal funds. It is based on the sound realization that many of our severest problems must be attacked at the community level. It rests on the belief that remedies cannot come solely from governmental sources or through governmental channels. It has the singular virtue of great flexibility which permits it to serve a wide variety of program purposes. And it brings about a collaboration between educational institutions and communities which strengthens them both in their capacity to understand and to deal with problems of high relevance and acute importance.

The problems which Title I programs are designed to combat are numerous and important. Among them are the various problems which threaten health and safety, violate our value system, or impair the ability of our society to provide all of its members an improved quality of life. Other approaches toward solving the problems of housing, health, unemployment, crime, drugs, or poverty are patently more massive in terms of the level of funds expended or the numbers of persons involved; but they neither detract from nor substitute for the Title I approach. This approach, with its emphasis on building local and State capacity to cope with issues of local, State and national importance, deserves to be continued, strengthened and refined.

The kinds of problems with which Title I is concerned are neither transient nor ephemeral. We can expect that national concern about them will remain high for many years; indeed, most of these problems are not susceptible to a final solution. As a result, we urge this sub-committee to extend Title I for a period of five years. This will eliminate the drag of uncertainty and will also provide an adequate time perspective against which annual State Plans can be conceived and responsive programs developed.

Title I programs should be strengthened and refined in several ways. Basically, this will require higher funding, better administration and expanded opportunities for more institutions to enter into constructive partnership with communities and with statewide and regional efforts. Large-scale projects of high merit are today automatically excluded by the need to distribute widely the limited funds available; many institutions with the desire and the capacity to participate are similarly excluded because of severe limitations on funds. We are confident that the substantial success of programs funded at small fractions of authorized levels can be converted into successes of major significance through retention of an authorization of at least $60,000,000 and full funding.

Concurrently, the structure established in each State to prepare and to administer State Plans under Title I should be strengthened by channelling through it additional program responsibilities authorized by other statutes. Whenever the existing structure is by-passed, duplicated or subordinated to another level of Federal review and control,

it is prevented from developing further strength and attaining its fullest potential. Studies recently begun under our auspices will highlight this problem in ways which can lead to improved planning, more effective administration and better program results. We expect to place the results of these studies before Congress and the Executive Branch early next year.

In addition, improvements in State planning will provide educational institutions with more definitive objectives against which they can commit their resources and concentrate their efforts. Since the ultimate success of Title I programs depends on the ability of these institutions to participate effectively, continued emphasis should be placed on strengthening institutional and inter-institutional capabilities in ways which will make them increasingly effective instruments of social progress. Of particular importance is the need to give institutions which have demonstrated their competence and concern some stable and minimal advance of funds against which they can develop their programs and organize their efforts.

Finally, Title I program efforts can be strengthened by authorizing the Commissioner of Education to expend up to ten percent of the sum appropriated annually on national and regional demonstration projects. Such projects would be operated by individual institutions or consortia and would be designed to test new programs, new concepts and new approaches. The importance of such demonstration projects is directly due to the complexity of the problems Title I addresses. We need to know more about these problems and to find new approaches and new

remedies; experimentation, innovation and analysis are a necessary prerequisite to obtaining a better understanding and a better range of solutions.

While the thrust of our remarks emphasizes the continuing need to strengthen and improve activities under Title I, we wish to reaffirm that these programs have had important impact on a wide variety of human, social and environmental problems. During Fiscal Year 1970, eighty-two projects in twenty-nine States were concerned with environmental and ecological problems. Over $700,000 in State and local funds were matched with $1,073,000 of Title I support to underwrite these projects. In Idaho, Maine, Minnesota, New Hampshire, North Carolina, Vermont and Washington, emphasis was placed on broadly acquainting citizens with environmental problems. In Vermont, an award winning film, A Thousand Hills, was produced with Title I support. Maine's 1970 program concentrated on air pollution as a sequel to previous citizen education efforts on water pollution which culminated in a $50,000,000 statewide bond issue designed to help solve water pollution problems.

Problems of inner-city decay were the concern of thirty-five projects conducted in forty-five Model Cities areas. In addition to cities previously reached by Title I programs, during Fiscal Year 1970 projects were developed in Perth Amboy, Philadelphia, Little Rock, Fargo, Boise, Richmond, Norfolk, Winston-Salem, San Diego, Indianapolis, Kansas City, St. Louis, Dayton and Syracuse. These projects ranged from employment skills training in Fargo, North Dakota to seminars on race relations in Syracuse.

Every State during Fiscal Year 1970 had one or more Title I projects focusing on problems of disadvantaged persons or groups. The scope and range of these projects include business and leadership training for blacks in the District of Columbia, Kansas, Mississippi, and Connecticut; continuing education workshops for American Indians in Arizona, California and Alaska; special courses for Mexican-Americans in California, Cubans in Florida and Puerto Ricans in New York, Illinois and Connecticut. In addition, projects emphasizing remedial education for disadvantaged youths and dropouts in New Mexico and Florida, special extension courses for convicts in Connecticut, South Carolina and West Virginia and training programs for hard-core unemployed in North Dakota and Oklahoma were conducted during 1970.

Finally, programs bearing on health, drug abuse, alcoholism, crime and delinquency were conducted in many States and localities under Title I sponsorship. Georgia's program trained resource people for community drug abuse programs. In Maryland, a consortium of community colleges conducted a statewide symposium on drug abuse. Hawaii sponsored a seminar of lawyers, teachers and youths on juvenile delinquency. Kentucky developed an in-service training project for juvenile delinquency counselors and Ohio held a seminar on juvenile delinquency for 100 elected local government officials.

Twenty States began forty-five projects designed to improve community and personal health standards. Included among these projects

were programs to train medical technicians, nurse's aides and public health administrators. Educational programs for parents of retarded children and research and educational programs on alcoholism were also initiated under Title I.

Few of these programs were of magnitudes which attract national attention. Many of them were designed to change attitudes, build awareness or impart skills in ways which do not readily lend themselves to quantitative assessments of success. In combination, however, they are a vital addition to the range of techniques, processes and activities necessary for repairing damages to our society and for strengthening it to withstand future stresses and patterns of change.

In recognition of your full agenda and busy schedule, we are submitting this written statement in lieu of oral testimony. Should you wish a more detailed statement, clarification or substantiation of our views, we will be pleased to oblige.

APPENDIX IV.—Title II, Higher Education Act

AMERICAN LIBRARY ASSOCIATION

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June 14, 1971

Hon. Claiborne Pell, Chairman
Subcommittee on Education
of the Senate Labor and Public Welfare Committee
Room 4230 New Senate Office Building
Washington, D.C. 20510

Dear Senator Pell:

This is in response to the invitation of the Education Subcommittee to the American Library Association to comment on S. 659, the Education Amendments of 1971, sponsored by you and several of the Subcommittee Members. These remarks should serve to supplement the testimony presented before the Subcommittee on July 22, 1970, on HR 3474 and related measures.

In our opinion, S. 659 is an excellent bill and is giving rise to considerable interest and anticipation among those who are concerned with the operation of programs authorized by the Higher Education Act of 1965 and related higher education activities.

First, I shall comment on some of the provisions amending the existing HEA Title II program - College Library Assistance and Library Training and Research - included under Title I-B of S. 659 (pp. 7-12).

We are very much pleased that the bill authorizes a five-year extension of the Title II programs, which will give participants and those administering it an opportunity to plan ahead with some assurance of continuity. However, I believe that it would strengthen the bill if there were an amendment added on p. 8 under subsection (b) to provide for a 10 percent increase in authorization for each of the five years. This would take into account the current annual increase in the cost of education. In addition, I believe it would further improve the legislation to include under section 201 (b) the specific amounts represented by the 10 percent increase. This would be of substantial assistance in obtaining appropriations since the authorized amounts reflect the opinion of the committee which has considered the purpose, need and justification for the program.

Accordingly, I suggest that the following specific amounts be inserted under section 201 (b) on p. 8, line 3, after "1972":

> "$131,300,000 for the fiscal year ending June 30, 1973; $132,613,000 for the fiscal year ending June 30, 1974; $133,939,130 for the fiscal year ending June 30, 1975; and $135,278,521 for the fiscal year ending June 30, 1976."

Speaking more generally, the American Library Association believes that the higher education bills before the Subcommittee (S. 659 and S. 1123) are important to all of the higher education community, not alone to college and university librarians. The library is the very heart of the campus, as has been so often observed, and as we know from our own scholarly endeavors. The library serves the student and his teacher. It preserves and transmits knowledge and also facilitates the acquisition of new knowledge and insight. The role and value of the library is so well understood that for decades it has been one of the primary measures by which

the strength of an institution of higher education has been judged. It is not the sole assurance of high quality, to be sure, yet it is a key index or gauge by which colleges and universities may be ranked.

For this reason, we do not regard the bills before you as categorical or narrow-purpose legislation. They should be considered, instead, as broadly focused measures that will strengthen every department of a college or university. They come as close to being general assistance to higher education as any other bills before this Committee.

Next, I should like to observe that the needs of college and university libraries for continued and expanded assistance are not quantitative needs alone. It is true that most libraries are deficient in the number of books, periodicals, and other materials on their shelves. One reason is the staggering increase in enrollment. A second is the very rapid rate at which publishing has increased. Another is the rising cost of the materials that must be purchased. A fourth, of course, is the number of new institutions whose libraries must start from scratch, as it were. As you know, community or junior colleges are opening their doors at the rate of one per week.

These quantitative needs aside, however, libraries must keep pace with the changes in the college curricula. There is a renewed interest in ecology, for example, which has been met by issuance of new books and journals. There is a new and long-overdue interest in the history and status of black Americans, which has also been met by the publishers. On many campuses, also, there is greater emphasis on independent study, as in the so-called "honors programs", for example. More young people are returning to college, and more adults are being enrolled. These students, too, depend heavily on the library rather than relying on their instructors for "spoon feeding" through the textbook or formal lecture.

We believe that the bills before the Subcommittee reflect the current trends in higher education. The aid they propose could be used to strengthen the college and university libraries to meet the needs they are presently addressing. Although we are making specific suggestions with respect to certain provisions of these bills, we want to make it clear that their sponsors have our gratitude for their understanding of the importance of the library to the future of higher education and for their appreciation of the very pressing needs of the college and university libraries.

We support the continued authorization of the basic, the supplemental, and the special purpose grants for library resources (Title II, Part A, College Library Resources). We propose retention of the matching and maintenance of effort requirements for eligibility for basic grants, with the Commissioner of Education given authority to waive the maintenance of effort requirement in certain cases. Both these requirements impose a discipline on the recipient institutions that we have found to be salutary. They have been responsible for increased institutional support of libraries that has accompanied the Federal assistance, and we would like to see both continued.

We cannot agree with the contention of the Administration that the basic grants of $5,000 each have had only "a marginal effect." A majority of the 2,200 institutions of higher education are smaller institutions, about half of them being community colleges. Many of the two-year institutions spend $1,000 or less for new library materials. A grant of $5,000 that must be fully matched, dollar for dollar, with no diminution of expenditure elsewhere, can obviously do a great deal to strengthen these libraries. This has, in fact, happened. We sent a questionnaire to some 2,200 institutions of higher education, representing colleges and universities of all sizes and types in all of the 50 States. To an overwhelming degree, the replies indicate continued need for grants and a willingness to match them.

The large institutions require supplemental grants, and the special purpose grants are notably useful to the new institutions and others with unusual needs or opportunities for conducting joint projects, such as cooperative processing centers, information exchange networks and others.

We recommend, therefore, that the legislation provide for basic grants of $5,000 with a matching requirement and assurance that these grants will have first priority in the allocation of the appropriation. We strongly support the provision for $20 for supplemental grants in S.659, with the funds allotted among them on the basis of a simple formula, like enrollments. Special purpose grants should also be provided, but these should be limited to a quarter or less of the total appropriation in our view. Maintenance of effort should be required and the Federal funds should be matched in a ratio of one dollar from the recipient for every two from the Federal appropriation. However, we support the amendments in S. 659 which would permit the Commissioner to waive these requirements in unusual circumstances.

Turning now to the assistance for library training and research (Title II, Part B, Training and Research Programs), that would be authorized by the bills before you I should like to call to your attention the unanimous resolution of the Library Education Division Board of Directors at its meeting in Los Angeles on January 18, 1971. By this motion, the librarians most closely concerned with this program "went on record as urging strongly that a program of professional graduate library education and training be continued under the Higher Education Act, Title II-B, with explicit provision for fellowships, scholarships and continuing education, for adequate support for participants and institutions in all three phases of the program, and for greatly increased funding."

This recommendation, too, is based on experience with this program. I should like to submit for the record, with your permission, an analysis and excerpts from the replies we have received in response to a 1971 questionnaire submitted to the colleges and universities to collect information about the impact of these programs. (See attachment.)

Whatever the authorization adopted by the Committee for Title II-B, we think it extremely important that at least half be reserved explicitly for fellowships. Institutes are significant, and short-term training is very useful, but continuation or expansion of the fellowship program is essential. The accredited graduate library schools have no undergraduate training programs. They require a bachelor's degree for entrance. Hence they compete for talent with other graduate schools. The student with a bachelor's degree in science or another discipline may be offered a teaching fellowship during his graduate studies, but the library school cannot provide this opportunity. It must be in a position to offer fellowships, therefore, if the well-qualified student with a sound preparation in the liberal arts or the natural or social sciences is to be recruited for librarianship.

The graduate library schools should not be placed at a disadvantage by their lack of fellowships. Fully trained and experienced librarians are still in demand. One or more is required for each of the new community colleges, if accreditation is to be secured, no matter how many paraprofessional aides available. The fellowships are vital also because they provide the faculties of the library schools themselves, which in turn train the librarians of the future as they prepare the paraprofessionals and provide in-service training and continuing professional education for other librarians.

For the 1971-72 academic year alone, colleges and universities have 232 librarian positions that are budgeted but unfilled. Of the 47 graduate library schools from which we requested information, 37 replied, indicating that in total they could use

funds for 924 candidates for the Master's degree, 140 post-Master's degree students, and 189 Ph.D. candidates - all qualified individuals in need of financial assistance. This is one measure of the extent of the need, yet under the current legislation and appropriations, little more than one-third of the fellowships for which library schools have applied have been funded.

With the foregoing in mind, I call attention to section 221 of S. 659, on page 10, under "Training and Research Programs", where no stipulation is made concerning the type of training programs. This would leave the decision to the Office of Education as the administering agency, as is the case in the existing law. Prior to this year, the funds have been divided between fellowships, institutes, workshops, etc. This is in accordance with the intent of the law, as made clear by the Senate report on the original Higher Education Act of 1965 (S.Rept. 89-673, p. 27):

> Title II, part B, of the present bill will offer not only an expanded program of summer library institutes but also regular sessions and short-term programs, fellowships and traineeships.

This arrangement has been of great benefit to libraries and the public they serve by not only making it possible for many needy students to secure training but also attracting highly capable students to the profession and enabling outstanding students already out in the field to return to school and undertake doctoral studies.

Now, for FY 1972, the Office of Education has decreed, contrary to the intent of the law and without consulting with your Committee or with people in the field, that all money must be devoted to the institute program and that fellowships must be phased out. Moreover, the institutes will not be devoted to continuing education in librarianship as in the past, but rather to programs for individuals reaching down as far as the high school to acquaint them with library work and possibly to train some for clerical positions in libraries.

Library school educators do not believe institutes are a satisfactory vehicle for training for entrance to the profession - their function is chiefly continuing education - and we particularly object to diverting all of the funds into one specific type of training concerned with Federally stated objectives irrespective of the particular needs and capabilities of the institutions themselves, while at the same time doing away with a fine fellowship program which has proved its worth.

Accordingly, I strongly recommend that the language of Section 221 on page 10 of S. 659 be amended to provide that at least half of the 66 2/3 percent earmarked for training be devoted to fellowships for training in library schools.

We recommend that the legislation continue explicit authority for library research. Frankly, our fear is that this important area will receive insufficient consideration if it is to be supported under the general authority of the US Office of Education to support research. We appreciate the desire to reduce the number of statutes and achieve a superficial symmetry, but we submit that it is much more important to make sure that productive programs are not extinguished by administrators who may be less sensitive to their significance than the Senators who authorized and supported them.

For much the same reason, we cannot support the proposed transfer of the library training programs to the Education Professions Development Act, as proposed in S. 1123. Again, our foreboding is that insufficient consideration will be given to the fellowship program. As yet, the EPDA does not deal with any other graduate training program. Its administrators, although capable, have no experience with programs of this kind. We believe there are valid reasons for keeping administration of the

graduate fellowship programs in the Bureau of Libraries and Educational Technology, and we submit that there are no compelling reasons for following a different and untried course with respect to graduate training of librarians.

Finally, we support continuation of Title II, Part C, of the present law, which authorizes the program of the Library of Congress for the acquisition and cataloging, in behalf of college and university libraries, of valuable materials that are published throughout the world. This invaluable work should, of course, be done centrally as it is beyond the competence of any other library in this country. This is a very important program, not only because of the increasing importance of developments in all parts of the world to our people, but also because of the great increase in publishing throughout the world. In many fields, it has been estimated, the size of the collection must be doubled every decade to keep abreast of the literature. Many of our college and university libraries are equalled but unsurpassed by any others. We must take care that their strength is undiminished, and the Library of Congress program is strong assurance that valuable foreign publications will continue to flow to them.

I wish to express my sincere appreciation for your interest and support of libraries and higher education. We are all indebted to you and I appreciate particularly the opportunity to offer my comments on this very important bill. We will assist in its passage in any way we can.

Sincerely yours,

Germaine Krettek

Germaine Krettek
Director

GK:ebl

Ateachment

Excerpts of Replies from Library Schools
on the Significance of HEA Title II-B Training Funds

The Library Schools are still having difficulty in locating faculty members who hold the Ph.D degree. I believe this situation will exist for the next 10-15 years, as a number of those who presently have the degree will be retiring. (University of Southern CALIFORNIA)

We continue to receive inquiries about availability of Title II-B Masters' Level Fellowships, particularly from highly qualified persons. Though institutional support for financial assistance has been steadily increased, these funds do not permit the awarding of both tuition fee grants and stipends of such amounts to attract the applicants who are strongly competed for by other professions. We feel the discontinuance of Master's degree fellowships will have an unfortunate effect on maintaining high quality library school student bodies, necessary for the functioning of education process at the most desirable level. Moreover, we feel, the long-range effect on librarianship of loss of this support will be serious, eventually affecting adversely the quality of library service received by the American public.(Emory University,GEORGIA

We will probably lose all of our fulltime Ph.D. fellows, as it is very hard for students to spend three full years in school (after the Bachelor's degree). As a result it will prolong the period of study for candidates who can attend on a part-time basis only and we will be unable to recruit candidates into this field since salaries later never really repay the financial investment. (University of Southern CALIFORNIA)

The doctoral program will be almost completely destroyed. (University of CALIFORNIA, Berkeley)

Serious curtailment of ability to attract some of the best applicants, because of cost of training. Will especially affect the disadvantaged applicants. (Catholic University, DISTRICT OF COLUMBIA)

This is a predominantly Black library school, and 90% of the Black students who apply can only enroll if they can secure substantial financial assistance. The cutback in HEA Title II-B training funds will stop the flow of high calibre Black students in the Atlanta University School of Library Service. Wtih the present economic conditions in the country, the matter of financial aid for Black students is more acute. (Atlanta University, GEORGIA)

It will seriously reduce our ability to attract outstanding students. (University of ILLINOIS)

In light of rising educational costs, the elimination of the Fellowship Program at the masters level will severely limit our ability to recruit graduate students, particularly those from minority groups, on a competitive basis. At the doctoral level. elimination of the Fellowship Program will vastly diminish both the size and quality of the pool of available talent to fill anticipated teaching vacancies in this School. (Simmons College, MASSACHUSETTS)

Attachment

Very few, if any, doctoral students will be able to attend the University on a full-time basis. Instead of being able to complete the degree in three years, they will require from 5 to 10 years. Those with heavy family responsibilities will not be able even to begin doctoral study. At the Master's level, where out-of-state tuition alone amounts to over $2,500 for the year of residence required, dozens of students from low-income families, especially Blacks, will be unable to attend library school. None of the four Blacks currently receiving Title II-B fellowships (2 Master's and 2 Doctoral) would be enrolled without these fellowships. (University of MICHIGAN)

A new doctoral program, authorized for fall, 1970, can probably not be successfully launched. At the master's level, we will lose highly desirable students to other schools of other subject fields. (North TEXAS State University)

It will keep many worthy young women (some widows with children) from attaining a professional degree and thereby be able to support themselves and family. (TEXAS Woman's University)

The institutes will probably attract those who are interested in the immediate problems of the time and who are more vocational in their orientation, whereas the fellowships attract those who are more professional in their planning and who plan to make a permanent commitment to the profession. (University of Southern CALIFORNIA)

The Institute program which may be required to be highly specialized may not serve adequately to prepare librarians who are entering the profession for positions of leadership in broad areas of librarianship. It may be difficult to recruit new people to highly specialized programs before they are certain of the areas of specialization they wish to pursue. The Institutes are valuable to provide various degrees of specialization after librarians are generally prepared for the profession and have had some experience and know better their interests and capabilities. (Atlanta University, GEORGIA)

The Institutes have afforded us an opportunity to update alumni and practicing librarians in our area on new developments. They do not, however, make as fine a contribution to the profession as do the fellowships. We have recruited outstanding people for fellowship awards. In our recruiting we have been conscious of selecting students who show creativity and adaptability. In many cases they had a particular orientation toward working in library situations which make a contribution to the disadvantaged. (Rosary College, ILLINOIS)

While institutes have served a useful purpose in the area of continuing library education and have on occasion served as a recruitment device, they have not served to attract a substantial amount of new talent to the profession. The present Institute program does not seem to be designed to attract talent to the library profession, but rather to provide library careers for individuals who lack the academic qualifications to attend institutions of higher education. A fellowship program designed in whole or in part to recruit qualified members of minority groups of library schools would be much more worthwhile than the Institute program. (University of MICHIGAN)

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UNIVERSITY OF WASHINGTON
SEATTLE, WASHINGTON 98105

School of Librarianship

June 18, 1971

The Honorable Claiborne Pell
Chairman, Senate Subcommittee
on Education
United States Senate
Washington, D. C. 20510

Dear Senator Pell:

For several weeks I have been meaning to write to you concerning the bills to extend the Higher Education Act of 1965. I realize we are "down to the wire" on making the final decisions about the revisions of this legislation, and I want to express my enthusiastic support for your bill S. 659 and my opposition to S. 1123 introduced by Senator Prouty.

Libraries in the Northwest as well as students in the School of Librarianship at the University of Washington have benefited from the Higher Education Act, Title II-B in its present format. As a matter of fact, the description of the kind of institutes and fellowships provided by the appropriations over the past 5 years is indicated in the enclosed report which I have forwarded to members of the Washington Congressional delegation. It would be a grave error, in my judgment, to eliminate or transfer Title II-B in the revisions now being considered in the Higher Education Act. The citizens and libraries of our country will benefit more if the training provision is continued as it was in the 1965 legislation.

Let me stress the importance of the financial support for institutes and fellowships. Great good has come from the several institutes provided for in-service librarinns as well as paraprofessionals in the Pacific Northwest from the programs available in our several institutions of higher education. The hundreds of applications for financial assistance generated under the fellowship program have provided many outstanding candidates for the professional positions to be filled. It is particularly important to note that a different kind of student in terms of motivation and subject background has been recruited. The benefits of this kind of librarian in the future use of information cannot be over-stressed.

I would like to speak to the need for doctoral study in librarianship because the problems of recruitment and retention of faculty for library education is still the most severe library problem in the Pacific Northwest. The Ph.D. syndrome which has created a negative reaction in our legislative bodies at the state and national levels must be regarded differently in the profession of librarianship. I have just been examining a recently compiled directory of faculty in the library schools of the United States and Canada. It seemed to me that the average age of the faculty members listed indicates the necessary retirement of most of the

133 Suzzallo Library / Telephone: (206) 543-1794

personnel listed in the directory during the next 10 years. Where will we find replacements? These must come from the doctoral programs under way now in several of the library schools of the United States. The best people will be recruited for doctoral study only with the inducement of fellowship support. May I endorse the language suggested by the American Library Association witnesses before your Committee that the new legislation contain the statement which recommends that 50% of the appropriations for Title II-B (Library Training Program) be allocated to fellowships.

A carbon copy of this letter is being sent to Senator Jackson and Senator Magnuson of my state. I hope that they will communicate their support now and when the legislation is reported to the floor of the Senate for action.

My congratulations and best wishes for your efforts in behalf of education and libraries.

Sincerely yours,

Irving Lieberman

Irving Lieberman
Director

IL:vk

cc: Senator Henry M. Jackson
Senator Warren G. Magnuson

Enclosure

UNIVERSITY OF MARYLAND
COLLEGE PARK 20742

SCHOOL OF LIBRARY AND INFORMATION SERVICES PHONE: (301) 454-3018

June 18, 1971

The Honorable Claiborne Pell
United States Senate
Washington, D.C. 20510

Dear Mr. Pell:

200 years ago one of the great founders of our country stirred the souls of a disenfranchised people by the immortal words "Give me liberty or give me death." 200 years later there remain certain minority groups in this "land of the free," who, if some among them espouse the same uncompromising ultimatum as did Patrick Henry, are branded as "militant" or "revolutionary" with disdainful rejection and suppression.

A few among the profession of Library and Information Services, committed to the improvement of social condition, have attempted to promote what we consider "a third alternative" to violent revolution. This alternative is "information power." Given the various civil rights legislation and court proclamation affecting open housing, fair employment, school integration, etc., there still remains the missing link toward implementation. That is, the access to usable information that will allow the deprived citizen to pursue the full realization of his legislative and/or adjudicated rights.

The most innovative and freshest aporoach to the problem of library services, to the informationally deprived, in the history of the library profession, has emerged during the past year at the University of Maryland, School of Library and Information Services. This Urban Information Specialist Program (Director James Welbourne, Jr., funded by the United States Office of Education for the past fiscal year) is an experimental project that seeks to train "information interpreters" to become advocates in the communities where they practice in identifying problems and applying relevant and usable information to aid in the solution of those communities or individuals' problems. This project has been hailed by renowned innovators in the library profession as a whole and by virtually all noted Blacks among the profession. Unfortunately, for reasons known only to the Bureau of Libraries and Educational Technology, the Office of Education has decided to darken a bright ray of hope (as has been too often the case with minorities self-help programs funded by the Federal Government) by not funding the program for the coming fiscal year, knowing full well that it is still in its embryonic stages.

The preceding representation is further indicative in that the stated priority of the concerned Office of Education was the training of minorities for entry into the profession and the improvement of library services to

minorities and the disadvantaged.

It has come to the attention of the Black Librarian's Caucus of the American Library Association (ALA) that your subcommittee has been asked (by some individuals from the ALA) to write into Title IIB, Higher Education Legislation (S. 659), a guarantee that "at least 50%" of appropriated funds for the fiscal year 1973 be devoted to direct support of fellowships. The Black Librarian's Caucus is in favor of some equitable division of funds. However, we are concerned that the sense of the priorities for fiscal year 1972, as stated in the above paragraph, not be suspended before there is recognizable progress toward alleviation of past neglect (denying or otherwise) of the informationally disadvantaged. The Caucus believes that about 50% of funds for direct fellowship support might be equitable with the retention of existing priorities over all categories of funding.

Thank you for your thoughtful consideration of such vital concern to Blacks and other minorities as well as to the general well-being of our country.

Yours very truly,

Robert L. Wright

Robert L. Wright, Lecturer
and Director of Admission
and Student Affairs

RLW/dhd

(Representing the Black Librarians' Caucus of ALA)

JAMES O. EASTLAND, MISS., CHAIRMAN
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JOHN H. HOLLOMAN III
CHIEF COUNSEL AND STAFF DIRECTOR

United States Senate
COMMITTEE ON THE JUDICIARY
WASHINGTON, D.C. 20510

June 4, 1971

The Honorable Claiborne Pell
Chairman
Education Subcommittee
Committee on Labor and Public Welfare
United States Senate
Washington, D. C. 20510

Dear Mr. Chairman:

Enclosed is the May 25 letter I have received from Mrs. Lois Engler of Bismarck, North Dakota regarding higher education proposals now under consideration by your Subcommittee.

I would very much appreciate your Subcommittee's consideration of Mrs. Engler's views during its deliberations on legislation affecting college libraries.

With kind regards, I am

Sincerely,

Quentin N. Burdick

QNB:hkw

Enclosures

BISMARCK JUNIOR COLLEGE
SCHAFER HEIGHTS
BISMARCK, NORTH DAKOTA

OFFICE OF THE LIBRARIAN

May 25, 1971

RECEIVED
JUN 1 1971
Office of
Senator Burdick

The Honorable Quentin Burdick
United States Senate
Washington, DC 20510

Dear Senator Burdick:

I am enclosing a reprint of a news item from the current Publishers' Weekly which summarizes the status of the current federal library grant program. This is a vital program to the libraries of North Dakota.

As you well know, no library in North Dakota meets library standards. Much improvement has been made under the grant program,however. Our library now just meets basic junior college standards fo r the number of volumes for a thousand students, but since our enrollment is higher, we still have not attained this goal.

Because we are improving in this area, however, we have been putting our federal grant money into audio visual materials where we have been sadly deficient.

Since the federal grant for fiscal 1971 is set up so that only a third of the applying institutions will qualify and these are those with a large student body of disadvantaged, I feel sure we will not qualify for next year.

I strongly urge your consideration of the various bills an hope you will support one of the bills which provides for a basic grant so everyone may receive some assistance.

May I also add that I am very disturbed over the possibili of the Kindred Dam being approved. I oppose this. We have so few truly scenic spots in our state. Surely engineers can arrive at a solution which would alleviate the problem of flooding in a more satisfactory manner.

Thank you for your attention to these matters.

Sincerely,

Lois Enger
(Mrs.) Lois Enger
Librarian

encl.

NEWS

Congress Debates Higher Education Act

Against the background of a condemnation of the nation's system of higher education by an Administration-backed task force, Congress must act within the next two months on legislation to extend present programs of federal aid to the nation's colleges and universities, including library assistance.

Hearings on bills to extend the Higher Education Act, which is due to expire June 30, have been going on in both the Senate and the House. While the Democrats and Republicans are at loggerheads on the question of general-purpose grants for colleges and universities as well as student aid, there are also some differences in approach to Title II programs for college library resources, library training and research in the different pending measures.

A task force headed by Frank Newman, associate director of university relations at Stanford University and a one-time Republican Congressional candidate in California, is expected to issue a report on the government's future role in aiding higher education by summer. The nine-member panel, in March, said the nation's system of higher education was becoming a hidebound dinosaur and needed drastic reform. The group's critique could provide ammunition to the Administration in opposing Congressional proposals for general-purpose aid to colleges and universities. The call for sweeping reforms should also help the Administration sell the lawmakers on its proposed National Foundation for Higher Education, which would finance reform studies and projects.

The 11th Hour Approaches

Those are some of the fundamental questions Congress must resolve as the eleventh hour approaches for action on higher education legislation. Little progress was made on them last year because of the controversial atmosphere generated by widespread campus unrest.

The House Special Subcommittee on Education chaired by Rep. Edith Green (D., Ore.) is considering three bills which would extend the Higher Education Act and other related acts. They are H.R. 32, co-sponsored by Rep. Green and Chairman Carl D. Perkins of the parent House Education and Labor Committee and two bills introduced by Rep. Albert Quie (R., Minn.) ranking minority member, on behalf of the Nixon Administration (H.R. 5191 and 5192).

H.R. 5191, the Higher Education Opportunity Act, is the major piece of Administration legislation. It proposes a variety of student financial aid plus extension of HEA Titles II, III, and V with amendments. The second Administration bill, H.R. 5192, proposing the National Foundation for Higher Education Act of 1971, is designed according to Rep. Quie, "to encourage excellence, innovation, and reform in post-secondary education."

Under H.R. 5191, Title II would be extended for only two years. Commissioner of Education Sidney Marland explained in a statement prepared for the subcommittee that this is "because we are reviewing the place of categorical programs such as this." (Other major provisions of the bill would be extended for five years.) Last year, the Administration ran into trouble when it wanted to withhold U.S. Office of Education appropriations voted by the Democratic Congress because of the mandatory nature of most USOE spending under the law.

Under Part A, Title II, which provides for college library resources, 50% instead of the present 25% of the appropriations would be authorized for special purpose grants. Testifying on this proposed revision before the Green subcommittee, Edmon Low, professor of library science at the University of Michigan, who played a key role in drafting the 1965 legislation, said that before it had gone into effect, many junior colleges were spending $1000 per year or less for books and audiovisual materials for their libraries. Describing junior colleges as the "real frontier in higher education," Low, spokesman for the American Library Association, said that with the provision of the program for a basic grant of $5000, which was matched by a like amount of local funds and with a requirement of a maintenance of effort, "libraries were permitted to move ahead as never before." There has been, he said, "a real renaissance movement in a large majority of college libraries in this country."

"These grants now assume a greater influence than ever before because of the increasingly difficult financial plight of institutions of higher education in general," he said. "There is hardly an institution anywhere these days, from the smallest college to the largest university, which is not caught between the hammer of rising costs, increased demand for faculty salaries, and need for additional facilities, and the anvil of stationary or decreasing revenues from State sources or from private donors. In such a squeeze, library materials are often the first casualties. Some mistakenly believe buying books can be postponed for a year with the hope of better provisions in the future, which often never come. The possibility of Federal aid to be matched by local support provides the library with the necessary persuasion, and the president and the administration with good reason to continue a viable library program."

What Is "Marginal Effect"?

In the light of evidence from college and university libraries all over the country, Mr. Low said, "it is hard to understand the Administration's claim that the basic grants have had only 'marginal effect.'"

Regulations issued by USOE in connection with applications for fiscal year 1971 grants indicate that basic grants will not be awarded unless the applicant institution also applies and qualifies for a supplemental grant. Under this scheme, it is estimated that the number of colleges receiving grants would be reduced from 2200 in the last fiscal year (1970) to 750 in the current fiscal year (1971). "We consider this new policy to be a distinct violation of the intent of the Congressional enactment, which provides that three-fourths of the appropriation for Title II-A be used for basic grants," Mr. Low continued. He urged that.

Basic grants of $5000 be provided with requirement for matching with a like amount of local support, and that such grants have first priority on money appropriated under this title.

Supplemental grants be provided for larger libraries with an allotment of money by some simple mathematical formula such as enrollment.

Money for special purpose grants be provided, not to exceed 25% of the total appropriated. Maintenance of effort and one-third matching be required.

The Green-Perkins bill would extend

HEA for five years with increased funding levels for Title II. It would provide increased authorizations for Part A of $100,000,000 for the fiscal year 1972 beginning July 1, $110,000,000 for fiscal year 1973; $120,000,000 for fiscal year 1974; $135,000,000 for fiscal year 1975; and $150,000,000 for fiscal year 1976.

That bill, H.R. 13 would also permit the Commissioner of Education to waive the maintenance-of-effort requirement under Sec. 202, in cases where an institution may have made an unusual one-time expenditure for library purposes (other than construction) during the two-year period preceding application for a grant. This provision would relieve new colleges from the burden of having to maintain high expenditures required for establishment of a new library.

Also, H.R. 32 would amend Sec. 204 so that nonacademic libraries "which provide library and information service to institutions of higher education on a formal, cooperative basis" could receive special purpose grants under the library resources program.

In the Senate, Sen. Claiborne Pell (D., R.I.), chairman of the Senate Education Subcommittee, has been holding hearings on S.659, a bill he introduced with nine co-sponsors. HEA Title II would be extended through fiscal 1976 with a combined authorization of $130,000,000 each year for Parts A and B, which provide for library training. Seventy per cent would be reserved for grants for library resources under Part A, and 30% of the funds would go for training and research under Part B. Under Part A, not more than 25% of the funds are to be reserved for special purpose grants, which is the present limitation. A waiver of the maintenance of effort requirement would also be allowed if the commissioner makes a determination of "special and unusual circumstances" such as a one-time large expenditure by a new institution.

The ALA, speaking through Mr. Low, has also endorsed support and continuation of Part C of Title II of the existing law in a somewhat different form. It authorizes the program of the Library of Congress for acquisition and cataloging in behalf of college and research libraries, of valuable library materials currently published throughout the world.

USOE has funded this program since fiscal 1965. But in December, 1970, the Office of Management and Budget directed that the program be removed from the Health Education and Welfare budget and be funded directly as part of the Library of Congress appropriations. The Librarian of Congress subsequently included this item in the library's appropriations requests for fiscal year 1972. Mr. Low supported this action.

USOE Names New Right-to-Read Boss

The U.S. Office of Education has nominated Dr. Ruth Love Holloway, chief of the compensatory education program in the California State Department of Education since 1965, as the new director of USOE's right-to-read program. Dr. Holloway will succeed Louis G. Mendez, Jr., who has been named an assistant to Charles Saunders, USOE deputy commissioner for external affairs.

Announcing Dr. Holloway's nomination, U.S. Commissioner of Education Sidney P. Marland, Jr., said that the right-to-read program "has a top priority in the Office of Education." He called it a program to "ensure that 99% of the people of the United States 16 years of age and 90% of those over 16 will be functionally literate by the start of the next decade."

New Company Formed, Specializes in Reprints

The formation of a library book-jobbing service, Reprint Distribution Service, Inc., has been announced by Robert G. Davis, president. The new service will specialize and deal exclusively in reprints of all publishers, domestic and foreign.

The management staff of RDS will include Mr. Davis as president, John Elder as vice-president of sales, and Kenneth A. Davidson as operations manager. Mr. Davis and Mr. Elder were formerly with Irish University Press as vice-president of sales and operations and Midwest sales manager respectively. Mr. Davidson was formerly associated with Garrett Press as customer service manager.

Reprint Distribution Service, according to Mr. Davis, will emphasize service in reporting on reprint availability and sales incentives in the form of postage-free shipments on all purchases and a cash discount policy.

Book Travelers Hold Annual Field Day

The Brotherhood of Book Travelers will hold its 87th annual field day on May 14, 1971, at the Battleground Country Club in Freehold, New Jersey. Tickets are $20 for members or guests and reservations are being handled by Michael Romano, Viking Press.

At the winter meeting of the Book Travelers, the following officers were installed: President, William P. Adams, Cowles; vice-president, Thomas Consolino, Houghton Mifflin; treasurer, Michael R. Romano, Viking Press; secretary, Mac S. Alber

Newly elected board o
William Schoenberg, H
Jan Russo, Western; and
commission salesman.
serve on the board ar
Holmes, World; and
McCall. Retiring board
Beverley Cheney, Houg
Newton Pincus, Abram
Merkin, Crown.

Droke House to With Atlanta P

Droke House Publishers
its forthcoming merger, ef
with a new Atlanta-based
publisher, Hallux Books,
offices for Droke House/
at 225 Peachtree Street,
Ga. 30303.

Distribution will be har
Droke House/Hallux Dis
ter, 116 West Orr Street, A
29621. Droke House bo
viously distributed by Gro

Wilton Hall, Jr., presid
House, will serve as pre
merged companies, which
lish general adult trade
and nonfiction.

New Paperbac For 2nd-3rd-G

American Education Pu
launched a new paperba
called Goodtime Books,
distribution of paperbac
and third-graders. It w
fourth paperback club fo
dren. The others are Disc
(grades 4-6), Read Paper
7-9) and Senior Paperb
10-12). AEP also has
Reader Children's Book
offers hardcover books
from pre-school age thro
grade.

Goodtime Books will
offerings of 15-20 books
Among titles in the firs
"One Morning in Main
McCloskey; "In the Fore
Ets; "Here Comes Snoop
Schulz; "Winnie the Poo
Milne; and "The Road R
on the movie-TV cartoons

LITERARY AGE

BETTY MARKS has open
agency at 41 East 42nd
York 10017, Room 14
(212) 687-1122. Miss M
adult and juvenile books
and articles. She was form
director of Funk & Wagn

2834

APPENDIX V.—Title III, National Defense Education Act

Robert Heinich, President
Howard Hitchens, Jr., Executive Director

Association for Educational Communications & Technology
Formerly DAVI
1201 Sixteenth Street, N.W., Washington, D.C.20036 • (202) 833-4180

April 30, 1971

Senator Clairborne Pell, Chairman
Senate Education Subcommittee
New Senate Office Building
Washington, D.C. 20510

Dear Senator Pell:

Enclosed please find fifty copies of the testimony presented by Dr. Howard Hitchens, the Executive Director of the Association for Educational Communications and Technology.

I sincerely appreciate this opportunity to submit a written statement for the record in favor of S. 659, the Amendments to the Higher Education and Vocational Education Acts, and related Acts. If you need more copies or information, please do not hesitate to call me at 833-4180.

I look forward to hearing the subcommittee's recommendations on this bill.

Sincerely,

Elise Anne Lewis

Elise Anne Lewis
Director of Federal Relations

EAL:jtw

encs.

TESTIMONY PRESENTED BY

DR. HOWARD HITCHENS, JR.
EXECUTIVE DIRECTOR
ASSOCIATION FOR
EDUCATIONAL COMMUNICATIONS AND TECHNOLOGY

to the
Senate Subcommittee on Education
on S. 659
"A Bill to amend the Higher Education Act
of 1965, the Vocational Education Act of 1963,
and related Acts, and for other purposes."

My name is Howard Hitchens, and I am the Executive Director of the Association for Educational Communications and Technology (AECT), an affiliate of the National Education Association.

I hold my B.A. from the University of Delaware, an M.A. from Teachers College, Columbia University, and a Ph.D in Instructional Communications from Syracuse University. During more than 26 years of service in the United States Air Force, I served as an instructor at Mather Air Force Base, California for four years and at the Air Force Academy in 1957 as chief of the Film and Television Division of Audiovisual Services, and later as Associate Professor and Director of its media program from 1959 until 1969 (except for two years spent at Syracuse University completing my doctorate.) I am a member of Phi Delta Kappa, American Educational Research Association, National Society for Programmed Instruction, National Society for Study of Communications, National Association of Educational Broadcasters, and have served on the Board of Directors of AECT (formerly Department of Audio Visual Instruction) before assuming my present position.

AECT is the professional association of some 10,000 educators whose aim is to improve the educational environment available to learners at all levels through the application of audio-visual devices and techniques to instruction.

We are, above all, educators; but educators who have specialized. Just as Members of the Congress must specialize in particular subject areas, so has the education community come into an era of specialization. Of particular concern to AECT, and I might add, to all of education because no program exists in a vacuum, are three education programs authorized by the Congress: Title III of the National Defense Education Act; Title VI of the Higher Education Act; and parts C and D of the Education Professions Development Act. I note with particular dismay that the Administration, in its recommendations before this Committee, has failed to call for the extension of authorization of either NDEA III or HEA VI.

The thrust and purpose of Tit'e III of the National Defense Education Act is set forth most clearly in a report entitled "NDEA Title III, Fiscal Years 1959-67, A Management View," published in May, 1969 by the U.S. Department of Health, Education and Welfare:

> Initially, Title III had two primary objectives: (1) to support the purchase of laboratory and other special equipment and materials as well as the cost of minor remodeling of facilities to accommodate equipment for elementary and secondary school instruction in science, mathematics, and modern foreign language; and (2) to strengthen State leadership capacity for improving instruction in these areas. The Federal Government contributed up to 50 percent of the costs of State education agency staff improvement and the costs of equipment, materials and minor remodeling; State and local education agencies provided the remaining funds.
>
> Through NDEA Title III support for equipment and minor remodeling, Congress intended the improvement of instruction to take place in a number of ways, including:
>
> (1) Increasing enrollments in sciences, mathematics, modern foreign language;
>
> (2) Increasing the number of advanced courses in the three subjects;
>
> (3) Increasing the number of laboratory sciences and modern foreign language;

(4) Changing the methods of teaching foreign language to improve skill in speaking;

(5) Emphasizing laboratory practice in teaching science.

Through Title III support, Congress encouraged states to hire additional specialists in the three subject areas so that state agencies would be able to provide leadership to local education agencies for:

(1) Developing up-to-date curriculums

(2) Planning appropriate course sequences for elementary grades through high school

(3) Assisting in the selection of high-quality equipment and materials and enabling local education agencies to finance their purchases

(4) Providing demonstrations of new equipment and materials

(5) Conducting workshops and conferences to train teachers and other school personnel in new methodology, equipment, and materials

(6) Preparing publications and other materials to keep teachers and other school personnel informed of developments in the fields of sciences, mathematics, and foreign language.

Congress authorized the use of Title III to support SEA, State Education Agency, staff development because in 1958, the status of supervisory services was found to be inadequate, as noted in the Report of the House Committee on Education and Labor:

> Although adequate state leadership and supervisory services are widely recognized as vital to the development, maintenance, and improvement of sound classroom instruction, only two states have full-time supervisors in mathematics and science; and only two states have supervisors in foreign language instruction.

Soon after Title III was put into operation, the improvement of equipment, materials, and state supervisory services began to make a constructive impact on instruction in the three subjects. Educators and Members of Congress then recognized that other subjects in the curriculum needed similar attention. Reading and writing skills, for example, were not believed to be meeting acceptable standards. Similarly, Congress was concerned that students were insufficiently familiar with historical events, with the American form of government, and with characteristics of the earth. As a result, in 1964 Congress amended the NDEA and extended support -- under Title III (P.L. 88-665) -- to five additional subjects: history, civics, geography, English, and reading. In 1965, as a part of the Higher Education Act (P.L. 89-329), Congress extended assistance to instruction in economics. A tenth subject, industrial arts, was added as a part of the Higher Education Amendments of 1966 (P.L. 89-752). Under the Higher Education Amendments of 1968 (P.L. 90-575), Title III of NDEA was amended further. It now authorized

> assistance for "the special educational needs of educationally deprived children in school attendance areas having a high concentration of children from low-income families." By providing support for the seven additional subjects and for the special needs of educationally deprived children, Congress showed that its intent is broader than was indicated in NDEA as originally enacted--although funds to implement this 1968 amendment have not been appropriated.

Under the Elementary and Secondary Education Amendments of 1970 (P.L. 91-230), Title III of NDEA was consolidated with Section 12 of the National Foundation for the Arts and Humanities Act of 1965 by removing all reference to subject matter specialities in NDEA III and replacing them with the phrase "academic subjects", and by repealing Section 12 of the National Foundation for the Arts and Humanities Act of 1965 and increasing the authorization for NDEA III by $500,000. Title III of NDEA has been successful and is important, as a Department of Health, Education and Welfare report itself indicates. It states:

> "...certain conclusions can be drawn from the annual financial, statistical, and narrative reports submitted by the states to the U.S. Office of Education. A review of these reports indicates that Title III has been a significant factor in bringing about changes leading to improvement in instruction in each of the academic subjects covered by the program."

The HEW report prepared by the Bureau of Elementary and Secondary Education of the U.S. Office of Education at the request of the Senate Committee on Labor and Public Welfare was based in part on a study conducted under contract with Southern Illinois University (SIU) in eighteen selected states based on the then

nine HEW regions:

Region I	Connecticut and Massachusetts
Region II	New Jersey and New York
Region III	Kentucky and North Carolina
Region IV	Florida and Georgia
Region V	Illinois and Wisconsin
Region VI	Kansas and Nebraska
Region VII	Arkansas and Texas
Region VIII	Colorado and Idaho
Region IX	California and Oregon

Although the investigators were critical of projects at the local education agency level for a general lack of evaluation (and I would concur that this is one of the most important things that we in the educational field need to do to improve the quality of education generally) their overall reaction was most favorable. The concluding comments excerpted from the report so indicate:

> It was the almost unanimous opinion of all coordinators and supervisors interviewed that NDEA Title III was a significant factor in the improvement of instruction in their states. Although all states did not make 100% utilization of matching funds for personnel services, those funds used had resulted in curricular improvements and, in many cases, enrollment increases in the critical subject fields. Enrollment increases in the critical subject fields, other than those due to the population increase, were indicated by almost all supervisors. Unfortunately, figures to document these increases were not generally

available. From the figures available, modern foreign languages showed the greatest increases, due in part to its initial low enrollments in 1958. The increases recorded in this area are truly phenomenal, exceeding 5 J% in one state. In the critical subject field where substantial enrollments already existed, the provision of new equipment and materials both for the previous and expanded number of students, due to the population increases, were considered to have made a major contribution to the improvement of instruction through content and teaching methodology change.

From the foregoing materials, it is apparent that NDEA Title III management in the eighteen selected states can be improved in several areas, most notably in evaluation and the use of advisory committees. However, the evidence of effective NDEA Title III management in the administration of funds, organization of staff, services provided, curricular improvements and enrollment increases far outweigh the deficiencies noted. Hence, the SIU survey team concludes that NDEA Title III is well managed in the eighteen selected states studied. It is hoped this report will provide an impetus for future improvement in state NDEA Title III management functions.

One of the very important side effects of NDEA Title III is its effectiveness n attracting competent and qualified teachers to a school. Such was the xperience of the Franklin County Schools in Franklin County, Mississippi. In 962, a science project was approved for the district which covered equipment

facilities for two high school attendance centers in the county. This project is noteworthy because of its impact on the quality of the science program and the consequent effect on the improvement of the science program in the junior high and elementary schools.

Before the installation of the new equipment, the laboratory in one of the schools consisted of a small, dingy room with one table for experimentation; the science classroom contained little, if anything, related to the teaching of modern scientific concepts. Today, each of the high schools contains a fully-equipped biology-general science room and a well-designed chemistry-physics room. Improved facilities have provided the incentive to good teachers to remain in the district, to restructure the science curriculum, and to participate in the selection of additional materials. More students are now enrolled in science courses and many more have selected scientific fields of endeavor upon entering college.

The influence of the science department has reached far beyond the four walls of the laboratory. A former classroom in the junior high of the district has been remodeled to provide student work stations and storage space; an increased interest in science in the elementary division resulted in a series of conferences for elementary teachers conducted by a consultant and the State Supervisor of Science; and the regional workshops and conferences held in the new facilities have stimulated similar efforts in other districts of the area.

In Des Moines, Iowa, a mathematics laboratory for low achievers was the focus of NDEA Title III funds. Here, a project to improve the general mathematics program for low achievers, particularly at the 9th grade level, was initiated in the 1964-65 school year. The acquisition of mathematics laboratory equipment such as desk calculators, geometric models, and mathematical games gave the teachers the tools with which to attack the problems of interest and aptitude. In-service activities conducted by supervisory personnel from the Iowa Department of Public Instruction encouraged the development of supplementary materials and techniques

designed to provide a more concrete approach to the study of mathematical abstractions. School authorities indicated that the project has been instrumental in dropout prevention, and that the skills developed in the use of equipment have assisted students in securing jobs.

In Duval County, Florida, the days when the basic equipment for the teaching of social studies consisted of an outdated textbook and a wall map are gone forever. Today, tapes of speeches by influential leaders are analyzed in civics classes; classes in world cultures are enriched by recordings of music and dances from all parts of the world; geographic concepts take on new meaning as the students work with models, graphs, and charts; the overhead projector has become a "must" in each classroom; films, filmstrips, and slides, many made by the students themselves, offer a variety of approaches to the development of critical thinking in a social context. Participation by teachers in in-service workshops and institutes and the availability of new, multi-media educational materials and equipment have led to the adoption of an "inquiry process" approach to the teaching of social studies which is stimulating students in these schools to think independently and creatively about man and society, both past and present.

The point is, that although I am a media specialist, representing an organization of specialists, what we're really talking about is helping children to learn and helping teachers to teach; we are teachers--educators--first, and specialists second. And although Title III provides a focus--a concentration of federal dollars on a particular approach to education--it is not a frill, or a layer of frosting on top of the educational cake; rather, the instruction successes of Title III have become interwoven as part of the entire scheme of education. So, although Title III can be easily categorized and distinguished as one element of instruction, that ease of identification should not provide the Administration with a license to eliminate it.

No one advocates that the Federal programs should be oriented primarily to the purchase of equipment and materials. But the facts are that teachers and students need modern educational tools, and that the supply of these tools is far from adequate.

It should be noted that less than 20 percent of the schools in the United States meet the recommended standards for school media and library programs. These standards, established in 1969 by educators on the basis of study experience, provide for the minimum of equipment and materials which are needed to do an acceptable job--and less than a fifth of the schools in the United States, and virtually no schools in the less affluent areas, have the equipment, materials, or budgets to meet these standards.

The media-centered school is generally regarded as one of the most important new developments in education. This is a school whose instructional programs center around an educational media center, providing modern materials and equipment to all teachers and students. These centers provide an opportunity for individualized study and are oriented to both print and non-print media. In this environment, the student is able to follow individually prescribed courses at his own pace, to meet his own goals.

If I say to you, members of the Committee, or to almost anyone, "Picture a classroom", in your mind's eye will be a room with seats and a teacher's desk and behind the teacher's desk is a blackboard. People of our generation do not think of a classroom without thinking of a blackboard. Today---in 1971---the kinds of equipment and materials which NDEA Title III can help to provide have become just as much an assumption and integral part of the classroom, and of the learning environment as is the blackboard.

I'm talking about harnessing technology to be used as an extension of the teacher, not viewed as a replacement of him. Viewed in this context, we're talking about continuing a federal investment which makes a teacher's time all

the more valuable, because not only does it supplement the teacher's ability to communicate, but it helps to free the teacher's time for the all important, in fact most important, responsibility of working with students individually.

In order to determine the states' needs for funds under Title III of NDEA, Robert Shute, Acting Chief of the Bureau of National Defense Education Act Administration of the California State Department of Education last October queried the NDEA Title III Directors in the several states as to how much money their states would require under NDEA Title for fiscal years 1972, 1973, and 1974.

Some of the comments received by Dr. Shute, in addition to the dollar amounts provided by the state officials, give a further indication of the effectiveness and importance of this program. Some excerpts follow:

Indiana:

"Receiving about 1/2 of what is needed."

Alabama:

"In 1960, I came to the Alabama State Department of Education as an NDEA Title III science consultant and in December, 1967 became State Coordinator of NDEA Title III. It seems to me that NDEA Title III began having difficulty concerning funding and its mere existence during the Fall of 1967. Since that time, I have noticed with concern that the U.S. Office of Education does not seem to be active in its support of NDEA Title III. I have heard that USOE is concerned primarily with "people" programs and would like to dump programs such as ours that deal with equipment and materials. I have also been aware of the fact that during my three years of service as State Coordinator there has been no gathering of NDEA Title III personnel regionally or nationally to my knowledge. The recent Belmont Report reflects the lack of interest and concern in NDEA Title III as compared with the engulfing ESEA programs. It seems that those who developed this reporting instrument were not even aware of the purpose and regulations of NDEA Title III. All of this tends to

indicate a possible lack of concern on the part of the U.S. Office of Education for the continuation of NDEA Title III..."

Arizona:

"NDEA Title III funds have been of great value to our district. We have been encouraged to maintain a good local effort through the NDEA Title III program. Some of the Federal Programs are considered by some people as "free" money from Washington. NDEA Title III requires initiative on the local level and for this reason, I feel it has been very effective in upgrading the quality of education in our school district."

North Dakota:

"Thank you for taking the initiative in assembling data on the needs under Title III, NDEA. With the annual effort to dry up this program, which is the favorite of school administrators, school boards, and teachers, it is not as easy to predict participation as it was when there was rather firm assurance that funds would be available. At that time it was a firm part of the budget with ample provision for matching funds.

From the attached report you can see that except for the first year before the districts had the programs organized, the annual reimbursements have varied from $188,000 to $453,000. The average has been about $300,000. With the uncertainty of funding last year, we had applications for reimbursements totaling $222,962 even though the districts were aware of the reduction in our allocation from $329,954 to $146,026..."

Utah:

"We have been extremely frustrated in the past few years by the indefensible delays in appropriating the funds for NDEA Title III. These delays have created serious problems for local educational agencies in making best use of the funds. Often the items on which delivery could be obtained and which required the least paper work have not been acquired because time between allot-

ment and expiration was too short. Threatened phasing out of the program and threatened or real curtailment of funds have made long range planning and realistic budgeting very difficult.

We are hopeful that the program can be continued and stabilized for a few years. It has been one of the most productive and popular of the federal programs in our state. There are still vast unmet needs.

It is not realistic to assume that equipment needs have been met or that local agencies are financially able to cover with only their own resources. While gains have been made each year, there still remain serious inadequacies for several reasons:

1. Increased enrollments have necessitated equipping new buildings and expanding facilities in existing buildings.
2. Improved program offerings demand modern resources and technology.
3. Increased use of audiovisual equipment by teachers and students makes it necessary to have many items available in classrooms at all times rather than on a loan basis as was the case early in the program.
4. Technological improvements in equipment have made available more and better quality items. (Example: Contrast cassette recorders with the heavy cumbersome tape devices of the early sixties.)
5. New emphasis on individualized instruction requires availability of greater variety and quantity of equipment and materials.
6. Many equipment and materials items purchased in the early years of the program are wearing or are worn out and must be replaced.
7. Because of the accounting and record keeping required, there has

been some tendency to acquire larger or more costly items. There remain serious inadequacies in smaller items for individual pupil use."

Copies of the forms and correspondence are on file at the AECT office and will be made available on request of the committee.

Title VI provides Federal matching funds for the purchase of laboratory and audiovisual equipment, closed-circuit television equipment, and classroom materials for the improvement of instruction at the undergraduate level. Since 1965, more than $58 million in Federal matching money has been provided nationally for the purchase of new teaching equipment and up-to-date materials for colleges and universities under Title VI-A of the Higher Education Act of 1965. The need for assistance is even greater now than then, as we try to provide a meaningful experience for students in higher education institutions. These students arrive on our campuses more sophisticated in their experiences with communications media than ever before. They are, and have been, barraged with films, television and radio. Most of these students are the products of schools which have improved their resources and their quality of instruction through NDEA Title III funds. Colleges and universities are caught in an instructional maelstrom not unrelated to the causes of student unrest. The institutions are trying to function as a forum for the open exchange of an awesome amount of knowledge and at the same time lack the financial resources necessary for handling the numbers and kinds of educational needs.

Title VI has been an extremely effective program over the years, and has been capably administered at both the state and federal levels. The boom in higher education has spread materials and equipment so thin that the quality of teaching has suffered in many instances. And it is interesting to note that this "quality gap" is taking place at a time when significant progress is being made in developing new educational techniques.

Although high schools and elementary schools have been benefiting from new

teaching methods, modern facilities and up-to-date materials since 1958, when the National Defense Education Act was passed, many of today's college freshmen are forced to work in antiquated laboratories and with out-dated equipment. Teachers are being trained for jobs in modernized high schools through the use of instructional techniques that were obsolete in 1958, much less in 1971.

Whereas the disparity between resources available at high schools and colleges may not be noticeable in some of the affluent state universities and heavily endowed private colleges, it is readily apparent in most of the smaller, widely scattered institutions that simply do not have the funds to purchase materials, equip laboratories or provide teachers with the essential tools they need to keep up with expanded subject matter. It is these institutions--the liberal arts colleges, the teachers' colleges, and the community colleges--that are training over 60% of the nation's beginning teachers. The Senate Committee on Labor and Public Welfare noted that "the question of quality and excellence in college teaching techniques and the adequacy of college materials and equipment to permit such quality instruction have been left unattended." It was pointed out that this problem was particularly serious in small schools with inadequate budgets, and with this in mind, Title VI was aimed at those institutions which were trying to improve themselves, "...but which, because lack of financial resources, are unable to participate in the educational revolution which is being brought about through the use of new techniques for learning."

This situation is still true today. There has been a continued advance in the effectiveness of materials and equipment designed for modern teaching, and the financial strain on small colleges, if they are to have these materials in their classrooms, is as great, if not greater, than it was in 1965.

The fact that this program is a popular one is clearly shown by figures prepared by the Office of Education covering fiscal year 1969. In this period, a total of 1,545 project applications were received by State commissions.

Of these, 927 were funded, and the dollar amounts of the grants alloted--$14,478,085--was only about one-tenth of one percent less than the appropriation. On the average, over the past three years. matching funds have equalled about 50 percent of grants.

It is also significant that 618 applications could not be funded because of lack of money. The dollar amount by which grant requests exceeded individual state allotments totaled $12,381,117, or 80 percent of the amount actually executed.

Section 603(2) of the current Act provides that state plans should contain "objective"standards and methods on the basis of which the relative priorities of eligible projects are to be determined. It is our understanding that it was the intent of Congress in including the word "objective" to rule out as much as possible the opportunities for awarding Title VI grants to proposals which were not meritorious as judged on the basis of criteria upon which reasonable men could agree. It turns out, however, that the Office of General Counsel at the Department of Health, Education and Welfare has construed the word "objective " to limit state commissions to ranking projects almost wholly on the basis of statistical factors, -- things like per pupil expenditure, number of feet of film, and so on. While such standards are valuable indices to the quality of a program when taken as part of an evaluative system, they are not a substitute for a total evaluative system. In short, there is now a need for more flexibility in determining priorities for eligible projects. Such flexibility should include uniform professional judgements concerning the applicant's explanation of the educational problem to be met and how the purchase of the proposed equipment and materials would contribute to the solution of the stated problem.

Although removal of the word "objective" from Section 603(2) might accomplish the ends indicated in our testimony, there is always the possibility that the removal of such a word would be interpreted as an invitation to replace "professional" objective judgement with totally subjective judgement, a result which neither we nor

(we suspect) the Congress would wish. Therefore, to make the awarding of priorities more flexible and realistic and, in fact, more responsive to the true intent of Congress (as indicated in Section 601 (a)): "The purpose of this part is to improve the quality of classroom instruction in selected subject areas in institutions of higher education." We would urge the Committee to include in its report accompanying the extension of Title VI of the Higher Education Act, language which clearly indicates that it is not the intent of Congress that the word "objective" be construed in an entirely mechanistic fashion. Should the Committee agree with this suggestion in principle, the staff of AECT would be most happy to work with the staff of the Subcommittee and, if it is deemed proper, representatives of the Office of Education, to work out language which will better serve to accomplish the underlying aims of Title VI.

Another recommendation has to do with the present limitation in Section 603(2)(a) which provides that state plans set forth "standards and methods for determining the relative priorities of eligible projects for the acquisition of laboratory and other special equipment...suitable for use in providing education...at the undergraduate level in institutions of higher education...". The word of limitation is "undergraduate".

The growing trend in higher education today is to open many courses to both graduate and undergraduate students. The result is a mix in the class composition, both at the graduate and the undergraduate level. Strict enforcement of the "undergraduate" limitation results in an arbitrary and capricious limitation on the improvement of the instructional process at the university. To the degree that the university conforms with the requirement of the law it must restrict the eligibility requirements of various courses receiving assistance under Title VI.

More importantly, I would suggest that the quality of a graduate program of instruction has far reaching effects on the quality of the undergraduate program of instruction. A good portion of the undergraduate teaching load is borne by graduate

assistants and teaching fellows. If the graduate assistants and teaching fellows are given the benefit of instruction through the application of technology to education, it seems inevitable that this will result in a greater interest on their part in using the same sophisticated and improved methods in conducting their own classes before the undergraduates.

Too often we limit our thinking about the application of media to education to teacher education itself. But there is (and should be more) wide use of media in the field of continuing education - in courses such as pharmacy, business administration, nursing, and ocean sciences.

I therefore suggest that the law be brought into conformance with the reality of higher education today and that the phrase "at the undergraduate level" be deleted from Section 603 (2)(a).

As we have the very worthy programs which make it possible for our schools and colleges to make their media centers and facilities more conducive to student learning, so also we must have the trained personnel who can direct these centers and provide the staff, both professional and para-professional, which are essential to the functioning of these centers. All the equipment in the world will not make an effective curriculum without the people element. For example, the acquisition of complex equipment for the performance of a heart transplant will not make it possible to transplant the heart, unless the trained surgeon is a part of this system.

In fact, the system of people, processes and devices working together to achieve the learning goals is what we really mean by the term "instructional technology." Therefore, the training of personnel under parts C and D of the Education Professions Development Act form the necessary "other side of the coin," the"Federal coin", if you will.

Training for educational media personnel has been carried on since Title XI of the National Defense Education Act first authorized institutes in the summer of 1965. In the six years during which these institutes have been conducted,

approximately 7,500 media specialists have been retrained for our elementary and secondary schools, at a cost of slightly over ten million dollars. These institutes have been continued since 1968 under the provisions of the Education Professions Development Act.

In addition, fellowships were authorized by the Higher Education Act of 1965 for both experienced and inexperienced teachers to continue their studies in specified fields, one of which was educational media. The Education Professions Development Act later supplanted the Higher Education Act and authorized similar programs.

An exhaustive evaluation of these EPDA programs has been underway during the past two years; and its results have been made available. Nearly all reports from participants in these programs to date, including the program directors, indicate clearly that they are having a constructive impact on the schools across the country.

In our technological society, it is essential that we provide the qualified media specialists to work with teacher aides, teachers, principals, superintendents and other school personnel in the process of curriculum development, implementation, and evaluation. Media specialists who are able to perform these functions are not readily available to the school system that wishes to build an innovative educational program. In addition, the media field changes so rapidly that there is a tremendous need for trained personnel to update their skills periodically in order to keep abreast of the new techniques and new materials. Thus, the increase both in new instructional equipment and in new methods developed through research must go hand-in-glove with increased opportunities for personnel who administer the media centers in our schools and train the teachers in our universities.

In the face of the President's call for a National Institute of Education, and the inclusion in the bill before the Committee of a plan to create such an institution as well as the recommendations of the Report of the President's Commission on Instructional Technology, we are reaching a critical point in our thinking about instructional technology. It is essential that we maintain the kinds of support which will

insure the continued improvement of the existing educational system (kindergarten through college) while at the same time the emerging educational technology, which demands a systematic approach to the educational process is allowed to prosper.

Finally, I would quote from the Study of Instructional Technology entitled "To Improve Learning", as follows:

> "The problems confronting American schools and colleges demand a cohesive, concerted attack. It is not the parts of the educational system that must be improved; it is the system in its totality. The key remedy is not computer-assisted instruction or team-teaching or non-graded classes or educational parks or instructional television; it is innovations like these wisely integrated with each other and with teachers and the more traditional resources of education that may make the difference."

HUBERT WHEELER
COMMISSIONER

NDEA, TITLE III
(NATIONAL DEFENSE EDUCATION)

STATE DEPARTMENT OF EDUCATION
DIVISION OF PUBLIC SCHOOLS
P. O. BOX 480
JEFFERSON BUILDING
JEFFERSON CITY, MISSOURI 65101

June 10, 1971

The Honorable Claiborne Pell
United States Senate
Washington, D. C. 20510

Dear Senator Pell:

Thank you very much for your recent letter concerning NDEA, Title III in which you indicated same is now under study by the Subcommittee on Education. It was also extremely thoughtful of you to enclose a copy of S. 659, Education Amendments of 1971.

It is noted that this Bill was introduced by you and you were joined by Senators Williams, Randolph, Kennedy, Nelson, Mondale, Eagleton, Cranston, Hughes, and Stevenson, in this proposed legislation. You may well know that it is exceedingly pleasing to me that there is an inclusion for a five-year extension of NDEA, Title III.

Let me say again how deeply appreciative I am for your consistent and continuing outstanding leadership and support for NDEA, Title III and other meaningful educational programs.

Cordially yours,

Carleton B. Fulbright
State Director of NDEA, Title III

CBF:df

STATEMENT PRESENTED BY

JAMES PARTON, PRESIDENT,
ENCYCLOPAEDIA BRITANNICA
EDUCATIONAL CORPORATION,
ON BEHALF OF THE
ENCYCLOPAEDIA BRITANNICA COMPANIES

to the
Senate Committee on Labor and Public Welfare
Subcommittee on Education
on S. 659
"A Bill to amend the
Higher Education Act of 1965,
the Vocational Educational Act
of 1963, and related Acts,
and for other purposes."

May 18, 1971

My name is James Parton. I am President of the Encyclopaedia Britannica Educational Corporation. I am also a member of the Board of Directors of Encyclopaedia Britannica, Inc., the founder and former president of American Heritage Publishing Co., a member of the Board of Trustees of Loomis Institute, Mills College, the Harvard Alumni Bulletin, and the Institute of International Education. I am particularly grateful for the opportunity to comment on behalf of Encyclopaedia Britannica Educational Corporation, and the other Encyclopaedia Britannica companies; my theme is the vital need for continued effective Federal support for education in several highly specific legislative areas.

Encyclopaedia Britannica Educational Corporation has the specific purpose of producing innovative educational materials such as films, slides, and other audio-visual instructional aids in the "soft-ware" category which are being increasingly used in schools both here and abroad. Other of the Encyclopaedia Britannica companies produce basic reference works, including encyclopaedias, dictionaries and atlases, which appear in virtually every school and library and are found in the homes of millions of families.

However, I do not speak today as one with a narrow concern with a market for proprietary products, but as an American concerned with continuation of the highest quality education in this Country and the Federal Government's role in supporting education of that level for every citizen.

Congress has recognized that the impact of poor education transcends state boundaries, and with enlightened leadership it has supported local educational programs on a broad scale. There can be no doubt that this support has had a major beneficial impact on American education, and that it has produced the invaluable national asset of a better educated and trained population.

The question of continuation of some of the most important educational programs is now before Congress for review. One of them, Title III of the National Defense Education Act, is of particular concern to us. The basic authorization for NDEA Title III expires June 30, 1971 (P.L. 90-575; 20 U.S.C. § 441). It is, however, extended through Fiscal 1972 under the general provisions of the Education Amendments of 1969 (P.L. 91-230). Without favorable Congressional action, therefore, this immensely

valuable program would terminate on June 30, 1972. Encyclopaedia Britannica Educational Corporation believes that this would be a severe set-back for American education.

Title III of the National Defense Education Act has been an integral part of national educational policy since it was first enacted with broad bipartisan support during the Eisenhower administration. This program was instituted to meet critical educational needs, and its aims have been consistently endorsed and expanded by Congress in the intervening years. Today, NDEA Title III support is available for all academic subjects.

We believe that the need for continuation of the NDEA Title III program is as great today as was the need that brought that program into existence originally. We are entering an era when it will be increasingly necessary to utilize innovative educational tools to teach our children effectively. Laboratories, filmstrips, instructional packages, records, graphs, and maps have become a necessary part of a modern classroom. Students today are visually oriented. They use audio-visual materials in the same manner that the older generation used books, paper and pencils.

Education is in the midst of a technological revolution with all sorts of innovative methods that permit teachers to abandon the traditional lecture method and direct their instruction to each individual student so as to make the learning process more interesting and effective. We are convinced that this new technology will result in further significant improvement of education in this Country. Moreover, we believe that since many local school systems have now acquired the basic hardware systems, a much greater proportion of the NDEA Title III dollar will be spent for audio-visual materials which have a direct educational impact upon the child. This is of particular significance since, as the President's Commission on School Finance recently indicated in its Progress Report (submitted to the President under date of March 22, 1971), there exists a particular need for "... subsidising the development of excellent instructional software across the entire curriculum, across all the grade levels from kindergarten through twelfth grade." (p. 48).

We are in constant contact with school systems throughout the country. Local expenditures on education

have risen dramatically during the last decade. Overall, local taxpayers are making real sacrifices to provide superior education in their districts. However, at the same time, the operating costs of the local school have increased dramatically. Inflation has hit the local school system particularly hard. Capital expenditures, operating costs, salary expense and a host of other cost items necessary merely to keep the schools open are taking a larger and larger proportionate share of the local educational dollar. Thus, there continues to be a critical need for programs such as Title III which improve the quality and quantity of materials upon which a child depends for his education after he has been provided the physical facilities and personnel necessary to teach.

Local schools have eagerly matched available federal funds under NDEA Title III even though they are hard pressed financially to do so. In fact, local NDEA coordinators indicated during a recent survey that they could use wisely twice as much money as was appropriated for FY 1971. We might add that the requirement of matching funds is another virtue of this program that is of major value. As the Subcommittee knows, school systems have a

very strong incentive to spend federal funds wisely if they are required to match them.

In addition to being one of the most valuable educational programs, we believe the Members of the Subcommittee will be pleased to know that NDEA Title III is one of the most popular programs at the local level. Typical comments commend the program because its philosophy is sound, and its administration is concise and uncomplicated resulting in the ability to make local choices without red tape and bureaucratic restriction. Thus, the greatest tangible results are produced for each dollar committed while losing little in "overhead" costs. The fact that the NDEA program benefits every child has strong appeal in most communities. Indeed, the only criticisms of the NDEA Title III program we hear frequently are that there is not enough money to be matched at the local level and that the funding level and continuation of the program are at times uncertain. This indicates a remarkable record for an excellent concept.

Many educators who feel they might not be able to come to Washington to express their views about the need for the NDEA Title III program have recorded some of their

comments. Examples of these first-hand reactions of key educators who have actually implemented this program through the years are attached to this statement. More are available should the Subcommittee desire them. We would also be pleased, if the Subcommittee or individual Members so desire, to offer any of these presentations for viewing and listening.

Under NDEA Title III, thousands of local schools have acquired much needed educational equipment and materials over the past decade. Today, many biology teachers have an extensive array of teaching tools rather than an old textbook. Foreign language instruction has been improved because of the use of language laboratories and programmed lessons on film and tape. Audio-visual materials teach children to read much more quickly than before.

Specific examples will serve to illustrate this point. One of Encyclopaedia Britannica Educational Corporation's most recent educational films is "Heartbeat of a Volcano". This film was produced in collaboration with Howard Powers, Ph.D., and Staff Members, U. S. Geological Survey, Hawaii Volcanoes Observatory, Hawaii.

It is a unique film, made at substantial personal danger to the photographer, showing a close-up view of the recent second greatest eruption of Mt. Kilauea in Hawaii. It is a dramatic filming of one of the earth's most powerful land building processes showing the two-week buildup and awesome nine-hour eruption of that volcano. It has rare views of "degassing" and the cessation of the eruption. Volcanic action is one of the most important geological forces in the history of the world and an important focus of scientific interest. Imagine the impact and the heightened student interest that result from the gripping, close-up view of elemental forces in action. Imagine how much more motivated the student is to do further reading and research ... to extend his learning on his own.

Similarly, our company offers an outstanding film series on "Our Living Bill of Rights" and "American Government and Society", both of which are intended to illustrate graphically and immediately the workings of American society and aid the local schools in instilling the respect for our democratic institutions which should always be an important part of American education. We have prepared films in the area of science ranging from

a demonstration of the basic physical laws embodied in Archimedes' principle to such exotic subjects as the polarization of light.

Again, imagine how much more effective the teaching of science is when the text and lecture is supplemented by a visual demonstration of the scientific principles involved. There is also another great benefit from these supplementary educational materials. Student interest lags at virtually every level from time to time. This is recognized as a fundamental problem in education. Being lectured to about volcanos may not be very exciting at times, but the excitement of hearing, seeing and being inside an erupting volcano will bring interest to a high level again.

Other companies produce similar educational materials of the highest quality. These are all necessary ingredients of a superior educational program. They are available principally as a result of the enlightened support of Congress for programs such as Title III, NDEA.

In summary, because of the proven success of NDEA Title III and the continued need for funds for local schools to purchase innovative materials, we urge Congress to extend the authorization for this important program.

ATTACHMENT I

STATEMENT BY JOHN CHEEK,
AUDIOVISUAL COORDINATOR,
EDUCATION SERVICE CENTER,
RUSSELLVILLE, ARKANSAS

Improved instruction only comes with improved methods on the part of the teacher. The key to the success of any educational program is the willingness and ability of the classroom teacher to excite, provoke, and encourage individual students into wanting to learn.

NDEA matching money has provided much needed financial help in bringing about improved changes in the teaching learning process. Teachers now have access to new and exciting materials and equipment that were never before available. Because of this, teachers today are able to break from the traditional lecture method and expand into new and more interesting ways of presenting content material.

Materials and equipment, that once were only for the teachers, are now made available for individual students. Students today make use of materials and equipment very similar to the way we made use of pencil, paper, and books.

The new materials and equipment have provided the opportunity for students to operate individually and to

learn at their own rate. This has provided the teacher with time to work with other students on individual learning difficulties.

New and additional equipment has provided the teacher with tools for evaluation of her own teaching effectiveness. By means of audio or videotape playback the teacher can apply some type of self-appraisal to her teaching techniques.

NDEA has also provided money for in-service institutes. As a result of these institutes, many teachers have learned new techniques and new methods that they have been able to adapt to their teaching situation.

NDEA funds have improved instruction because teachers and students alike have materials and equipment to make the learning process easier and more exciting.

* * * * *

ATTACHMENT II

STATEMENT BY GEROLD ROGERS,
DIRECTOR OF MEDIA AND TECHNOLOGY,
EDUCATIONAL SERVICE CENTER,
REGION XVII, LUBBOCK, TEXAS

Funds from Title II ESEA and Title III NDEA have been a tremendous boon to the public schools in the 20-county Education Service Center Region XVII area around Lubbock, Texas.

As an example, the library collections in all of the schools in the Lubbock Independent School District have been expanded and upgraded through the use of Title II of ESEA funds. In addition to the materials purchased through the regular budget, 46,490 books and 13,193 pieces of audiovisual materials such as filmstrip records, pictures, transparencies, and so forth, have been added to their library collections.

The addition of these materials has helped to provide a greater variety of reference materials, more materials to meet individual needs of students and enrichment materials for the curriculum.

Under Title III, a demonstration learning center was established that met the American Library Standards for libraries. This center, called "Project Impact",

aroused the interest of principals, teachers, parents, and students for similar library resources. Also, the added materials and services that could be offered necessitated abolishing classroom collections and centralizing and cataloging the materials. This brought about a need for expanded facilities in their elementary schools.

In the last six years, 33 elementary libraries have been expanded and refurnished. The interest created by the Title III "Project Impact" promoted the summer reading program. Elementary libraries in Lubbock are open an average of two days per week for eight weeks to provide recreational reading for the students. During the 1970 summer program, 82,701 books were circulated from 29 libraries.

Without funds from Title II ESEA and Title III NDEA, this tremendous amount of growth and progress could not have been possible.

* * * * *

WILSON RILES
Superintendent of Public Instruction
and Director of Education

STATE OF CALIFORNIA
DEPARTMENT OF EDUCATION
STATE EDUCATION BUILDING, 721 CAPITOL MALL, SACRAMENTO 95814

March 9, 1971

The Honorable Claiborne Pell, Chairman
Subcommittee on Education
United States Senate
Rm. 4230, New State Office Building
Washington, D. C. 20510

Dear Mr. Pell:

I appreciate your request of a written statement from me regarding the National Defense Education Act program.

This statement reviews the importance of the continuance of NDEA in California and includes a survey of all State Educational Agencies. The survey indicates NDEA needs for the next three fiscal years.

Sincerely yours,

Robert S. Shute

Robert S. Shute, Acting Chief
Bureau of National Defense
Education Act Administration
(916) 445-6311

RSS:fw
Encl.

:TATEMENT OF MR. ROBERT S. SHUTE, ACTING CHIEF
BUREAU OF NATIONAL DEFENSE
EDUCATION ACT ADMINISTRATION

My name is Robert Shute, and I am Acting Chief, ;ureau of National Defense Education Act Administration .n the California State Department of Education.

I hold my B.A. from Whittier College and my laster of Science in Education from the University ›f Southern California. My post Master's work has ›een at the University of California at Berkeley.

I have been a teacher, an administrator, : consultant in education, an administrative .ducation consultant, Assistant Chief, Bureau ›f National Defense Education Act Administration, ınd Acting Bureau Chief. I have been in the :alifornia State Department of Education for .en years and with the NDEA program administratively :ince 1965.

Forecasters of educational trends for the 1970's, project and predict that educators will embrace and promote concepts such as staff involvement in educational planning, multi-media useage, compensatory education, instructional technology, instructional materials centers or individualized instruction. Recent California research on innovation in California points out that most change in the 1969-70 school year was to enhance individualized instruction. It would seem shortsighted to curtail funds which directly support those things that are going to be given high priority by educators in this decade. To truly meet the needs of individual children and youth, a teacher needs materials and equipment and adequate space. NDEA can provide funds to encourage individualized instruction in the classroom. In addition to the classroom, Instructional Materials Centers have grown and increased in number to assist in meeting the needs of each learner.

Innovation, then, is clearly a facet of modern educational practice. Programs such as NDEA provide the funds to local educational agencies which are needed to support program ideas presented by staff members.

NDEA supports the national priority of reading. However, it also gives encouragement to those who teach the social sciences, industrial arts, foreign languages and other subjects which do not rank in importance with reading.

The application of technology to teaching has been clearly established as an aid to learning. Learning theorists provide the research which would indicate a child uses all of his senses in learning a task. Equipment and material to provide video, audio, and/or manipulative experiences are then basic to good educational programs. NDEA can provide to all children the resources for these kinds of experiences.

Compensatory education is certainly a high national priority; the need for which has been established more clearly than for any educational need previously identified. Milestone research such as the Coleman Report has been extensively

supported in the literature. Compensatory education programs such as Title I limit the amount of materials and equipment which can be purchased. California Title I projects are limited to ten percent of the project funds for capital outlay equipment. Because of this, NDEA, through multiple funding of individual projects, provides support of the badly needed compensatory education program.

A case can also be built for NDEA in the supplement of programs for the advantaged as well as the disadvantaged. An area which is not eligible for compensatory education funding has few, if any, programs which can be used to support their ailing budgets and in turn their students.

The Parkway Junior High School in the South San Francisco Unified School District has recently completed a science laboratory with a grant from NDEA. The teacher was so enthusiastic and appreciative of this new facility that weekends, without monetary remuneration, were spent in painting it. The dollar stretch is almost incredible. Long-range plans call for a second laboratory in this school when other district priorities are satisfied. Unless NDEA is continued, another teacher in the Parkway Science Department is without hope.

From the Fountain Valley School District:

"The project provided an additional:

26 quality films

17 magnetic tapes

40 filmstrips

74 records

"The students in the Fountain Valley School District demonstrated a steady and rather dramatic improvement in the median reading scores, which the NDEA project influenced by providing the children with increased and broadened experiences in reading through additional multi-media materials."

A mathematics specialist, Mr. Arthur Freier in the Los Angeles City Unified School District, writes regarding the national priority of mathematics:

"The new technology has much to offer the classroom teacher who is striving to teach more mathematics and to do a more effective job than ever before. A piece of chalk and a textbook are no longer adequate tools. Computers and computing devices of every kind, for example, are no longer "something for the future" but vital resources needed in the classroom today. Another significant development is the use of the laboratory approach in the teaching of mathematics, a technique that is gaining popularity throughout the nation. The trend has been accelerated through the efforts of the Madison Project in Syracuse and the Nuffield Project in England. Therefore, laboratory equipment and manipulative aids, with which pupils may develop mathematical concepts from the physical world, are much in demand.

"These and other resources will continue to be needed for a decade or more. For this reason, funds with which to purchase equipment and materials for classrooms at all levels -- from Kindergarten to Grade 12 -- are of crucial importance."

In the Citrus Junior College technical equipment cannot be purchased solely with local resources and NDEA makes their own dollars do double duty.

"Since the inception of the NDEA program for aiding education, the Citrus Junior College District has applied for and received funds for the purchase of much needed equipment. We are one of the poorest junior college districts in California - in terms of assessed valuation behind each student - and thus do not have our own resource for purchasing technical equipment.

"Our enrollment has more than doubled since 1961. Through a local bond issue and State and Federal grants, we have constructed twelve new buildings. Much of the equipment in these buildings is new and of current vintage only because of the fact that NDEA funds made our own dollars do double duty."

Many more local districts have expressed their need for NDEA assistance and their concern for the continuance of this program. A few of these statements follow.

The Benicia Unified School District:

"Small school districts, and those less relatively wealthy, have based many programs on Federal assistance. In fact, much that we have today which is good and innovative and creative in education has come with Federal assistance and encouragement. It is almost tragic that such programs, after getting under way and developed to the point of being highly valuable to children will have to be diminished or curtailed completely because of uncertain financing."

San Lorenzo Unified School District:

"Specifically, N.D.E.A. funds made it possible for this impoverished district to purchase enough basic science items so that teacher demonstrations could be drastically reduced, and students could work individually and in small groups with increased independence.

"Because of the necessity to maintain items purchased with N.D.E.A. help, for the first time we allocated funds for science to each school on an Average Daily Attendance basis. Also, these funds permitted purchase of required items not on the approved N.D.E.A. list, such as glassware and expendable items. These funds are now a regular part of our budget.

"Increased support of the science program has been dramatically stimulating to teachers. All N.D.E.A. applications resulted from cooperative research by teachers, administrators and the Coordinator of Science. The mere act of searching through catalogues by teachers has been important to them."

Stockton Unified School District:

"We have depended very heavily on NDEA for installation of language laboratories, upgrading science equipment, and for expansion of audio-visual equipment in other subject areas. NDEA is our sole source of

assistance for schools such as Stagg, Webster, Stockton, and some twenty-eight elementary schools that are not included in the ESEA program. We have also used NDEA assistance in our other secondary schools since ESEA funds have been applied primarily to those classes in which economically disadvantaged students have been enrolled."

Richmond Unified School District:

"The entire curriculum is stronger today as a result of NDEA. Many of the teaching techniques perfected under its provisions have been applied in other subject fields."

Few, if any programs, encourage the type of productive planning to the extent made possible by NDEA. In the process there is a partnership arrangement whereby Federal, State and local resources are mobilized and focused on helping students learn.

Teachers, curriculum specialists and administrators plan together. They assess needs, establish goals, determine objectives, provide inservice programs and evaluate the outcomes of programs that affect the learning experiences of children and youth. According to a study conducted in California the effort is sizeable. In an analysis of reading and English projects, the value of teacher and administrator time devoted to planning and inservice training was twenty times the federal funds reimbursed for equipment and material. A small federal resource generates a larger contribution of State and local funds and mobilizes human resources. This is over and above the effort of local districts to overmatch federal funds for equipment, material and minor remodeling. A survey of 19 counties in California reveals that 54% of the local districts in fiscal year 1970 more than matched the Federal funds allocated to them.

From appropriation to reimbursement to application is stimulation, planning, change, improvement of instruction and increase in learning. The entire process contributes to helping children and youth learn.

State and local agencies appreciate the simplicity of the program administration; the uncomplicated application procedures; the clear guidelines and regulations; the fast and fair method of allocating funds to the benefit of the learner; the wise selection and prudent purchasing, since the local educational agency is furnishing half the cost.

Effectively applying technology to the nation's schools calls for adequate provision for the planning and training phases. Under present regulations funds for supervisory and related services for NDEA are to be granted under Title V of ESEA. However, in actual practice, due to competition for these funds, few resources are available to do the important job of training teachers concerning new curricula, the new technology and the resultant new teaching practices.

The Bureau of National Defense Education Act Administration has recently surveyed all State Educational Agencies regarding anticipated funding needs for the next three fiscal years. States report a need of $98,352,000 in fiscal year 1972, $110,101,000 in fiscal year 1973, and $120,464,000 in fiscal year 1974.

Interesting and pertinent comments from the State agencies administering NDEA were:

> Based on previous experience, it is my opinion that the $79 million funding level is adequate, but the condition may exist where due to lack of funding at this level for the past two years school systems may have a backlog of needed equipment and materials.
>
> We have been encouraged to maintain a good local effort through the NDEA Title III program. Some of the Federal Programs are considered by some people as "free" money from Washington. NDEA III requires initiative on the local level and for this reason, I feel it has been very effective in upgrading the quality of education.
>
> We heartily recommend its continuance.
>
> Receiving about one-half of what is needed.
>
> The program is the favorite of school administrators, school boards, and teachers.
>
> In most instances, the district expenditures have exceeded the reimbursements received.

The reports of the Science and Mathematics Consultant, the Critical Subjects Consultant, the Director of Elementary and Secondary Education, and others who have occasion to visit schools indicate that there is still a pronounced need for equipment at the elementary level to provide meaningful learning experiences.

During the past year, and this summer, a series of workshops and institutes have been held in several areas of the State. A common complaint, on the part of the teacher participating in these course updating experiences, is that little has been done in most school districts to provide equipment and materials which will make possible the individualized learning experiences essential to good understanding.

Increased enrollments have necessitated equipping new buildings and expanding facilities in existing buildings.

Improved program offerings demand modern resources and technology.

Increased use of audiovisual equipment by teachers and students makes it necessary to have many items available in classrooms at all times rather than on a loan basis as was the case early in the program.

Technological improvements in equipment have made available more and better quality items. (Example: Contrast casette recorders with the heavy cumbersome tape devices of the early sixties.)

New emphasis on individualized instruction requires availability of greater variety and quantity of equipment and materials.

Many equipment and materials items purchased in the early years of the program are wearing or are worn out and must be replaced.

Because of the accounting and record keeping required, there has been some tendency to acquire larger or more costly items. There remain serious inadequacies in smaller items for individual pupil use.

The responsible leaders of LEAs in California deeply appreciate the efforts of the U. S. Congress to provide them with the tools that have permitted them to move forward and provide the best educational programs possible. We hear it often said that NDEA is the finest and best administered federal program available. It makes sense to me that this fine program should continue. I hope you agree.

STATE	FISCAL YEARS 1972	1973	1974
Alabama	2,030,000	2,030,000	2,030,000
Alaska	150,000	200,000	300,000
Arizona	830,000	874,000	922,000
Arkansas	1,250,000	1,250,000	1,250,000
California	14,000,000	15,000,000	18,000,000
Colorado	2,000,000	2,000,000	2,000,000
Connecticut	500,000	500,000	500,000
Delaware	200,000	200,000	200,000
Florida	3,000,000	4,000,000	5,000,000
Georgia	2,000,000	2,250,000	2,500,000
Hawaii	300,000	350,000	400,000
Idaho	550,000	550,000	550,000
Illinois	4,000,00	5,000,000	6,000,000
Indiana	3,000,000	3,000,000	3,000,000
Iowa	2,000,000	2,500,000	2,500,000
Kansas	2,000,000	2,000,000	2,000,000
Kentucky	1,500,000	1,750,000	2,000,000
Louisiana	2,500,000	2,800,000	3,000,000
Maine	500,000	550,000	600,000
Maryland	1,000,000	1,500,000	2,000,000
Massachusetts	2,000,000	2,000,000	2,000,000
Michigan	5,000,000	5,000,000	5,000,000
Minnesota	1,500,000	2,000,000	2,500,000
Mississippi	1,600,000	1,600,000	1,600,000
Missouri	1,600,000	1,600,000	1,600,000
Montana	357,000	357,000	357,000

STATE	FISCAL YEARS 1972	1973	1974
Nebraska	500,000	600,000	600,000
Nevada	120,000	130,000	150,000
New Hampshire	275,000	300,000	325,000
New Jersey	1,800,000	2,000,000	2,500,000
New Mexico	600,000	600,000	600,000
New York	4,500,000	8,000,000	9,500,000
North Carolina	2,500,000	3,000,000	3,500,000
North Dakota	320,000	330,000	340,000
Ohio	5,000,000	5,000,000	5,000,000
Oklahoma	1,000,000	1,000,000	1,000,000
Oregon	1,000,000	1,000,000	1,000,000
Pennsylvania	4,000,000	4,500,000	5,000,000
Rhode Island	400,000	400,000	400,000
South Carolina	1,000,000	1,200,000	1,200,000
South Dakota	750,000	750,000	750,000
Tennessee	1,850,000	2,000,000	2,000,000
Texas	10,000,000	10,000,000	10,000,000
Utah	630,000	640,000	650,000
Vermont	240,000	240,000	240,000
Virginia	2,500,000	3,000,000	3,000,000
Washington	1,000,000	1,250,000	1,400,000
West Virginia	1,000,000	1,300,000	1,500,000
Wisconsin	2,000,000	2,000,000	2,000,000
Wyoming	Ltr.	-	-
TOTALS	98,352,000	110,101,000	120,464,000

NATIONAL ASSOCIATION FOR
EQUAL OPPORTUNITY
IN HIGHER EDUCATION

2001 "S" Street, N.W. • Washington, D. C. 20009 • Telephone • 202/232-8500

May 21, 1971

Senator Claiborne Pell
c/o Mr. Stephen Wexler
U. S. Senate
New Senate Office Building
Washington, D.C.

Dear Mr. Pell:

Enclosed is a statement prepared by the National Association For Equal Opportunity In Higher Education to update the previous Testimony presented before your committee.

We thank you for the opportunity to submit this statement. We will be available for further discussion at your convenience.

Sincerely,

Miles M. Fisher, IV

Miles M. Fisher, IV
Executive Secretary

MMF:jbm
Enclosures

FICERS: *President*, Dr. Herman Branson, Lincoln University (Pa.); *Vice President*, Dr. Vivian Henderson, Clark College (Ga.); *Vice President*, Dr. rman Long, Talladega College (Ala.); *Vice President*, Dr. J. Louis Stokes, Utica Junior College (Miss.); *Secretary*, Dr. Milton Curry, Jr., Bishop College (Tex.); easurer, Dr. G. Leon Netterville, Southern University (La.). DIRECTORS: Dr. Broadus Butler, Dillard University (La.); Dr. James Cheek, Howard University .C.); Dr. Lewis Dowdy, N.C. A&T State University (N.C.); Dr. Lloyd C. Elam, Meharry Medical College (Tenn.); Dr. Hugh Gloster, Morehouse College (Ga.); Dr. rtin Jenkins, Morgan State College (Md.); Dr. James Lawson, Fisk University (Tenn.); Dr. Lionel Newsom, Johnson C. Smith University (N.C.); Dr. Benjamin ry, Florida A&M University (Fla.); Dr. Lucius Pitts, Miles College (Ala.); Dr. Granville Sawyer, Texas Southern University (Tex.); Dr. Walter Washington, Alcorn AM University (Miss.); Dr. Albert Whiting, North Carolina Central University (N.C.).

Black Colleges Produce Over 70 Percent of the Black College Graduates in America

STATEMENT UPDATING PREVIOUS TESTIMONY BEFORE
THE SENATE SUBCOMMITTEE ON EDUCATION OF THE
COMMITTEE ON LABOR AND PUBLIC WELFARE

May 18, 1971

Herman R. Branson, President
Lincoln University
Lincoln University, Pennsylvania

President of the National Association For Equal Opportunity In Higher Education
on behalf of
The National Association For Equal Opportunity In Higher Education

The National Association for Equal Opportunity in Higher Education has as members 85 of the 111 predominantly Negro colleges of America. These 111 colleges enroll some 180,000 students.

We are most grateful, Mr. Chairman, for the opportunity to place before your Committee some of the expressed concerns of our institutions. In doing that we have arranged our material in the following manner:

1. The financial plight of Black students now in college.

2. The insuring that Federal aid will go to the colleges enrolling students from low income families.

3. Insuring that students from low income families can continue into graduate and professional schools.

4. Suggestions for an institutional aid formula to aid the colleges enrolling large numbers of students from low income families.

5. Urging the Committee to pay expressed attention to bhe unique difficulties of our schools.

6. The presentation of seven appendices going into more detail on some of the questions raised.

Items will be treated in the order as listed.

1. The financial plight of Black students now in college.

Attached is a table on American Council on Education study of 1969,190 college freshmen in the fall of 1969 in 270 institutions. These data show that approximately 20% of the Negro students were from families with incomes less than $4,000 per year. The only group near that were the students in nonsectarian coeducational colleges where the number was 6.2% - Thus percentage-wise there were three times as many poor blacks as the poorest of any other group. It is clear that there are many other unfortunate conclusions in this table.

The next table, Table 2 shows that poor families truly sacrifice to aid that child in college. This table was given to members of the Committee on Student Economics of the College Entrance Examination Board earlier this month. Please see that a family with income less than $5,000 per year scrapped together on the average $811 to aid that child in college. Even more amazing is the fact that a family with four children with one in college found $750 in family aid for that child.

Thus we are lead inexorably to our next item.

2. We urge that whatever legislation is adopted that the guidelines be so drawn that the funds will go to the neediest students. To insure this we urge that the Commissioner give priority to those schools enrolling the largest percentage of students from low income families in the allocation of student aid funds. The guidelines above all should be clear and unequivocal.

But even with sufficient aid, we must concern ourselves with the type of aid. The National Association For Equal Opportunity In Higher Education was so concerned about the danger of loans that it adopted a policy statement bearing on this. This is our Item 3.

3. A Statement Approved by the National Association for Equal Opportunity In Higher Education at its Chicago meeting on March 16, 1971.

The National Association for Equal Opportunity In Higher Education recognizes the need to have specific legislation with concrete provisions to insure that equality of opportunity in higher education is extended to young people from low income

families. We, therefore, understand and endorse in general the legislation proposed by the President. And most especially, we applaud the principal enunciated in his education message to Congress. We believe, however, that a modification, albeit slight, in the specific provisions would be of inestimable aid in meeting certain recognized national needs.

The modification we propose rests upon two factors. In the first instance, the graduates of the predominantly Black colleges and universities have expected life-time incomes considerably less than graduates of other schools. Hence, we must be cautious about how much debt we impose upon them in their gaining the skills needed by our society. Our graduates enter those critical professions requiring college training but paying the lowest salaries. Yet, the most important factor is the second, which is the recognized need to encourage significantly more of these young people to continue in professional and graduate school after graduation from college. We believe that the greatest single deterrent to more of these young people continuing would be a large debt looming over them incurred in college. An able young person with six to ten thousand dollars of debt acquired in college will not be enthusiastic about acquiring an additional ten to twenty thousand dollars worth of debt for law school or medical school. And a young couple with eight to twenty thousand dollars' worth of collective debt will be even less prone to plunge deeper to achieve a remote goal.

The specific recommendation of the Association (NAFEO) is, then, that the first category of Federal aid - Equal Opportunity Grants/Work-Study - be increased from a maximum of $1,000 to $2,000 for at least 10% of the students enrolled in the predominantly Black colleges and universities. Accepting a figure of 200,000 net students, our recommendation requests in essence an addition of $20,000,000 to this category for these schools. We urge, further, that the amount be the focus, for we want to insure that <u>at least</u> this number of students will be aided.

With this number, we hope that at least 5,000 able students would graduate from these schools with little or no debt. We say able students since in addition to family income, the school would have qualitative criteria to make certain that students receiving this additional support would have a high likelihood of continuing into graduate or professional school.

Inasmuch as expense in the public colleges in general are less than those in the private, we estimate that these good students would graduate from the public colleges with no debt. We think that no more money should be granted than that necessary to meet the charges for tuition, fees, room and board as assessed and collected by the colleges. By the same arithmetic, the students in certain of the private predominantly Black Colleges who have no family or personal resources would acquire some debt. We estimate that it should be less than $3,000 for the student with most of the debt in the subsidized 3% interest category. We think that such a debt would not be onerous.

These funds ($20,000,000) would be allocated to these approximately 111 schools following their presentation of data on family income, expected number of students with such family income who have the other prerequisite qualities, and other data deemed appropriate.

The specific amount of $20,000,000 has been derived by multiplying the number 20,000 (which is 10% of the total) by $1,000. We submit that this amount represents a reasonable miximum, but we urge that it be considered as the sum averaged over all students accoding to our suggested table. To be consistent, we submit that the Aid Eligibility Table be revised in such a manner as follows, in order to preserve the commendable intent of the legislation:

AID ELIGIBILITY

Adjusted Family Income	Family Contribution	EOG/Work-Study	
0 - 3,500	0	2,000	
4,500	220	1,780	
5,500	430	1,570	
6,500	640	1,360	
7,500	850	1,150	
8,500	1,050	950	Work
9,500	1,250	750	Study
10,000 and above		600	Only

It is clear, moreover, that even with adequate aid for students some type of institutional aid is essential for our schools. Thus out Item 4 is institutional aid:

4. We find it difficult to argue, however, that all colleges and universities have the same financial problems. At least they are not of the same intensity or urgency. We respectfully urge, therefore, that in any general support formula that additional institutional aid be granted those schools enrolling large numbers of students from low income families beginning with those where 10% of the student body are from families with less than $4,000 and progressing according to a table such as follows:

10%	of the student body from families less than $4,000 -	$500	per such student
20%	"	$750	"
40%	"	$1,000	"

5. In all legal provisions we find that we must ask that they be examined carefully to see that seemingly harmless provisions do not injure us. We earnestly solicit your Committee's paying especial attention to the plight of these colleges. We hope that you will incorporate in your legislature answers to the problems which have been emphasized in two recent newspaper articles on our schools. We should like to make these articles part of our presentation. They are the New York Times article of April 18, 1971 and the Christian Science Monitor article of March 29, 1971.

6. We have prepared seven appendices on some of the other questions which have been raised on the educational legislation. We should like to pass them on to you and your staff.

Thank you for the opportunity to update our previous testimony.

APPENDIX I

NATIONAL ASSOCIATION FOR EQUAL OPPORTUNITY IN HIGHER EDUCATION

Statement on: Context for Higher Education Legislation

Context for Higher Education Legislation

There is a financial crises in Higher Education in general and in black colleges in particular. The cost of every conceivable type of service is jumping dramatically. The Labor Department has been reporting uninterrupted rises in the cost of services every month since September, 1962. One must take a holistic approach if adequate solutions are to be provided for the various problems. Therefore, consideration of several key factors in the proposed higher education legislation is in order.

There are many factors contributing to the present state of affairs. Enrollments are increasing and are anticipated to increase even more in the next few years. To accomodate these enrollments adequate facilities, along with additional personnel - administrative, instructive, and supportive, program support and institutional support will be needed.

What is to be written in this bill will determine the principle of hope that might be fulfilled by future minorities in this society. This principle of hope will be realized in the inclusion of dollar figures in the structure of the legislation. Without money earmarked and designated to specifics the extent of hope will be diminished.

The interfacing of all areas of the Higher Education situation is necessary if there is the desire to work through the present crises in our society as reflected in our institutions.

While in American society there is at work a move to "downplay" the degreed form of credentialization, this cannot be the same for the minorities in this country. Equal access to Blacks and other minorities will only be possible through the obtaining of academic degrees for on this rest the mobility that will allow them to enter and participate in the mainstream of American life.

If there are to be leaders to help our people there must be institutions that see that they are able to obtain the necessary credentials otherwise by 1980 we will be a group of followers with no leadership. This would indeed be catastrophic.

Who teaches the students will determine what they are taught. Witness the displaced teachers, principals, and other administrators in the south. Witness the possibility of no NDEA Graduate fellowship, no graduate work-study, and limited financial support to environments that have been friendly to such populations.

The principal avenue of entry to the opportunity system in this country and to community leadership and service as well, has been that of higher education.

The historically predominantly black colleges represent an existing mechanism that can be improved and used to intensify the positive efforts to equalize opportunity. Operational programs for these colleges today are for all of higher education and our society on tomorrow. These colleges have been and still are the major force for the mobility of

black youth into all levels of American Society and should be maintained and improved in order to continue their unparalled record of achievement.

Great care should be taken not to identify junior colleges as the major approach to "post-secondary" education of black youth under the career education concept. Disproportionate numbers of black youth should not enroll in junior colleges versus four year colleges. The record of articulation to the four year colleges from junior colleges is not very good for these students. The same proportion of black youth should be enrolling in four year degree granting institutions as white youth.

As we wrestle with the economic trends, we are admonished: "Let this not be a 'pyrrhic'cutback" whereby we save for the present and lose the future through a denial of the options to our contemporary society.

Issues to be addressed are: Institutional support, Student support, Title III of the Higher Education Act dealing with developing institutions, academic facilities, the National Foundation, and other proposals. It is hoped that these issues will address fully the impact of the crises existing in higher education.

APPENDIX II

NATIONAL ASSOCIATION FOR EQUAL OPPORTUNITY IN HIGHER EDUCATION

Statement on: Institutional Support

Institutional Support

Institutional support is a necessary factor in the continued efforts of these institutions. Direct federal aid should be given to these institutions based on need. This support should be unrestricted and used where needed by the institutions. The amount should be adequate to meet the need and cope with the impending crises at these institutions.

The general institution support proposal is one of the more encouraging proposals. Missing, however, is a formula which takes into account the greater needs of institutions enrolling and graduating a majority of minority group or low-income students.

Institutional support would aid the financial plight of these schools, reduce the attrition, increase graduates through providing a special effort, expand the curriculum offerings and foster the movement toward equal educational access, attainment, and future opportunities.

The educating of large numbers of low-income youth is a more difficult educational job. The teachers need smaller classes to reach the students and better salaries to retain the teachers. Counseling services in these situations must be very good as academic pressures, personal pressures, and financial pressures are great on such a population of students. Adequate support therefore is necessary for these students to channel their motivation and aspiration toward success producing goals. Though graduated from accredited secondary schools many students have been underexposed to the quality of life that enables one to get the maximum rewards from the educational experience. Programs have to be structured to meet these pressing needs if sizeable numbers of these students are going to enter the mainstream.

Students should not be penalized for institutional failures. To say that students who graduated from accredited high schools in good standing are not "qualified" for college is to make access to equal educational opportunity a hollow slogan. These colleges have performed such a job for over a century. American and its black community would be woefully lacking if such institutions had not existed.

Any formula for institutional support should be based on differences in cost of various levels of education and the variety of functions provided by institutions of higher education. The formula should be based in part on institutional efforts with minority and disadvantaged groups. If there is a committment to equalizing opportunity and attainment, then that committment ought to extend directly into any institutions which are making a major effort in producing large numbers of college graduates out of this population.

This formula will in part insure that colleges that carry a heavy part of the burden will be able to continue their job of producing graduates. Someone may say that this is not fair to the large degree granting institutions, but the research capabilities of these schools with the generous overhead cost will more than offset such an arrangement. The idea should be to help the schools that actually need help rather than to make the rich get richer. In some instances this would encourage the states to do more at that level for their own.

APPENDIX III

NATIONAL ASSOCIATION FOR EQUAL OPPORTUNITY IN HIGHER EDUCATION

Statement on: Student Support

Student Support

Student support is necessary if access to higher education is to provide for all students in America. The Presidents plea is that no qualified student who wants to go to college should be barred by lack of money. We are in agreement with the principle that: federal funds go first, and in the largest amounts, to the neediest students in order to place them on an equal footing with students from higher income families.

It must be remembered that students from low-income families, on the whole, have very limited access to other sources of financial aid than other groups within our society. This group is therefore greatly dependant on Federal financial assistance. Guaranteed and other loans are less likely to be obtained because they have less if any collateral and their families often do not have accounts with local banks.

Institutions of higher learning serving predominantly disadvantaged populations tend to have smaller endowments and scholarship resources and thus are unable to provide their own students with significant support. Those schools located in small communities have difficulty in finding students off-campus employment.

Though working one's way through college is a part of the American tradition, scholastic demands coming out of the current knowledge explosion make it impossible for a poorly prepared freshman to work part-time and then meet and keep academic standards. Parental support can not be counted on in many cases. It is possible that the current pattern of

financial aids dependance on work-study is a contributing factor to poor academic performance in disadvantaged populations as opposed to helping them maintain themselves in college.

In priorities we would favor the mix of financial support as consisting of opportunity grants, work-study and National Defense Student Loans in that order with emphasis on grants to curtail the necessity of incurring large debts as students launch their earning careers. With this in mind, we are concerned that E.O.G. and Work-Study funds be given prior consideration to these students and N.D.S.L. be used to offset the difference beyond these base sums of support.

National guidelines should have certain standardized elements with specifications for discretionary options. This would guarantee that equality of access to opportunity will be preserved in principle as well as in fact in the respective situations.

All funds in the respective programs should be increased to accomodate the expanded enrollments at these institutions over the next five years so that no student will be turned away and turned off because of a lack of the availability of financial options for the educational experience.

The shift to subsidized loans as the basic support mechanism for low-income youth may in the process of equalizing opportunity to enter college, result in unequal indebtedness upon leaving college. Poor youth will avoid expensive schools, though qualified, in order to avoid a large debt. Even in a school of equal cost the poorer student is liable to

incur greater indebtedness even with grants and work study available.

Institutional matching requirements should be eliminated in EOG, Work-study, and NDSL Programs. This matching money would be available for other areas of need within the institution.

We would favor extending all student aid programs to part-time students both undergraduate and graduate.

There are many persons who would avail themselves of higher education but who lack the resources to make a full-time committment to such pursuits. This support would be available to them since as taxpayers they provide access for others and yet through circumstances they do not enjoy such options for themselves because of lack of assistance for part-time students.

At the graduate level there are those who live in areas where they can take advantage of educational opportunities but need help in order to realize such opportunities. Having to pay the high cost per point and maintain other obligations negates the desire of many persons to pursue part-time graduate study. If the cost of living continues to increase the time may come when more and more graduate students will go to school this way for they cannot afford to restrict themselves and their families to the limited and inadequate resources available to full-time graduate students. With the cut back in graduate support this will allow a continuation in some cases to those students who did not receive enough support to go full-time and to those who would like to go part-time.

A cut back in graduate work-study and N.D.E.A. fellowships would hurt the chances of large numbers of blacks pursuing and securing the doctorate degree. The elimination of work-study grants for graduate students will be extremely destructive in those graduate schools which enroll large numbers of low-income and minority group youth. The traditionally Negro graduate schools would find it impossible to continue to salvage substantial numbers of talented black youth for graduate work. There is a shortage of Blacks with Doctorate degrees, contrary to the oversupply of doctorates as voiced in academia.

The National Defense Student Loan would be the best type, if any, loan program for the Black College Students. Institutional administration would be a guarantee that these students would be availed the opportunity of such a loan. There is no indication that such a guarantee would be provided otherwise.

Forgiveness of loans has its merit in accelerating movement into the mainstream. Disproportionate earning potential of minorities should be recognized and this should be a way of nationally helping to rectify this inequity. Targeting of forgiveness should be based on economic background, areas of services, i.e. rural, ghetto, and deprived-where salaries are not commensurate with those paid in more prosperous areas.

APPENDIX IV

NATIONAL ASSOCIATION FOR EQUAL OPPORTUNITY IN HIGHER EDUCATION

Statement on: Higher Education Title III

Higher Education Title III

Title III of the Higher Education Act of 1965 is the program most responsive to the needs of the predominantly black colleges. In its present state the original authorization was 91 million dollars. The present pending appropriation is 38.5 million dollars.

Though the Carnegie report on problems of the Colleges founded for Negroes is entitled "From Isolation to Mainstream" there are still institutions struggling for survival and are in instances isolated from the main currents of academic life.

We propose that in the reassesment of this Title that the authorization and full appropriation of the following sums of money be done as a principle of hope for these colleges.

1972	1973	1974	1975	1976
120 million	140 million	160 million	180 million	200 million

According [illegible] reports more than 100,000,000 dollars worth of proposals were submitted to this program for the past funding cycle. If appropriated to its full authorization this would be a major step toward moral accountability as we celebrate the 200th anniversary of the founding of this nation in 1976.

The definition of developing institutions should be sharpened. Those schools educating a majority of group youth and producing graduates from among them should be viewed as primary target schools within the Developing Institutions Program. Among the Junior Colleges those schools which enroll and transfer a majority of poor and minority students to the four year colleges for degrees should be the target.

Other factors for consideration are:

Maintenance of the 23 percent stipulation for other than degree granting colleges.

Removal of the Professor Emeriti restriction (other than developing institutions).

Make the cooperative arrangement optional and grant the institutions discretionary power in seeking expertise as needed.

APPENDIX V

NATIONAL ASSOCIATION FOR EQUAL OPPORTUNITY IN HIGHER EDUCATION

Statement on: Academic Facilities

Academic Facilities

The construction of academic facilities is very vital to the expansion of student enrollments at these institutions. Specialized facilities will be needed for the new demands of changing instructional methods, laboratories, experimentation, research, and expanding fields of societal interest. In other instances there is the need to rehabilitate and convert obsolete and substandard facilities in many institutions. Therefore two parts should be considered in the area of academic facilities: new facilities and rehabilitation of present facilities.

We support the continuation of Federal grants and direct loans for the construction of academic facilities, as well as the program of interest subsidies on loans obtained in the private market. There are serious needs in terms of expansion and improvement of current facilities that are best met within the context of a grant program.

We feel the Commissioner should be allowed to waiver the matching requirement for institutions serving large percentages of students from low socio-economic backgrounds.

Non-revenue producing facilities built with Federal Funds should be supplemented with a maintenance fund to insure that the government investment be protected and maintained.

APPENDIX VI

NATIONAL ASSOCIATION FOR EQUAL OPPORTUNITY IN HIGHER EDUCATION

Statement on: National Foundation

National Foundation

The National Foundation would be helpful in providing grants to institutions that have always had to be innovative and creative in providing services to the nation on a shoestring.

The Foundation should undertake a study of equality of opportunity in higher education with the emphasis on identifying mechanisms showing promise for the movement of the poor through higher education to a degree commensurate with their numbers in the population.

Thus, a fundamental principle would be that of promoting equality of opportunity in higher education with proper focus upon adolescents and minority group populations.

The structure of the Foundation should insure:

> That the composition of the board would be representative of higher education in general but further represented in terms of the population served by the institutions of higher education.
>
> That the association have in the selection process the opportunity to make recommendations of those felt to express points of view representative and inclusive of their interest.
>
> That the Board of the National Foundation elect its own chairman from within the Board.
>
> That there should be compatibility between the executive function of the Director and the position of the board.

Additional input in keeping with our proposals from last year might see a mix within the Foundation that includes the following:

> That institutions with long term accomplishments predating the current emphasis on the disadvantaged be rewarded through inclusion where they have done the job.

That the leadership in terms of educational reform be diversified and not maintained in a narrow range of institutions of prestige and status recognizing that these institutions to date have not been productive of equal access to educational opportunity in the society or within the institution themselves.

That increased effectiveness will be developed and encouraged in institutions already producing large numbers of graduates from our poor and minority group students.

APPENDIX VII

NATIONAL ASSOCIATION FOR EQUAL OPPORTUNITY IN HIGHER EDUCATION

Statement on: Other Proposals

Other Proposals

There are additional proposals that should be listed as representing the concerns of this group of institutions.

NDEA Fellowship Program

This program should be continued as any phasing out of these fellowships will encourage an irreversible gap between the availability of minority doctorates and non-minority doctorates. Contrary to the present emphasis on an oversupply of doctorates, there is no oversupply of black doctorates. If this trend is carried out there will be no approximation of parity in holders of the doctorate degree within the forseeable future. This would indeed undercut the ambition of young doctoral hopefuls who would seek to pursue the terminal degree.

With unwritten quota systems, how will these students survive in an arena where the resources are very limited and the number of persons who hold doctorates now in no ways approximates a certain kind of parity.

The pipeline must be enlarged to include more candidates, otherwise the future academic leadership will be deprived of a mix which will be necessary in our forseeable continued culturally pluralistic society.

We would encourage a continuation of this program and an earmarking a percentage of these fellowships to Black Doctoral Candidates, and a continuation of other programs that train students in mid-level graduate offerings between the bachelors and the doctorate degrees.

A greater proportion of the black college graduates can be encouraged to go to graduate and professional schools with the proper fellowships. However, many are already in debt from loans for their undergraduate education and want to enter the labor force immediately.

College Library Resources

Continuation of Title II with the aim to upgrade the available offerings at colleges serving large numbers of low-income students where there is a deficit of books and materials coupled with inflated cost that make such additions restrictive and in some instances prohibitive.

Instructional Equipment

Adequate funding of Title VI which provides funds for the use of new educational technology.

Community Services and Continuing Education

Continuation of Title I with a waiving of matching requirements for institutions serving large numbers of low-income students and or in communities which serve such a low-income population.

THE NEW YORK TIMES, SUNDAY, APRIL 18, 1971

Negro Colleges Suffering Under U.S. Aid Policy

WASHINGTON, April 17 (AP)—Public Negro colleges in several Southern states are finding it virtually impossible to expand or to integrate as Federal funds are poured into competing predominantly white institutions.

A Federal judge ordered Southern educators three years ago "to dismantle the dual system of higher education," yet an official in the Department of Health, Education and Welfare said recently: "Present Federal policy is helping perpetuate the dual system."

An Associated Press study found that newer, mostly white colleges in such cities as Nashville, Montgomery and Huntsville, Ala., were growing despite direct competition with long-established, publicly supported black schools in the same cities.

The study also found that of $72.3-million in Federal land grant funds given to Alabama, Louisiana, Florida and Tennessee last year, $71.8 million went to four predominantly white schools and $497,955 to an equal number of black institutions.

Inequality in Funds

The white schools have a 6-to-1 enrollment edge, but they had more than a 140-to-1 edge in Federal land grant funds.

Nixon Administration officials say steps are being taken to channel more Federal funds into predominantly black schools.

Some black educators fear that if black schools merge with their white counterparts, scores of black administrators and teachers will lose their jobs. But they also believe that black schools will never achieve balanced black-white enrollments so long as competing white schools remain open.

Dr. Henry Ponder, vice president of academic affairs at Alabama A. & M. in Huntville, Ala., who is black, said: "As long as white parents have a choice, they are going to send their children to a white school. If they had only one school, parents would send them there."

Opponents of the dual system have gone to court in unsuccessful efforts to stop the building of new predommantly white campuses in Nashville and Montgomery.

Situation in Nashville

In 1958, Federal District Judge Frank Gray Jr. refused to halt construction of a $5-million downtown branch of the University of Tennessee in Nashville, started 11 years ago as an evening school across town from Tennessee State University, which has 70 whites among its 4,400 students.

The Tennessee legislature recently approved campus status for the new Nashville campus, making it a degree-granting university but limiting it to evening classes. The legislature scrapped an amendment that would have prevented it from expanding its new facilities.

An example of the duplication of programs by the two schools was cited by George E. Barrett, an attorney for opponents of the University of Tennessee Nashville campus. When three Nashville hospitals began to phase out nurse training, Mr. Barrett said, they asked Tennessee Nashville to step in although Tennessee State had had a nursing program for years.

Between 1967 and 1970, Tennessee State's enrollment declined from 4,793 to 4,404 and the other school's increased from 1,743 to 1,079.

Dr. Andrew P. Torrence, president of Tennessee State, said his school had been getting a fair share of the state tax dollar. But he added: "It doesn't mean much." He said Tennessee State must operate almost all its programs on state money while the University of Tennessee received substantial Federal funds, $16.7-million in 1969 compared with $214,753 in Federal funds received by Tennessee State.

Major Competition

Farther south, Alabama A. & M., a Black school with 2,700 students that was founded in 1875, has major competition developing about five miles away at the University of Alabama-Huntsville, which opened 18 years ago as a small graduate school.

Similar situations involve Auburn University and Alabama State in Montgomery, Florida State University and predominantly black Florida A. & M. in Tallahassee and Louisiana State University and all-black Southern University, both of which have campuses in New Orleans, Baton Rouge and Shreveport.

Mrs. Willa B. Player of the Department of Health, Education and Welfare called it "a dismal situation."

"Black schools have been terrorized and pauperized, but the President wants the land grant laws changed," she said.

Dr. Player said that her department had been given $43-million to help developing schools and that she had been instructed to channel 70 per cent to the predominantly black institutions.

Referring to states where established black schools were facing competition from predominantly white institutions, Dr. Player said: "They die hard. It is the last gasp of a dying system."

TABLE 2

DSM 4/1/71

REPORTED LEVELS of FAMILY SUPPORT for COLLEGE STUDENTS*
for 1 Child in College Families
(1966-1967)

Family Income	NUMBER OF DEPENDENTS IN FAMILY				
	3	4	5	6	ALL FAMILIES
less than $5000	$811	$710	$730	$750	$677
$5001-7000	804	752	500	576	686
$7001-9000	792	740	607	712	705
$9001-11,000	1058	855	824	678	886
$11,001-13,000	1187	1088	1022	769	895
$13,001-15,000	1257	1196	1188	969	1168
$15,001-17,000	1242	1186	1443	860	1135
$17,001-19,000	1463	1375	1397	1284	1408
$19,001-21,000	1392	1478	1425	1250	1457
$21,001-29,000	1702	1589	1586	1650	1651
over $29,000	1771	1845	1772	1826	1775
ALL INCOME LEVELS	$1113	$1067	$1031	$925	$1019

*COMPUTED from parent reported support for 1st year college enrollees in the SCOPE sample in academic year 1966-67. Assuming that all families have two parents, the number of dependents minus two is the number of children. The data includes support for both full-time and part-time students. Dependents are those family members who receive at least 1/2 of their support from family sources.

TABLE 1

2891

AMERICAN COUNCIL ON EDUCATION
OFFICE OF RESEARCH FALL 1969
WEIGHTED NATIONAL NORMS

	Colleges for Men		Colleges for Women		Coeducational Colleges						Predominantly Negro Colleges		
					Nonsectarian			Catholic					
	Nonsect.	Catholic	Nonsect.	Catholic	Men	Women	Total	Men	Women	Total	Men	Women	Total
ESTIMATED PARENTAL INCOME (2) ** LESS THAN $4,000	2.8	3.4	3.9	5.9	6.8	6.4	6.2	2.6	3.5	3.8	19.9	19.0	19.4

29907

THE CHRISTIAN SCIENCE MONITOR

Second Section

Monday, March 29, 1971

A 3 percent drop in the bucket

$5.00 billion for higher education, but only $132 million for black colleges and univer

Wanted: green power for black campuses

Representing 10 percent of the U.S. population, blacks have only a 5 percent enrollment slice of higher education. To double that figure will require more government funds — and the survival of black colleges and universities. The following article, based on interviews with black educators, examines the prospects.

By Kenneth G. Gehret

Education editor of The Christian Science Monitor

MORE BLACKS ARE GETTING INTO college than ever before. They now make up at least 5 percent of the total college student body in the United States. That's nearly double the number of blacks on campus five years ago.

This is progress, but not enough for Dr. Herman B. Branson, president of Lincoln University, a traditionally black institution near Oxford, Pa.

"If there are 8 million in higher education, then 800,000 ought to be blacks since blacks comprise 10 percent of the population," he contends. "But only 400,000 are. So we need to double the number of blacks in college [to have them properly represented as a segment of society]."

Dr. Branson predicts that this goal of 10 percent of the total enrollment could be achieved by 1975—meaning 1 million blacks among an overall campus population of 10 million.

Whether blacks do this well depends on at least two vital factors: increased government funding and the survival of colleges and universities founded for blacks.

The two are closely related. Although some private money is available to black institutions, these funds are insufficient to make more than a dent in their tremendous financial needs.

Rescue demanded

Only state and federal resources are adequate to rescue these colleges. And their rescue is essential, their administrators argue, since predominantly white campuses cannot accommodate the great numbers of blacks that need and want to be educated.

So great is the demand placed on traditionally black academic centers that their enrollment is expected to double at least by the end of the century, possibly as early as 1980, according to a report issued last month by the Carnegie Commission on Higher Education.

This study ("From Isolation to Mainstream: Problems of the Colleges Founded for Negroes") recommends a tripling of federal support for black colleges.

A 200 percent increase in funds would, of course, be significant. In fiscal 1969, none allocated to traditionally black colleges by all federal agencies totaled $132 million.

This, however, came to about 3 percent of the $5.00 billion total in federal funds received by colleges and universities. Dr. Branson and other black education leaders hasten to point out. They don't consider this a fair share. The situation, they warn, is too desperate, both in terms of students' needs and the institutions' plight.

"We have 5,000 applying for admission to Lincoln," says Dr. Branson, "and all need some financial help. Of present students, 65 percent require some sort of aid. We have right now 30 to 40 empty beds, despite a waiting list, because we ran out of financial aid."

Hundreds dropped out

Before arriving at Lincoln last December, Dr. Branson headed Central State University at Wilberforce, Ohio. To illustrate the shortage of funds among black students, he tells how "200 students who were in good standing [at Central State] left for the Christmas holidays in 1968 and did not return for the winter quarter.

"Our registrar sent a questionnaire to them and received about a 40 percent response. Nearly 70 percent of the students stated that they had to drop out for financial reasons."

Dr. Branson concludes that the income level of the families of most black students and prospective students is so low that any program aimed at increasing significantly the number of blacks in college must plan to meet their costs without funds from the students' families.

The money, he says, must come from state, federal, and private sources, with only a nominal contribution by the students from summer earnings and limited work during the school year.

In addition to his university duties, Dr. Branson devotes considerable energies to his position as president of the National Association for Equal Opportunity in Higher Education, an organization of some 60 black colleges, both public and private.

He and his organization are looking primarily to the federal government for assistance. This should take two forms, he urges: aid to the student and grants to the institution directly. But he is willing to have the emphasis placed on student aid.

"I am more concerned about salvaging human beings," he comments.

On this basis, Dr. Branson supports the Nixon administration's new bill, the "Higher Education Opportunity Act of 1971." Hearings are currently being held in both the House and Senate.

In proposing this legislation, President Nixon said to the Congress: "I repeat the commitment which I made in my message of last year: that no qualified student who wants to go to college should be barred by lack of money.

"The program which I am again submitting this year would benefit approximately 1 million more students than are currently receiving aid. It would assure that federal funds go first, and in the largest amounts, to the neediest students, in order to place them on an equal footing with students from higher-income families."

To do this, the bill would make a "package" of funds available to students, varying in amount according to family size and income. For children in the poorest families, this could mean as much as $2,900 a year under the proposal in its present form.

The "package" would consist of three ingredients: (1) an outright grant plus work-study funds (maximum of $1,600), (2) a subsidized loan for students who further qualify ($600), and (3) a "cost of education" loan (up to $1,500 annually).

In addition, the legislation would create a national student loan association, a private corporation that would make loans to any student at whatever income level.

Dr. Bir...son wants something more from the federal government: funds for the black institutions themselves.

"If 10 percent of its students are from families with income under $3,000 a year, the college should get $1,000 a student from Washington," the university president asserts.

Why? "Because the institution's costs far exceed its charges to students. At Lincoln, tuition and room and board come to $2,500. But our costs per student run about $3,000. So every time we accept more students, our costs go up. Student loans and grants are fine, but they don't help the college."

Too, most black colleges need to update their plants, expand libraries and laboratories, increase faculty salaries, and generally improve facilities and curricula. It all takes money, and few black colleges have large endowments, reserve funds, or private sources of steady income to help substantially with these needs.

While looking primarily to federal aid to remedy the situation, Dr. Branson does not exclude state and nongovernmental assistance as unimportant. But as the head of a private institution, he cannot realistically expect large grants from the state, and private funds have fallen off.

In some regions, on the other hand, state funds are a significant factor. Dr. Herman B. Smith Jr. of the private Office for Advancement of Public Negro Colleges is acutely aware of the role Southern states play in supporting the black colleges represented by his Atlanta-based organization.

'They're underfinanced'

"Like all institutions of higher education today, these [publicly supported black] colleges are underfinanced," Dr. Smith told Monitor correspondent Louis Lindsay. "Where they are hard-pressed to compete in the area of obtaining extra funds, or nonstate funds, to finance legitimate services and programs."

In practical terms, this means, for instance, they don't have money to supplement the state-provided salaries for top faculty members. Some of these professors are even lured away by other public (i.e., white) institutions within the state, because these colleges have private sources from which to pay faculty supplements.

Asked whether state legislatures are fair in appropriating funds for black colleges, Dr. Smith replied:

"The typical state purports to use a common formula for all state institutions of higher learning. That's fine as far as it goes. But it ignores the historic deficits at black institutions. For instance, quality of instruction, physical plant, and libraries."

He speaks of the need for "catch-up funds of various types" for black colleges, a need simply not recognized by most state legislatures, in her opinion.

What about funds from private sources, particularly corporations?

"Some now are having fairly decent success at this. Corporations that haven't spent any money at black colleges in the past now are beginning to do so," Dr. Smith responds.

Consider Eastman Kodak

He cites as an example Eastman Kodak, which formerly spent "almost nothing" on public black colleges despite a multimillion-dollar college-aid program. Dr. Smith's office approached this firm and others, arguing that if they wanted more educated blacks they would have to look to the colleges where the bulk of blacks are enrolled.

Now, Eastman Kodak has contributed about $75,000 in grants to black colleges. General Electric Foundation, for another, has increased its aid, making a series of grants to black institutions in engineering.

"By no means am I saying that what has been done is adequate," Dr. Smith comments. "At this point we place a lot of emphasis on trends. We [this office] are in business to get the faucet dripping. It's up to the institutions to increase the flow."

One very helpful instrument is the National Alliance of Businessmen cluster group. A number of black campuses now have the benefit of NAB.

The organization is not primarily for fund raising. Corporation representatives go to the campuses to talk about present and prospective programs and development potential and to see how their firms can be of assistance.

Lending a $50,000-a-year executive to the college for a semester could mean more, for example, than a $20,000 grant from same company.

Can black colleges get the money need?

Dr. Smith is not optimistic. "It's to be difficult," he says, "because c tition [for funds] is increasing fr sources."

But Dr. Smith, Dr. Branson, and the leagues are not giving up. They belie predominantly black colleges have role to play in the education of a larg ment of American youth and in sub social mobility of a race.

Eighty-nine of these 111 institution four-year programs. From these 89 the bulk of black degree-winners (70 p of all blacks graduated), and these i from poor families.

According to Dr. Branson, the o income among families of black-graduates is $5,000 a year. He con that the majority of these students never get their sheepskins except t the black institutions.

The Carnegie Commission on High ucation agrees on the need for pres and expanding black academic conte

"The Negro colleges are a great n asset," asserts Dr. Clark Kerr, former dent of the University of California a keley and commission chairman. "The colleges are the best places for t ding the black experience in American

In recommending a tripling of f funds for black colleges, the Carnegie mission called upon these institutions tend their role by:

- Assuming leadership in off-c programs and consultation to the community.
- Developing expanded education, occupational retraining for black adu
- Accepting leadership in dev techniques for overcoming the handi the educationally disadvantaged.
- Stimulating the interest of black in higher education.
- Serving as archives and as centers the study of black people's problems.

APPENDIX VI.—Title III, Higher Education Act

BROWN UNIVERSITY Providence, Rhode Island • 02912

DEPARTMENT OF
SOCIOLOGY AND ANTHROPOLOGY

June 11, 1971

The Honorable Claiborne Pell
United States Senate
Senate Office Building
Washington, D. C.

Dear Sir:

I am writing, first, to thank you for your continuing interest and good efforts in support of higher education and, second, to provide you with what I hope are some useful suggestions and ammunition to use in alleviating the plight of the predominantly black colleges, especially the small, privately endowed schools. I feel strongly that the federal government not only ought to do more (because of the saliency of our country's race problem in general and the special significance of the one hundred-odd predominantly black schools for the educational resources of our country) but that it can do more (precisely because of the scale of the problem--the majority of the schools are small colleges, not large universities). I cannot think of a greater opportunity to achieve a larger output for a smaller input of funds! As you may recall, I was the first director of the Tougaloo-Brown Cooperative program, and I still serve the program as a member of the executive committee at Brown under the chairmanship of my colleague Charles Baldwin.

You may be sure I applaud your request of an increase of from thirty to one hundred million dollars for the so-called developing institutions in your bill S-659. The original impetus for Title III, of course, was the need to provide aid to predominantly black colleges, and a disproportionate share of the funds has properly gone to such institutions. Despite their relatively small size, Title III grants admittedly have had a positive impact far out of proportion to the sums allocated--yet the essential catalytic function of the funds has, in the long run, brought many of these institutions to the brink of financial disaster. Briefly, Title III funds have had an "innovative-additive" thrust: they have meant new programs, new services, and new educational facilities for

students; new opportunities for training and study for faculty and administrators; and expansion in enrollments; further, they have played a major role in helping the schools "go places" instead of merely being "kept going." At the same time, the dramatically increased cost of doing business that stemmed from these benefactions has meant an even greater annual gap between expenditures and income. For the same reasons that these black institutions have been isolated and unsupported in the past, they have continued to be unable to increase their basic resources (such as endowments and alumni contributions) to a point commensurate with their new fiscal demands.

A case in point is Tougaloo College (Tougaloo, Mississippi). As can be seen from the data below, the increases that have taken place there during the last nine years are of a magnitude that suggests a number of negative consequences despite the short-run benefits:

	1961-62 (actual)	1971-72 (projected)	Percentage of Increase
Number of students	480	800	67
Total annual expenditure	$800,000.	$3,300,000.	313
Tuition	$440.	$1,000.	127
Board and room	$455.	800.	75

The number of students has increased by two-thirds (but is still too small a student body for economic viability), total expenditures have increased threefold, and the cost of going to school has more than doubled.

The alarming fact is that whereas in 1962-63 only about 10 per cent (or less than $100,000.) of the funds for annual operating expenses had to be sought from unidentified new sources of support, in the coming year almost half of the annual budget must come from federal and as-yet-unidentified sources. This does not include projected income of approximately a half million dollars from identified private sources.

Tougaloo's current deficit obligations are approximately one million dollars (in accounts payable to local suppliers, loans, advances, taxes, pension contributions, and current payrolls). In the face of this crisis, Tougaloo-Brown has moved to obtain an initial guarantee of one half million dollars from a

private donor with the proviso that other private sources contribute funds sufficient to guarantee economic stability in the short run, that is, for the next four or five years. This, unfortunately, will only provide breathing space.

In my view, achieving financial viability for colleges such as Tougaloo is not only a necessary political and educational goal, but one that is economically feasible. In the long run, it will be thriftier to assure the continuity of these already-existing institutions than to let them wither on the vine. We are not talking here of medical schools in 1910 (which were failing to do their job) but of a national higher education resource that is regionally concentrated and more experienced than any other to take on the task of providing higher education for young black Americans. These colleges in the past have provided higher education to blacks when no alternatives existed; today their virtue lies precisely in their traditional institutional patience to work with young people who have great ambition and great potential but are the wreckage of a heritage of discrimination and prejudice that has, in the past, fostered self-hate and sapped self-confidence.

Because these institutions are small in scale, a national government investment of between five hundred thousand and one million dollars a year for the next five or ten years for each of a selected number of predominantly black colleges would provide a sound enough base to achieve the scale of operations that would assure continuance. I emphasize that recent federal funding has been just enough to get these institutions into real financial trouble and not enough to provide them with the assurance of viability.

Correlatively, I submit that there is a gap in the current federal planning for support of these institutions. There is a need to supplement the original Title III of the Higher Education Act of 1965 (which involved primarily funds for so-called cooperative programs to strengthen developing institutions) with a Part that would provide funds directly to such institutions to maintain the new levels of academic operation they have achieved. Such funds might be awarded to selected colleges that participated in the cooperative programs in the past and were judged to have done so successfully.

Given your proposal to fund Part C of S-659 at the level of one hundred million dollars, it seems to make sense to keep the funds for the "cooperative" programs at the current amount of thirty million dollars and earmark the additional seventy million dollars for institutions that have been making progress under the program. If OMB can determine policy for the

Division of College Support by insisting on a minimum grant of one hundred thousand dollars (without primary regard for need), it would certainly be appropriate to establish higher minimums for grants under the new Part that I have suggested for assuring institutional viability.

Despite the competence of the administrators and the director of the Division of College Support, the lack of quality guidelines for defining "developing" institutions has resulted in such a geographically wide and small-grant distribution of funds that the long-range impact of Title III has been minimal. In my view, the Congress deserves (as it probably had in mind) a report at the end of a decade of operation that could point to positive results: that is, the creation and consolidation of a number of quality colleges in the place of previously marginal institutions. Such a goal is of special salience in the case of the predominantly black colleges.

In 1965 Earl McGrath published his monograph Colleges and Universities in Transition that documented the defects of these institutions. Just a year ago, under the auspices of the United States Office of Education, the presidents of thirty-one black colleges met together only to denounce the federal government for its lack of understanding of the problems that their schools faced. And half a month ago (May 22), black educators under the leadership of Dr. Herman Branson, president of Lincoln University, scored the government for its lack of support and noted that only 3 per cent of government grants came to the predominantly black institutions.

Thus, when I read the title "From Isolation to Mainstream" of the recent Carnegie Commission on Higher Education Report on the problems of the colleges founded for Negroes, I felt much like Ken Clark and his reaction to the Kerner report: "It is a kind of Alice in Wonderland--with the same moving picture re-shown over and over again, the same analysis, the same recommendations, and the same inaction." This is what we were talking about almost a decade ago when Brown and Tougaloo began their working relationship! While such a theme made sense in those days, it is hardly appropriate as a major theme at this hour.

I am concerned that the more we view the predominantly black colleges from the perspective of the mainstream of higher education, the more we may damage them and the less successful we shall be in our efforts to achieve a mainstream! Just as federal programs for urban renewal assumed that blacks competed in the same housing market with whites and set general standards for vacancy rates--with the result that housing

opportunities for blacks decreased and segregation increased--so the assumption that the predominantly black colleges can be helped by programs that are aimed at all colleges and that fail to take account of the special history, the special mission, and the special location of predominantly Negro institutions will inevitably fail of its purpose. For example, the matching provision in the case of work-study funds puts a greater hardship on the small, black colleges than on any other type of institution of higher learning. The disproportionate division of funds in the case of the Equal Opportunity Grants between first-year and advanced students surely causes almost insurmountable recruiting problems in the case of poor black students. The employment of such traditional guidelines for the distribution of funds as geographic representation is another instance of the unanticipated negative consequences of an implicit institutional racism, since practically all of the predominantly black schools are located in a single region of the country.

To be sure, the hour is late, but I can only recall the subtitle of Myrdal's classic An American Dilemma published a generation ago: "The Negro Problem and Modern Democracy." I add merely that black youth are the bellweather of the future of all Americans, regardless of color. Unless we assure their education, especially in the South--the region of our country whose future is also "our" future--our chances of realizing the American dream are in great danger.

Sincerely,

Harold W. Pfautz
Professor

HWP:mt

APPENDIX VII.—Title IV, Higher Education Act

UNITED BUSINESS SCHOOLS ASSOCIATION

1730 M STREET, N.W. • WASHINGTON, D. C. 20036 • (AREA CODE 202) 659-2460

OFFICE OF THE EXECUTIVE DIRECTOR

June 4, 1971

The Honorable Claiborne Pell
United States Senate
Washington, D. C. 20515

Dear Senator Pell:

At the suggestion of Education Subcommittee Counsel, Stephen Wexler, I am writing to you requesting consideration of the narrow issue of providing access to the Educational Opportunity Grants (EOG) program for students in accredited proprietary schools through an amendment to the Higher Education Act.

A similar amendment in 1968 opened access for such students to the NDEA Loan and College Work-Study programs. We feel that Section 461(b) of the Higher Education Act defining a "proprietary institution of higher education" has now stood the test of time with NDSL and CWS and is ready to be utilized for access to EOG.

Except for the Pell bill, S.659, all the major proposals for amending the Higher Education Act include an amendment to provide access to EOG for students in accredited proprietary schools. This would include S.1122 of Senator Prouty, as well as H.R.5191 (Quie), H.R.32 (Perkins), and H.R.7248 (Green) in the House. Senator Mondale's measure, while attempting a new dimension, fully includes students in accredited proprietary schools.

The Statement of the Higher Education Associations, presented to the Education Subcommittee of the Senate on March 31, 1971, through Joseph P. Cosand of the American Council on Education *et al*, favorably recommended including students in accredited proprietary schools "in all Federal programs" when it said:

> *We also think the time has come to support, through the various Federal programs, students in proprietary schools which are providing quality training. Many such schools offer the only rational programs available to many students. If the Congress sees fit to include students attending these schools in all Federal programs, we hope it will write the eligibility and accreditation requirements tightly and demand an annual report from the Office of Education on the ways in which it determines eligibility and ineligibility.*

Similar sentiments have been made by such witnesses as Dr. Clark Kerr of the Carnegie Commission on Higher Education. The testimony of this Association on this subject is in the record of hearings of your Subcommittee for prior years.

The 1968 Amendments opening NDSL and CWS provide a sound basis to take the final step in equality of access for student financial aid. The definition of Section 461(b) and the guidelines of NDEA Section 103(b) have been proved successful in practice. They illustrate that Congress can and does "write the eligibility and accreditation requirements tightly" as suggested by the American Council on Education.

Your decision on this issue is of vital concern to the more than 125,000 students enrolled in the nearly 400* accredited proprietary business schools.

Respectfully,

Dick Fulton

R. A. Fulton
Executive Director
and General Counsel

RAF:kfg

* These figures do not include the 55 non-profit schools and colleges such as Johnson & Wales College in Providence which full participates in all current Federal programs of both student and institutional aid.

LE MOYNE COLLEGE
LE MOYNE HEIGHTS
SYRACUSE, NEW YORK 13214

OFFICE OF FINANCIAL AID

May 5, 1971

Senator Clairborne Pell, Chairman
Senate Subcommittee on Education
United States Senate
Washington, D.C. 20510

Dear Senator Pell:

Once again I find it necessary to write to you on behalf of the federal student aid programs which I am currently administering to my students here at Le Moyne College in Syracuse, New York. It recently came to my attention through Senator Javits' Office that the last letter I sent to your attention was used on an informational basis last summer during hearings before your Subcommittee on Education.

On behalf of the 400+ Le Moyne College students who presently hold one or more forms of federal student aid totaling $327,906.00, I wish to express Le Moyne's most sincere thanks for all the efforts you and your committee have put forth to make this possible.

The concern which these many students share with the numerous prospective students is that some of the legislation currently being considered in Congress may further cut-back the already severely curtailed aid without which they will not be able to continue their education. If the regulations recently published in the Federal Register hold true, a grevious injustice will have been enacted upon hundreds of students here at Le Moyne next year. My understanding of the regulations would indicate that over-all allocations for College Work-Study and Educational Opportunity Grants will be based upon the number of students which we reported on last Fall's application would fall under the income guidelines of 0 - $2,999, then $3,000 - $5,999, and so forth until the funds were distributed. Colleges estimating higher percentages of students from the lowest incomes would receive priority in allocations.

I am sure you must be aware of the rather dubious manner in which these figures regarding income were requested by the Office of Education last Fall. The inconsistent information as to the use of such data, the lack of adequate time for which to gather such data, and the absolute necessity of completing this information — these problems as well as others were all rather confusing and misleading to say the least. Because of these problems, much of the information supplied necessarily was hardly more than mere guess work. It should be pointed out that at no time during the application process was any mention made to the effect that these facts would be used as part of any allocation formula - in fact, upon direct questioning upon more than one occasion, many financial aid officers were told directly by Office of Education representatives that this would definitely <u>not</u> be the manner in which these estimates would be used.

If these figures are used in the manner in which the Federal Register stated they would be, a large number of students attending Le Moyne College as well as many thousands of others in institutions of higher education across the country will have been served with an irreparably terrible blow, so severe that they will be cut off from further pursuit of a college education.

May I respectfully point out to the Honorable Chairman that an Educational Opportunity Grant or College Work-Study student whose family income is $5,999 and can afford no contribution toward a child's education is just as needy as another whose family income is $2,999 and can afford no contribution. Both students can plan on no financial help from their families; both students will require equal consideration for financial aid. The same comparison could be made with even higher parental income levels whose contribution is necessarily -0- because of family size, both parents working, or other such important factors.

Much more can be said regarding the un-fairness of the proposed manner of distributing these funds. Please be assured that the net effect would be that many students will be forced to withdraw from college because of their inability to find the necessary resources. It is indeed unfortunate that even the excellent College Work-Study Program of self-help would not be available to the many needy and willing students now receiving such aid.

I am hopeful that you and your committee will seriously consider the many consequences such proposed methods of allocation funds will have upon college students here at Le Moyne and colleges across the country. If further information regarding the specifics of our particular situation would be helpful, I would be most happy and anxious to supply them to you either in person or by further correspondence.

Thank you again for your past support.

Sincerely yours,

Joseph A. Russo

Joseph A. Russo
Coordinator of Financial Aid

JAR:kmt

2902

NORTHROP INSTITUTE OF TECHNOLOGY
1155 W. ARBOR VITAE STREET INGLEWOOD, CALIFORNIA 90306

OFFICE OF
THE PRESIDENT

March 4, 1971

Hon. Claiborne Pell
Senate Office Building
Washington, D. C. 20515

Dear Senator Pell:

I am deeply concerned that, as you may have noted from the Carnegie Commission, the small colleges (under 2,000) which produce so many of our outstanding citizens are on the verge of major financial catastrophe.

It would be wonderful for the nation, the students, and the faculties if someone would devise an emergency plan whereby the Federal Government would do financially for the small, private, nonsectarian teaching colleges what it did through research funds for the larger universities.

An excellent first step would be to enlarge substantially the student Economic Opportunity Grants and loan funds available. A combination of these work out well for serious students who are willing to incur partial future obligations in order to earn an education.

Another possibility would be a small payment per equivalent full-time students registered, as a few states do.

Sincerely,

Homer Grant

Homer Grant
President

HG/bas

2918

MAR 5 71 DEC 27
RECEIVED

Stand Wed
57666

The Iowa Association of
PRIVATE COLLEGES AND UNIVERSITIES
716 SECURITIES BUILDING • DES MOINES, IOWA 50309 • PHONE 282-3175

March 3, 1971

Honorable Jack Miller
United States Senator
4313 New Senate Office Building
Washington, D.C. 20510

Dear Senator Miller:

I was delighted to have an opportunity to visit with you again during your visit to Simpson College. Your convocation address was excellent, and I heard many excellent comments afterward from students. President John reported that you really had a day-long workout, and that you left the campus about 6 p.m.! Needless to say, we all deeply appreciate your interest in higher education.

Because of your interest, you are undoubtedly aware that a number of proposals are being made which are designed to help colleges and universities meet the financial crisis which particularly threatens the existence of the private sector of higher education.

One such proposal has been offered by Senator Pell. The essence of this plan is that students would be eligible for tuition aid equal to a maximum of $1200 minus the amount of federal income tax paid by his parents. A college could receive direct assistance under this plan amounting to $1000 per student minus the amount charged annually for tuition. I presume the awards to students and to institutions are contemplated on an annual basis.

While I do not doubt the good intentions behind this plan, and while I also applaud Senator Pell's concern and hope that his concern spreads, I must, in all candidness, tell you that this plan would not be of much assistance to private higher education. In fact, it is my personal opinion that it would be quite detrimental. It would channel both students and direct assistance funds to the public institutions and away from private higher education. Let me explain why.

Tuitions at the private colleges and universities in Iowa currently are averaging around $1500 per year. This does <u>not</u> include room and board or incidentals. If a plan were instituted which provided direct assistance on a formula of $1000 per student, minus yearly tuition,

IAR CLIFF BUENA VISTA CENTRAL CLARKE COE CORNELL DORDT DRAKE GRACELAND GRAND VIEW GRINNELL IOWA WESLEYAN LORAS LUTHER MARYCREST MORNINGSIDE
HUNT MERCY MOUNT SAINT CLARE NORTHWESTERN OTTUMWA HEIGHTS PARSONS SAINT AMBROSE SIMPSON DUBUQUE UPPER IOWA WALDORF WARTBURG WESTMAR WILLIAM PENN

only three colleges in this Association of 29 institutions would be eligible for anything at all! On the other hand, the state universities in Iowa, with an average tuition of $610 per year would receive an average of $390 for each student. This would simply extend the financial advantage they now enjoy as a result of being subsidized by tax money.

Students would receive some assistance under this proposal, but in many instances they would receive just enough to enable them to pay tuition at a state institution. For instance, according to an AP release, a family with an income from $6,000 to $7,500 pays an average tax of $570. A child from this family would be eligible for a grant of $630, almost exactly the tuition at a state university in Iowa. I think I know where that youngster would go to college; it would not likely be one of our private institutions.

Many people have said kind things about America's private colleges and universities, and I truly believe that most Americans would not wish to see the plural system of higher education in this country lost. The time has come, however, when kind words are not enough. Private institutions of higher education have been hit very hard by the current era of inflation-recession. While our costs steadily mount, formerly willing donors are feeling the pinch of economic uncertainty. We need help and we need it soon. I fear that unless our plight is recognized and accepted as real, our institutions will be in grave financial danger.

In my opinion, the concept of institutional grants suggested by Congressman Albert Quie of Minnesota offers the greatest hope for private higher education. This plan projects institutional grants based on the number of students an institution graduates each year; it is based on the institution's input into America's resource of highly educated personnel.

There are many valuable ideas which have potential, particularly in the area of student assistance. However, I know of no other plan which would better provide the <u>institutional</u> assistance which is needed <u>now.</u> Iowa's private colleges and universities are important to Iowa - culturally and economically. This decade will be one of grave peril for them unless more assistance becomes available than is currently provided. I plead with you to press for the realization of Congressman Quie's proposal.

Sincerely yours,

Lloyd

Lloyd I. Watkins
President

2905

ANTIOCH COLLEGE YELLOW SPRINGS, OHIO, 45387 · (513) 767-7331

March 25, 1971

The Honorable Claiborne Pell
Senate Office Building
First and Constitution Avenue, N.E.
Washington, D.C. 20510

Dear Senator Pell:

At this time in our nation's struggle to provide equality of opportunity in higher education, there is a need for particular concern with the means by which the Federal government attempts to afford greater access to colleges and universities. A recent article which appeared in Antioch Notes (copy enclosed) speaks forcefully for the reassessment of the Federal program for financial aid to low- and middle-income students. The article, by Elizabeth B. Russell, an Antioch graduate and specialist in the area of financial aid, pinpoints some of the consequences for individuals and for student populations of the suggested changes in the Federal financial aid program. The analysis is of the legislation proposed by President Nixon last year; however, the comments are equally applicable to the legislation introduced this year on March 1.

Although in attempting to respond to criticism of last year's proposal Mr. Nixon has raised the grant plus work-study maximum to $1,000, this is still less than is presently available. For the past fifteen years colleges and universities have fairly successfully determined an equitable parents' contribution by applying the need analysis designed and repeatedly revised by the College Scholarship Service. The figures for parents' contribution in the proposed legislation seem to have ignored these years of experience. Also, rather than reducing the degree of subsidization of loans, the government should increase it. Students ought not be deterred from the institution best suited to fill their particular needs because of the intimidation of a large loan debt after graduation.

We feel very strongly that the proposed legislation is inadequate, particularly for the needs of middle-income students, for low-income students who want to attend an institution costing more than $1,400, and for private institutions. Instead, we urge that present legislation be broadened and extended so that greater student access to both public and private institutions can be realized.

I think this is a timely and urgent statement. Your questions or comments would be welcome.

Sincerely yours,

James P. Dixon
President

JPD:jw
enclosure

ANTIOCH NOTES

Federal Aid Blows Cold

In June 1971 the present legislation setting federal policy for financial aid to college students will expire, and something will take its place. President Nixon, in his message to Congress on higher education last March, proposed changes intended to direct more federal resources toward low-income students. He hoped to bring the country closer to the goal of equal educational opportunity.

However, in considering the ramifications of the proposed financial aid policies, I cannot see how they would expand educational opportunities for low-income students, increase cultural pluralism in education, or enhance a college's ability to respond to student needs. Individuals would not have greater

2922

access to the kind of education best suited to their abilities and vocational aims.

If enacted, the new legislation, I am convinced, would compound the lack of educational diversity available to low-income students and further entrench the present social and economic stratification of higher education.

This conclusion rests on certain frequently made assumptions about education: that education can benefit almost anyone and should be equally available to all people; that private liberal arts colleges, where there remains a great deal of individual attention to students, can still be productive; and that we — our government, our colleges and universities — do not wish to promote the continuation of an elitist society.

There are now four kinds of federal financial aid for college students: Educational Opportunity Grants (with no repayments), College Work-Study

Funds (for part-time jobs), National Defense Student Loans (low-interest loans from government funds), and Federally Guaranteed Student Loans (insured commercial loans with subsidized interest). In combination these offer, to a total-need student whose family adjusted income is less than $6000 a year, at most an annual grant of $1000, a subsidized loan of $1500, and, if the student works about fifteen hours a week while studying, $500 in work-study funds. Together these amounts come to $3000 a year; after four years he will be in debt $6000.

The Proposed Legislation

Mr. Nixon told Congress, "With the passage of this legislation, every low-income student entering an accredited college would be eligible for a combination of federal grants and subsidized loans sufficient to give him the same ability to pay as a student from a family earning $10,000."

The changes that Mr. Nixon proposed would provide a student whose family adjusted income (FAI) was $3000 with a maximum annual scholarship grant of $700 (instead of $1,000) and a subsidized loan of $600 (instead of $1500). To obtain funds for

expenses beyond this $1300, the student would have to use loans whose only advantage would be deferred interest payments. Thus, the student who now accumulates a $6000 debt would, under the new system, owe $8376 when he began repaying his loans a year after graduation.

Students with an FAI of up to $15,000 are now eligible for loans that have the government interest subsidy; students with an FAI of up to $10,000 are eligible for work-study funds. Under the proposed changes, students with an FAI of over $10,000 would be eligible only for deferred-interest payments on loans. Aid to middle-income students would be virtually discontinued.

Implications

The object of these changes is to make more money available to very low-income students and to allow more students the opportunity to get a college education. It is true that the changes would increase the total dollars available to such students. Mr. Nixon told Congress, "Under our proposal, all eligible students from families of $4500 annual income would be guaranteed a total of $1300 each in grants and

subsidized loans." Low-income students may also borrow beyond the maximum subsidized amount if they are sufficiently informed of the terms and advantages and are not intimidated by the prospect of a large debt after graduation. It is unlikely, however, that they will be willing to borrow large sums to go on to higher priced colleges that provide the specific education that they seek.

What Mr. Nixon seems to be saying to students who are making the effort to get to college is that all the federal aid they can have is enough to send them to a community or technical college. For anything more they will have to borrow money for their education and repay it for the next twenty years. But tell that to a bright young person from the ghetto who doesn't know the differences between colleges and see which college he chooses.

As I see it, the proposed changes would further extend the already severe lack of diversity existing in the student populations of our colleges. The differences between colleges would be based even more on income and economic background. Students from families who could afford the most expensive colleges would continue to attend high-priced pri-

vate colleges and universities, which are probably still of better quality. Middle-income students would go to moderately priced public universities. Low-income students would continue to enroll almost exclusively in community and technical colleges. Whether the education they get there would be excellent or poor, once more we would be limiting and stratifying by family income. This is what would determine "students' needs."

Plea for Pluralism

There is no ready solution to these problems, but clearly it is not to reduce the amount of aid available to individuals. The argument is made that with limited resources, the funds should be completely restricted to those who need them most. I would question whether the need of a student whose father makes $3000 and cannot contribute toward his education is any greater than the need of a student whose father earns $7500 a year and cannot contribute to his education. Even a student whose FAI is $10,000 annually and whose only source of funds for his education is his father, is severely restricted in his choice of college he can afford.

In his Congressional message Mr. Nixon said, "Individual student aid should be given in ways that fulfill each person's capacity to choose the kind of quality education most suited to him, thereby making institutions more responsive to students' needs. . . . Diversity must be encouraged, both between institutions and within each institution."

What he has proposed will not achieve these aims. The changes, if enacted, will eliminate entirely all subsidized aid to middle-income students; they will drastically cut the amount available to each low-income individual. If the legislation is enacted, stratification of educational institutions by students' family income will be encouraged, and we will have lost ground in the struggle to increase student pluralism on our campuses, a struggle that has for five years been significantly aided by federal aid to low-income students. The legislation will push us back toward a more elitist educational system than we have had for the last fifteen years.

ELIZABETH B. RUSSELL, '70
Arthur Morgan Fellow, Development Office

TEMPLE BUELL COLLEGE

1800 PONTIAC STREET · DENVER, COLORADO 80220

Founded in 1888 as
Colorado Woman's College

March 17, 1971

Senator Claiborne Pell, Chairman
Senate Committee on Labor & Public Welfare
Room 325
Old Senate Office Building
Washington, D. C.

Dear Senator Pell:

After carefully reviewing the Administration's proposed legislation for student financial aid, I would like to express my opposition. Should this legislation be passed, it appears to me many students from middle income families would not be able to attend private institutions unless they were willing to accept, assuming they were available which is not always the case, high cost unsubsidized commercial loans.

Experience at Temple Buell College, a private college for women, indicates many of our students are reluctant to accept high cost loans from private lenders as a satisfactory method of financing their college expenses.

The National Defense Student Loan, which has a low interest rate and favorable repayment terms, has proved over the past twelve years to be the most satisfactory loan available to students. If this loan is no longer available to middle income students, many will choose to attend a lower cost public institution rather than seeking a high cost loan to attend a private institution. The result will be an even more unfavorable enrollment trend for private higher education.

The National Defense Student Loan, Educational Opportunity Grant, and Work Study programs have, in my opinion, been successful. They have worked very well at Temple Buell College in meeting the financial needs of low income as well as middle income students. Insufficient funds, however, have prevented us from assisting many qualified students.

I would like to encourage you and your committee to work for the extension of the student financial aid programs which expire June 30, 1971. Hopefully, new legislation will be passed soon as it is extremely difficult to make aid awards when the availability of funds is unknown.

Sincerely,

Carl E. Martin

Carl E. Martin
Director of Financial Aid

CEM:wm

TEMPLE BUELL COLLEGE
1800 PONTIAC STREET · DENVER, COLOR .DO 80220

Founded in 1888 as
Colorado Woman's College

April 15, 1971

Honorable Claiborne Pell
Chairman
Subcommittee on Education
Room 325
Old Senate Office Building
Washington, D. C. 20510

Dear Senator Pell:

On March 17, 1971, I wrote to you expressing my opposition to the Administration's proposed student financial aid legislation. Please feel free to include my letter in this year's record on higher education.

I am extremely pleased your bill would provide for a five year extension of the Work Study, Educational Opportunity Grant, and National Defense Student Loan programs. In my opinion these programs have proven to be very successful in meeting students' financial needs. Adequate funding of these programs would make it possible for interested students to obtain a college education. Loans, however, should not be adopted as the major Federal method of financing higher education.

In principle, I am in agreement with your bill which would provide "Cost of instruction allowance" to institutions awarding Educational Opportunity Grants. However, it is unclear to me how a higher cost institution would benefit. If a college's tuition exceeds $1,200, would the institution be eligible for a "cost of instruction allowance?"

I certainly appreciate your response to my letter of March 17.

Sincerely,

Carl E. Martin

Carl E. Martin
Director of Financial Aid

CEM:wm

Marymount Manhattan College
221 East Seventy First Street
New York, N.Y. 10021
Telephone (212) 861-4200

April 8, 1971

The Honorable Claiborne Pell, Chairman
Education Subcommittee
Education and Labor Committee
United States Senate
Washington, D. C. 20515

Sir:

I am writing to you on behalf of all the students at Marymount Manhattan College regarding Aid to Higher Education.

Ninety per cent of our students receive some form of financial aid. In addition, many hold jobs, either through the College Placement Service, their own research or through the College Work Study Program. College Work Study has been of immeasurable help to all students involved in that program, but it has been particularly helpful to minority students and incoming Freshmen who are traditionally "last in and first out" of the job market. Eligible Work Study applicants have been beating a path to my office for weeks. We have informed them that the employment they so desperately need depends on action by Congress and have asked them to write to you.

While there may be legitimate reasons to make some adjustments in the Federal Student Financial Aid programs, we cannot see a period of economic depression as the most auspicious time to change existing programs that have been so helpful to students. The concept of grant, work and loan seems to us to be a very valid form of aid with emphasis on student self-help which gives a sense of satisfaction and control over one's goals.

We urge you to continue the programs presently on the books so that our students may continue their undergraduate work.

We are counting on your support.

Sincerely,

Rita M. Bodie

Mrs. Rita M. Bodie
Director of Financial Aid

wilmington college

WILMINGTON, OHIO 45177 PHONE 513-382-0951

Box 1214

March 31, 1971

Senator Charborne Pell
Senate Office Building
Washington, D.C.

Dear Senator Pell:

The enclosed copies are self explanatory. (My letter to Mr. Nixon and Mrs. Green.) I believe Mr. Valien is laboring under a complete lack of first hand awareness of financial aid realities.

The administration bill will destroy the effectiveness of the Federal Work/Study Program as financial aid and as a useful instrument for introducing low income students to the calibre of work available to them through local governments via the numerous Urban Corps.

Although the first purpose of Federal financial aid should be getting money to students, there is no reason to ignore the very strong impact the development of off-campus work has on these same students in terms of added incentive to succeed in their studies etc.

Even allowing Mr. Valien's explanation that the Work/Study award will be net dollars after taxes and excluding the contribution of the employer (none of which was made clear in the original explanation of the proposal) there will be little opportunity for a student to work at a meaningful type of employment.

In addition the ceiling on aid of $1,400.oo is discriminatory and capricious in view of the cost of even a public institution.

I understand you are proposing an alternative to the Administration program. I would like to have a copy of your proposal.

I also hope my concern for the total value of the Federal College Work/Study program is shared by enough of the legislative to rescue it from oblivion.

Thank you.

Sincerely,

Richard McKenzie

Richard McKenzie
Director of Co-curricular
Programs

RM:kk

Enclosures

Box 1214

March 2, 1971

Honorable Walter Powell
U.S. Representative from Ohio
House Office Building
Washington, D.C.

Dear Mr. Powell:

After several years of very constructive development the self-help financial aid program known as Federal College Work/Study is in jeopardy. This is a program in which Federal funds are added to smaller amounts provided by the employers (who must be non-profit, non-sectarian organizations or local, state or federal agencies) to enable students to work for experience as well as for income for college expenses. It is the type of approach which Mr. Nixon has advocated for it involves the student in working for his own support and gives needed assistance to worthy enterprises.

The current proposals coming from H.E.W. under the alleged influence of Mr. Nixon would make it virtually impossible for students now in the program to retain their eligibility. The guidelines are unrealistic in view of current college enrollments.

In addition, the total sum available from grants, loans and work study for the student with great need is to be reduced to the point that he would be foolish to accept any Work/Study money for it would simply be deducted from the total amount of direct grant he would receive. Few students will be interested in passing up gift money in order to accept job income in the same amount. An examination of the figures in the circled column shows that the amount a student can receive in a year from a combination of E.O.G. and Work/Study is so little in most cases that the effort to have students employed in meaningful off-campus experiences would be thwarted. In addition, the door will be opened to decreasing gift aid in the form of E.O.G's possibly leading to the elimination of this program. This would be cruel to the neediest students who frequently need the maximum aid and for whom working while in school impairs classroom achievement.

A side effect of this will be the destruction of the Urban Corps program which has been so highly praised in the past. This worthwhile program enabled city governments to employ disadvantaged youth in city jobs to give them exposure to the problems and opportunities of the "establishment." It is dependent on Federal Work/Study being available to students in amounts sufficient to cover a full term of work experience, usually at least $800. of Federal money. This will be nearly impossible under the new proposal.

I don't believe the men responsible for these recommendations have researched the destructive impact of their proposal. I would also hope that Mr. Nixon is not aware of the damage which would result to a program he seems to advocate.

We in college work who see the value of the present program would like to see more careful analysis before any such changes are made. If anything these programs need to be opened up to more students - not further restricted. The irony here is that the proposal for Federal Work/Study calls for a doubling of funds while at the same time making it impractical to qualify for the program and even down right impossible for many students now in the program.

This just doesn't make sense unless the desire is to force the program into an impossible box and then to announce that its being abolished because no one is using it. This would be a pathetic mistake. I would be happy to discuss this further with anyone interested in our analysis of this situation.

Our request to you as legislator for this district is to resist changes in Federal aid to students which will add to the difficulties which run away inflation and lack of employment are already causing.

Thank you.

Sincerely,

Richard McKenzie
Director of Co-curricular
Programs

RM:kk

Box 1214

March 2, 1971

Representative Edith Green
House Office Building
Washington, D. C.

Dear Mrs. Green:

Some time ago you were kind enough to encourage Wilmington College's new co-operative education program and wish us well. We have prepared and I feel now offer an excellent variety of opportunity for liberal arts students to work in their fields.

However, many of our programs are connected with the Federal College Work/Study Program and this fine program now seems to be in jeopardy along with the whole concept of federal aid to students in higher education.

The enclosed copy of a letter I sent to Rep. Powell of Ohio spells out my concern. I hope through your committee on education and labor you can help to prevent the implementation of the very destructive administration proposal which would destroy Work/Study under the guise of expanding it. My suspicious nature leads me to believe that the intent is to reduce the amount of money spent on E.O.G's and to force students into Work/Study but this would be harmful to the students and to the image of the Federal Work/Study Program.

Thank you for your consideration.

Sincerely,

Richard McKenzie
Director of Co-curricular
Programs

RM:kk

Enclosure

Box 1214

March 2, 1971

President Richard M. Nixon
The White House
Washington, D. C.

Dear Sir:

The enclosed letter to Rep. Powell of Ohio is self-explanatory. I hope further examination will be given this proposal.

Thank you.

Sincerely,

Richard McKenzie
Director of Co-curricular
Programs

RM:kk

Enclosure

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE
OFFICE OF EDUCATION
WASHINGTON, D.C. 20202

18 MAR 1971

BUREAU OF HIGHER EDUCATION

Mr. Richard McKenzie
Director of Co-curricular Programs
Wilmington College
Wilmington, Ohio 45177

Dear Mr. McKenzie:

President Nixon has asked that I reply to your letter of March 2 concerning your analysis of the Administration's proposed Higher Education Opportunity Act of 1971.

It is true, as you imply, that the "Grant Contribution Limit" which would be established under the provisions of the bill would set the ceiling on the total amount of grant/work-study funds the student would receive. However, the substitution of work funds for grant funds is not on a direct dollar-for-dollar basis, as you state, but on the basis of a "net" Federal dollar of work for a Federal dollar of grant. Since each Federal dollar expended in the work program would typically be "matched" by a quarter of non-Federal money, the student who worked would typically receive a slightly larger amount of non-repayable aid than the student who did not. Additionally, the bill provides that the Federal work dollar substituted for a Federal grant dollar should be on a "net" basis, which presumably means net of all taxes. Therefore there would always be an economic incentive for the student to work.

To date, the only Grant Contribution Limit officially given as an example by the Administration is $1,000. From this limit would be deducted the amount of the expected family contribution, which would be determined by the institution under guidelines to be promulgated by the Secretary of Health, Education, and Welfare. It is conceivable that a Grant Contribution Limit in the neighborhood of $1,000 could result in the cut-back of summer Urban Corps programs, as you speculate, since it is likely that many institutions would prefer to have the student use his entitlement to Federal work-study funds during the academic year. However, we feel that such programs would still be continued because of their obvious benefits for students, even at a reduced level of earnings.

Your contention that the changes contemplated for the work-study program would decrease the numbers of students using it is interesting. However, the Administration's analysis of the pertinent statistics has led it to the opposite conclusion. A great many students are currently denied the opportunity to work under the College Work-Study Program because of funding limitations. The Administration estimates that the three subsidized programs which would be established under its bill would benefit nearly 1,000,000 more students in fiscal year 1972 than were benefitted is fiscal 1971 under the three comparable existing programs—College Work-Study, Educational Opportunity Grant, and National Defense Student Loans.

Although your obviously well-meant concern for the future of the College Work-Study Program has led you to conclusions which we feel are contradicted by the facts, such expressions of support for the purpose of the Federal programs of student financial aid are always welcome.

Sincerely yours,

Preston Valien

Preston Valien
Acting Director, Division of
Student Financial Aid

STATEN ISLAND INSTITUTE OF ARTS AND SCIENCES
75 Stuyvesant Place
Staten Island, New York 10301
(212) 727-1135

Staten Island Museum
High Rock Park Conservation Center
William T. Davis Wildlife Refuge

April 2, 1971

The Honorable Claiborne Pell
Chairman, Education Subcommittee
Education and Labor Committee
Senate of the United States
Washington, D. C. 20510

Dear Sir:

The money made available by the Federal government for the work-study program in the colleges, and the Urban Corps program for off-campus work has been much appreciated by the Staten Island Institute of Arts and Sciences.

Were it not for the Urban Corps program administered jointly by the City of New York and the contractual colleges, a very large percentage of our collections and special programs would not exist. We have benefited not only from work done by these interns but also from our supervision and contact with them. We have participated mutually in an important educational function: student interns from colleges newer than this institution with its 90-year-old history and 300-year-old community begin to have a different sense of relationship to the institutional idea as they work with us.

I understand that legislation is pending which might jeopardize the work-study program with the result of impairing or possibly destroying the Urban Corps. Such legislation would in effect destroy a quarter of the Institute's usefulness to the local community since it would sever at least 25% of our work force from us. Programs which have been building over the past five years would come to a halt. Small institutions like this one are particularly hard-pressed for program funding (City support concentrates on building maintenance and administration) since all programming, exhibitions, care of collections, etc. must be funded by interest from Institute endowment funds--which are very limited.

Therefore I urge that you do everything in your power to insure the continuance of funds for the Work-Study Program for College Students, as we know it today.

Sincerely yours,

Gail K. Schneider

(Mrs.) Gail K. Schneider
Coordinator for Urban Corps Students
S. I. I. A. S.

COMMONWEALTH OF PENNSYLVANIA
HIGHER EDUCATION ASSISTANCE AGENCY
TOWNE HOUSE
HARRISBURG, PENNSYLVANIA 17102

KENNETH R. REEHER
EXECUTIVE DIRECTOR

1971 April 22

The Honorable Claiborne Pell, U.S.S.
Senate Office Building
Washington, D. C. 20510

Dear Senator Pell:

The intent of this letter is to acquaint you with the procedures of this Agency in the prevention, pursuit, and collection of defaulted student loans guaranteed under the Higher Education Act by this Agency on behalf of the Commwealth of Pennsylvania.

At the present time, our default and collection department is made up of one staff member and five clerical personnel. Of course, this does not include the supervisory staff, the incoming and outgoing mail areas, data processing equipment or personnel, the work of personnel in our ten regional offices, or the service areas of the Agency. We currently have $2,259,964.57 in student loans which we have purchased from lending institutions because 1,935 students failed to honor the terms of their student loan agreements. It should be noted that 248 of the loans we have purchased from lenders were purchased because of the death or total disability of the student borrowers. The reasons for default of all loans are as follows:

Reasons	Number	$ Value
1. Did not pay interest	184	$ 200,914.68
2. Did not pay monthly payments	737	775,114.63
3. Did not establish repayment schedule	752	952,289.58
4. Death	244	307,806.12
5. Totally and permanently disabled	4	5,260.00
6. Other	14	18,579.57
Totals	1,935	$2,259,964.57

One of the main thrusts of this state agency in the area of defaults has always been the prevention of defaults. This is accomplished by working with students and lenders to see that the student loan account does not reach the point where it can be claimed as a default by the lender. Over the past twelve months our default section received delinquency notices from lenders concerning 5,000 student loans. We were able to prevent 80% of these delinquents from becoming defaulted loans. I think this diligent collection effort at no cost to the federal government is one of the greatest services state agencies can offer.

60-433 O - 71 - pt. 5 - 48

Briefly, our procedure of delinquency rapport and default prevention is as follows:

1. In the case of a student who does not set up a loan repayment schedule within nine months of the date he ceased to be enrolled at an approved school:

   (a) Lender notifies PHEAA when a student is 60 days past due in setting up a repayment schedule.

   (b) PHEAA immediately notifies the student borrower by mail to contact the lender at once and set up a schedule of repayments. We follow up on this 10 days later by telephone to insure that the student makes proper repayment arrangements.

2. In the case of students on a monthly repayment schedule who fail to make two consecutive payments the same procedure previously outlined is followed.

   When a student fails to respond to our collection efforts by not heeding our mail and telephone notices and his loan account remains delinquent for an additional 30 days, his lender submits a default claim.

Upon purchase of a defaulted loan by this Agency, we immediately initiate further mail and telephone contacts as well as a personal visitation by our regional office staff to the home of the borrower. The objective being to either have the borrower set up an appropriate repayment schedule or pay the loan in full. If letters, telephonic contact, and personal contact fail to produce the desired results, we turn the loan over to a private collection agency. The private agency begins its own procedures which may include litigation in cases where this is meaningful. Whether litigation is the proper route depends upon the individual case because of many factors including the law in the defaulted borrower's area of residence. For example, in the County of Philadelphia a lien cannot be filed against a wage earner unless the income exceeds $10,000 annually.

We understand that there is some legislative consideration of a requirement that lenders file judgment against delinquent student borrowers before allowing guaranty agencies to honor their insurance of the lender loan. We understand and share the Congressional desire to protect the interest of state agencies and the federal government where student loans have defaulted. We would, however, like to recommend that the state agency be required to enter judgment or other legal action against a student borrower rather than require this of the lender. This requirement should in no way be permitted to impede the reinsurance procedure. This would surely lead to additional state programs being forced into the direct federal program. Defaults must first be charged 100% against the state reserve fund and then be filed with the federal government for reinsurance. We must realize that a "slow down" in reinsurance will break the state funds where a 2% cash reserve is used to guarantee loans under the state/federal reinsurance program.

Of course, when the state reserve fund is bankrupt the direct federal program is implemented. In the direct federal guaranty program defaults are a 100% loss rather than a 80% loss to the federal government and the federal default ratio is running about double the default ratio of the state guaranteed program.

In order to insure the efficient servicing and collection of these defaulted federal loans, I would recommend that loans which have defaulted in the direct federal program be assigned by the Office of Education to the state agency of the borrower's present residence. The state agencies should be given the responsibility for collections including litigation. As a means of reimbursing the Agency for its efforts and to strengthen state programs in general, I would further recommend that 25% of the money recovered on defaults be retained by the state guaranty agency and be used to finance its collection efforts or to strengthen the state reserve fund. This is a charge somewhat less than the standard fees for such services of private collection agencies. At present, our collection efforts in the state agencies are hampered by restrictions imposed by the present law and/or interpretation of this law by the U. S. Office of Education. In Pennsylvania we pursue strong collection efforts, and when this fails to produce the desired results, we assign our accounts to an outside collection agency. This collection agency charges a 25% fee on any amount which it collects. The U. S. Office of Education requires that 80% of all collections, prior to the deduction of collection costs, shall be forwarded to the U. S. Office to cover their losses under reinsurance. I would like to illustrate how this requirement works to weaken the position of the state agency and to illustrate how none of the costs of collection may be passed on to the federal government. The federal government does not share any of the collection costs even though the federal government benefits directly from the efforts of the state agency assigned collector.

Example

PHEAA paid lender	$800
Reinsurance paid PHEAA	640
PHEAA cost of default	$160

The above account was assigned to our collection agency, and the student borrower paid in one lump sum $896.06 which included principal plus interest paid the lender and interest due PHEAA from the date of purchase of the default through the date the borrower paid off the loan. In accordance with our reinsurance agreement, we are required to forward to the U. S. Office of Education $716.85 which represents 80% of the amount paid by the defaulted student borrower. Since our collection agency charges a 25% fee, the net proceeds to PHEAA from his collection amounts to only $672.32. This means that this Agency had to remove $44.53 from our reserve fund in order to make the required payment to the U. S. Office of Education. The net result is that this Agency is now out $214.53 as opposed to only $160 prior to referral of this default to a collection agency. On the other hand, the federal government's position has been enriched from a loss of $640 through reinsurance to a gain of $76.85 through interest charges assessed and collected by the state agency. Inasmuch as we are supposed to be on an 80/20 loss agreement with the federal government, why does PHEAA end up as the only loser? We do not believe that it was the intent of Congress to have the guaranty agency share a disproportionate amount of collection expenses or to remove monies and weaken the state guaranty reserve fund because of default pursuit.

An amendment to correct this situation and to make clear the Congressional intent should be made to Section 428 (b) (2) D. If it was not the intent of Congress to have reinsurance work in a manner described above, then it would indicate to us that the Commissioner of Education has incorrectly interpreted this section of the law. He is requiring what we believe to be more than his "equitable share" of the payments that are made on the reinsured loans by students who have defaulted. It is of the utmost importance that these procedures that reduce our reserve funds be ended immediately and that provisions be made to insure that the federal government share equitably in the expenses of the default collection of loans which carry a federal/state guaranty.

I would also suggest review of the provisions which require that payments made on defaulted loans covered by reinsurance be first applied to principal and then to interest. This is contrary to all current practices of the banking community. This also gives the defaulted borrower a monetary advantage because the accelerated reduction of principal results in lower total interest costs than those paid by the students who maintain the terms of their loan and do not allow their loans to go into default. In addition, the position of the guaranty agency, which represents both the federal and state government in default pursuit as previously outlined, is weakened when the state agency attempts to make collection of amounts that represent only interest charges. Consider this situation where a student repays the $5,000 principal owed and our crediting procedure under the federal law allows to remain $800 in unpaid interest charges. If the student refuses to pay these interest charges, it is very doubtful that the interest could be collected through litigation.

It is only through the continued goodwill of our participating lending institutions that a continuing supply of funds is made available to aid students in achieving their educational objectives under the guaranteed loan program. Since the inception of federal involvement in November, 1965, there have been a number of changes that tend to make the work of the lender more complicated and burdensome, this is not to say that some of the changes have not been beneficial to the program. However, the subsidy of interest during the repayment period is the greatest objection raised by our lenders. This forces lenders into complicated accounting systems that are costly to administer and confusing to the student borrower. Now that students are going into repayment with loans set at various interest rates, lenders are faced with serious problems in the establishment of repayment schedules and the retention of student borrower rapport. We have had to advise lenders that notes cannot be consolidated into one interest rate during repayment, and we are now involved with lenders supplying student borrowers with separate coupon books for each loan that bears a different interest rate or for each loan which may or may not be eligible for interest subsidy during repayment. It is confusing to both the lender and the unsophisticated student borrower who must monthly tear a coupon from three or four books and draw a check for the total amount payable to his lender.

I have tried to cite a few of the major problems confronting the student loan program; there are many more. As increasing numbers of students are required to begin repayment, these problems will grow unless measures are taken now to correct the situation which exists in administrating the student loan program. I hope you will find this information useful in your legislative review of the guaranty loan program. Please let me know if there are further questions.

I have taken the liberty to forward a copy of this correspondence to Senator Richard Schweiker of Pennsylvania who serves on your committee.

Sincerely yours,

Ken Reeher

Kenneth R. Reeher
Executive Director

KRR:bjc
cc: Honorable Richard S. Schweiker, U.S.S.

COMMONWEALTH OF PENNSYLVANIA
HIGHER EDUCATION ASSISTANCE AGENCY
TOWNE HOUSE
HARRISBURG, PENNSYLVANIA 17102

KENNETH R. REEHER
EXECUTIVE DIRECTOR

1971 April 28

Honorable Claiborne Pell, U.S.S.
Senate Office Building
Washington, D. C. 20510

Re: Secondary Market--Student Loans

Dear Senator Pell:

As a means of insuring continued support of the Pennsylvania student loan guaranty program, we have developed a Secondary Market for student loans guaranteed by this Agency. The concept of the Secondary Market which we have developed will provide liquidity to participating lending institutions by permitting lenders to sell a portion of their student loan portfolios through "participation certificates and thereby obtain funds which can be used to make additional student loans. We have worked for more than a year to establish liquidity in the Pennsylvania program The purpose of this letter is to provide some detail on the program developed for Pennsylvania lenders, their response to the innovation and our evaluation of the situation.

The actual mechanics of our secondary market are as follows:

1. PHEAA borrows $5,000,000 from the Pennsylvania Public School Employees' Retirement Board and $3,000,000 from the Pennsylvania State Employees' Re cement Board.

2. PHEAA purchases 50 percent "participations" in $16,000,000 of student loan notes now held by lending institutions and which are eligible for both the 7% interest subsidy and the special allowance.

3. The lender continuing to hold 50% ownership in the loans, agrees to service the loans and to bill the Office of Education for interest subsidy and special allowance. The income received by the lender on the portion purchased by PHEAA is sent to the Agency after the lender deducts 1/2 of 1 percent for servicing the loans.

4. PHEAA upon receipt of this income from the lender forwards it to the Pension Funds.

5. We would hope to get secondary market money from the trust funds of unions and colleges as well as insurance companies if we need further monies.

I have enclosed a copy of the Participation Certificate that was sent to lending institutions in February, 1971. At that time we advised 267 lenders of their secondary market eligibility and of the portion of their student loans that they could sell for cash through the Secondary Market. The lender participation eligibility was related to their participation in our volume of student loan guaranties. We asked that the lenders notify us as to their desire to sell loans through the Pennsylvania Secondary Market plan.

Of the 267 lenders contacted, only 13 indicated that they were interested. Of the $8,000,000 to be advanced by loans from the Pension Funds, we were only able to place a total of $1,500,000. When the idea was conceived more than a year ago lenders indicated a keen interest in a Secondary Market to improve liquidity in the student loan program. The changed money market conditions since we first began to develop our proposal in February, 1970 are probably the basic cause of poor reception to the proposal by our lenders. In addition our commercial banks have experienced growth in their deposits in recent months. This has forced them to reduce the prime rate on commercial loans. The nation's lagging economy coupled with a revised money policy by the Federal Reserve Board has produced an abundance of funds available to borrowers at commercial banks. There has not been a corresponding increase in the demand for these funds. Lenders have, therefore, been put in a position where it is currently difficult for them to sell student loans to the secondary market and purchase new loans on a profitable basis. The result is that our student loans are showing an increasingly more appealing yield to lenders now than they were during 1970.

I believe that the proper approach to encouraging lenders to participate in the loan guaranty program is to insure that student loans produce a good yield as compared to other loans of similar maturity and size. I believe that the special allowance provisions of the Emergency Student Loan Act of 1969 have not been used to their fullest extent to improve lender participation. Since this law was enacted, the highest rate paid was 2 1/4 percent. I believe that if rates of up to 3 percent as called for in the law had been paid, lenders would have been more inclined to make additional student loans and to discontinue certain of their policies such as requiring account relationships. The long term nature of the student loan requires a yield that will keep the revenue to the lender competitive. In light of our experience, I believe that the creation of a Secondary Market will not encourage commercial lenders to make student loans at their current yield. It is unrealistic to expect commercial lenders to assume the heavy front loaded administrative costs of disbursing student loans and then discount them to the Secondary Market for the sole purpose of providing additional student loans.

I firmly believe that the establishment of a Secondary Market administered on the national level will greatly increase the rate of default. Our experience has shown that the best collection effort is made by lenders working with the borrower on the local level. Nothing replaces that experience at the "window" of the lender. Distance between the lender and the borrower results in a "gap" in collections. As the distance between the lender and the borrower increases so does the rate of default. This is true whether the gap consists of a time gap between graduation and scheduled repayment or the geographical location of the borrower's residence and the location of the collection agent.

I think our "participation" concept as an approach to liquidity is excellent because it provides for maintenance of the loan at the lender level. With so many loan maturities ahead of us in this program the prevention of delinquencies and defaults will be a job for the professional--and I know of no place other than the lender where professionals are employed in sufficient numbers to do the job.

I would suggest that implementation of any secondary market concept be coupled with maintenance of the special allowance until such time as the effectiveness of the secondary market is established.

If you have further questions on our program or philosophy please let me know. With kindest personal regards, I remain

Sincerely,

Kenneth R. Reeher

Kenneth R. Reeher

KRR:dlo

Enclosure

cc: Senator Richard S. Schweiker

PARTICIPATION CERTIFICATE

Date: _____, 197 ___ $ _____

_____

hereby certifies that the Pennsylvania Higher Education Assistance Agency (hereinafter referred to as PHEAA) has contributed _____($)

Dollars toward student loans totalling _____($)

Dollars made by the undersigned to student borrowers who have executed promissory notes reflecting such loans in the amount of _____($)

Dollars on PHEAA Form 500R, which notes are guaranteed by PHEAA and covered under a reinsurance agreement by the United States Commissioner of Education pursuant to the Higher Education Act of 1965, as amended.

The promissory notes evidencing the said student loans together with any additions or substitutions therein are held by the undersigned and will be enforced and disposed of in accordance with the *PHEAA Guaranty Loan Agreement,* at the sole discretion of the undersigned, for the benefit of the owners of the loans each of whom is entitled respectively to his, its or their share, pro rata, of any and all payments or distributions of collateral made on account of the principal or interest of said loans less a proportionate share of costs, if any, including counsel fees, incurred in the enforcement thereof and each holder hereof agrees to reimburse the undersigned in like proportion for all such costs incurred to the extent that same may be in excess of the funds in the hands of the undersigned available to pay the same.

It is understood and agreed that the undersigned is authorized for a period of five years from the date hereof to make substitution of other notes of like nature and, in the aggregate, of equal value without notice to PHEAA. After five years from the date hereof the undersigned is authorized to make substitution of other notes of like nature and, in the aggregate, of equal value with prior written approval of PHEAA.

In the exercise of its discretion the undersigned shall be without liability to PHEAA for any action taken or omitted to be taken, except only for its own willful misconduct or gross neglect.

The undersigned agrees to remit to PHEAA its pro rata share of interest earned and collected on said promissory notes at the rate of seven (7) per centum per annum, plus any special allowance paid by the United States Commissioner of Education as provided under the Emergency Student Loan Act of 1969, less one-half of one (1/2%) per centum per annum service charge to be retained by the undersigned. Remittances of principal, interest and special allowance shall be made within ten (10) days of the receipt of the payments from or on behalf of the student borrowers.

The transfer of this certificate is subject to limitations set forth in existing banking laws and regulations. Transfer of this certificate can be effected only on the books of the undersigned, upon a surrender of this certificate, transferable in a like manner to the transferee, subject, however, to the right of PHEAA to assign or pledge this certificate, upon written notice to the undersigned, as collateral security for a loan lawfully obtained by it. In the event of such assignment or pledge, however, the undersigned shall have the right, in its discretion, to continue to remit all payments called for hereunder direct to PHEAA.

_____
(Name of Lender)

_____
Authorized Signature

January, 1971

SULLIVAN
Business College
LINCOLN FEDERAL BUILDING, 605 SOUTH FOURTH STREET
LOUISVILLE, KENTUCKY 40202
PHONE - 583-3694

Nationally Accredited Nationally Recognized The Seal of Quality

A. O. SULLIVAN
PRESIDENT AND FOUNDER

A. R. SULLIVAN
EXECUTIVE VICE-PRESIDENT

February 27, 1971

The Honorable Claybourne Pell
The United States Senate
Washington, D. C. 20510

Dear Senator Pell:

I am writing you with great concern regarding future legislation for students having financial need to attend colleges and universities in America. In May of 1970, I testified before your subcommittee regarding the need of both College Work-Study and National Defense Student Loans for proprietary school students.

Since that time I have seen numerous cases of students from welfare families and other low income families graduate and enter the labor market successfully. In several situations young people received Federal Capital Contributions of less than $800, and in a matter of 9 - 12 months left the welfare rolls for salaries from $4,000 to $5,500 per year.

It is my feeling after working with the College Work-Study Program for nearly two years now that it has been a great success in the proprietary school system. It has not only been successful in aiding students to gain future education, but it has also been a success with the non-profit business community willing to employ these students.

I have made a recent survey of students applying for financial aid to Sullivan Business College for 1971 and have enclosed a breakdown of their numbers and income levels. I feel this information is pertinent to the continuation of College Work-Study, National Defense Student Loans, and Guaranteed Student Loans in the proprietary school field.

I certainly hope that you will continue your efforts on behalf of America's youth. If I may at any time provide information regarding the success of Student Financial Aid Programs in proprietary schools, please feel free to call upon me.

Sincerely,

Harry V. Weber

Harry V. Weber
Vice President for Student Affairs

kaf

Enclosure

Students Applying for Student Financial Aid to Attend
Sullivan Business College in January
or September 1971 by Income Level

As of February 27, 1971

0 - $3,000	10
$3,001 - $5,000	18
$5,001 - $7,500	21
$7,501 - $9,000	24
$9,001 - $12,000	26
$12,001 - $15,000	8
$15,001 - $18,000	1
$18,001 plus	0

ILLINOIS STATE SCHOLARSHIP COMMISSION
BOX 607, 730 WAUKEGAN ROAD — DEERFIELD, ILLI. 60015 · 312 : 945-1500
SCHOLARSHIPS · GRANTS · LOANS

JOSEPH D. BOYD, Ed.D., EXECUTIVE DIRECTOR
LEE NOEL, PH.D., ASSOCIATE EXECUTIVE DIRECTOR

May 13, 1971

The Honorable Claiborne Pell
United States Senate
Senate Office Building
Washington, D. C. 20501

Dear Senator Pell:

As you review existing federal student financial aid programs and consider future changes, I sincerely request your review and consideration of the enclosed position paper of the NATIONAL ASSOCIATION OF STATE SCHOLARSHIP PROGRAMS.

A partnership of federal/state/institutional efforts, in our opinion, is one of the best answers to equalize educational opportunities and remove financial barriers.

Sincerely,

Joseph D. Boyd

Joseph D. Boyd
Executive Director

JDB:pr

COMMISSION MEMBERS
LLOYD S. MICHAEL, CHAIRMAN
MRS. WALTER S. HOUDLETT
E. ERIE JONES
HAROLD LISTON
WILLIAM E. McMANUS
MRS. L. GOEBEL PATTON
MRS. RAY POLHILL

A Position Statement of the

NATIONAL ASSOCIATION OF STATE SCHOLARSHIP PROGRAMS

to

Create a Federal/State Partnership in Providing Opportunity Grants for Financially Needy Students

* * *

HEREAS:

1 - The Education Commission of the States, through its 1970 task force report on Student Assistance, has accurately stated the need for an institution/federal/state partnership to provide an equal educational opportunity in all the states;

2 - Our association of twenty-one (21) state programs, administering 580,000 monetary awards totaling $229 million to needy students in 1970-71, has indicated the same need for federal/state partnership and also has observed the desired impact of its member states' efforts in providing financial aid;

3 - New federalism and/or revenue sharing is a vital issue of our times to provide relevant responses to difficult problems;

4 - The insured educational loan programs to students demonstrate that federal/state partnership is plausible;

5 - There is an inequity of available dollars for many needy students because of their residence;

6 - The continued existence of many outstanding nonpublic institutions of higher learning is seriously threatened by fiscal problems and the preservation of strong public and nonpublic institutions is deemed to be an economic necessity and is a desired educational goal;

7 - The involvement of federal funds can serve as an incentive for all states to initiate, retain or even increase their commitment of student aid funds;

8 - Any plan to assist students with college costs through excessive borrowing is deemed unwise and not an acceptable answer to extend higher education opportunities to students from low and moderate income families;

9 - Existing comprehensive state scholarship programs have demonstrated a professional competence in administering financial aid programs based upon an objective assessment of eligibility; and

0 - No qualified student who wants to seek post-secondary education should be barred for lack of money.

HEREFORE, BE IT RESOLVED THAT:

ederal legislation be developed or current legislation amended to provide a share f the appropriation for Educational Opportunity Grants and/or newly appropriated unds for gift assistance to the states to add to their commitment of state funds in he assisting of financially needy students. Such legislation should provide for

the attainment of two important goals:

1 - The establishment of programs of state financial aid in all states for its residents with financial need to attend either public or nonpublic colleges, other post-secondary institutions, and

2 - Recognition of effort on the part of states with existing programs for the needy applicant to attend either a public or nonpublic post-secondary institution of higher learning.

Specific Means to Reach the Above Goals

PART I

Those states with new and emerging comprehensive state scholarship or grant programs available to financially needy students to attend either public or nonpublic post-secondary institutions would qualify for matching student aid funds (a form of "seed or incentive dollars) from the Federal Government, up to $1 million per year, for a period of time not to extend more than three successive years, and

PART II

All states with programs (new, emerging, and established) would claim 50% of their investment of state funds when used to match or supplement federal E.O.G. recipients or eligibles as a partnership expense to be paid from the federal treasury.

Desired Characteristics of the Proposal

RE PART I

States without comprehensive student aid programs or with emerging programs are to be motivated to provide new or greater benefits than presently available to their residents, thus minimizing the current inequity now existing among all states.

RE PART II

This proposal involves an institution/federal/state partnership.

- The institution makes the E.O.G. award following federal guidelines.
- The Federal Government provides the E.O.G. funds directly to the institution.
- The State Government provides the supplementary gift aid from its funds and receives a federal subsidy for its efforts to such students.

Part II can serve to keep the maximum value of a federal E.O.G. award at a lower or standard level as college costs increase and it will further assure that more students with severe financial need will be benefiting from both federal and state efforts without the necessity of excessive borrowing to meet the costs to attend the college of their choice.

BE IT FURTHER RESOLVED THAT:

1 - The members of the National Association of State Scholarship Programs (because of the magnitude and significance of their state-funded aid programs) firmly

believe that they should have representation from their organization actively involved in creation of, review of, and implementation of guidelines for any federal legislation dealing with student grant and/or loan financial aid for post-secondary study including the above proposal.

2 - Recognition be given to the fact that the twenty-one (21) states administering comprehensive financial aid programs for college and other post-secondary study are able to obtain some desired characteristics of administration which are not always possible in many institutionally administered student aid programs. These differences are: Greater standardization, objectivity and equity in eligibility and financial need assessment; the preservation of freedom of college choice and the transferability of an award; a state-wide network of communicating opportunity, and a smaller per unit cost of administration. Without the intent of eliminating institution administered federal Educational Opportunity Grants, designated state agencies can and should assume an important role as another vehicle to award federal dollars to its residents and make the application of these federal dollars serve as a partnership expense through a matching or supplemental program from state revenues.

Member States of Association

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Pennsylvania
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Vermont
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Wisconsin

President of Association

Dr. Elizabeth L. Ehart, New Jersey

Proposal Committee

Dr. Joseph D. Boyd, Illinois, Chairman
Kenneth R. Reeher, Pennsylvania
Tony Lynch, West Virginia
Kenneth Schultz, Virginia

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3/29/71
JDB

APPENDIX VIII.—Title VI, Higher Education Act

UNIVERSITY OF HAWAII • HONOLULU, HAWAII 96822

THE PRESIDENT

May 18, 1971

The Honorable Claiborne Pell
Special Subcommittee on Education
United States Senate
325 Old Senate Office Building
Washington, D.C. 20510

Dear Claiborne:

On behalf of the University of Hawaii, and in line I think with the sentiment in universities throughout the nation, I would like to urge you and the members of your Subcommittee on Education to consider favorably the extension of NDEA Title VI programs beyond their expiration date of 1972.

The programs designed under this Title have provided a very significant contribution to developing and training language and area specialists. The expertise of these specialists is not only transmitted through their roles as teachers, but also becomes an irreplaceable resource for our government and businesses in better understanding the people of other nations. Because these specialists are still so few in numbers, and our need for their expertise continues to grow, an extension of Federal support is imperative.

Sincerely,

Harlan

Harlan Cleveland

cc: Senators Fong and Inouye
Representatives Matsunaga and Mink

APPENDIX IX.—Title IX, Higher Education Act

National Association of Schools of
Public Affairs and Administration
1225 Connecticut Avenue, N.W., Washington, D.C. 20036
Phone: (202) 659-9160

Robert F. Wilcox
President

Laurin L. Henry
President-Elect

Donald C. Stone
Program Coordinator

Executive Council

Alan K. Campbell
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University of Michigan

Brewster C. Denny
University of Washington

Edmund A. Guillon
Tufts University

Claude E. Hawley
City University of New York

Laurin L. Henry
University of Virginia

Donald C. Stone
University of Pittsburgh

Robert F. Wilcox
San Diego State University

Clyde J. Wingfield
Southern Methodist University

March 25, 1971

Senator Claiborne Pell
Senate Office Building
Washington, D. C.

Dear Senator Pell:

I have just seen a copy of S.659 of which you are the chief sponsor. I find this to be an excellent bill. As the president a year ago, and currently as the volunteer Program Coordinator of this Association, I have devoted a good deal of time to the question of manpower planning for the public service and the kinds of education required to meet the critical needs of federal, state, and local governments.

Three years ago the Congress enacted Title IX, Education for the Public Service, but the Executive Branch has prevented its implementation. Appropriations were not requested first on the grounds that no new educational programs should be initiated, and second, that the proposed national foundation for higher education would be a suitable vehicle to carry out the purposes of Title IX. Both assumptions are completely invalid.

Education for the Public Service is not another educational specialty, but is concerned with the strategy of the government in how to develop greater competence in the wide range of positions concerned with the administration of federal, state, and local programs. The transfer of a program such as Title IX when it is not even in operation to an education foundation where it would be subject to the contending claims of traditional academic groups, would be fatal.

Originally, Education for the Public Service and the Intergovernmental Personnel Act were combined. HEW insisted on separating it because it wished Education for the Public Service to be administered by the Office of Education. Now it is engaged in killing its own child.

For these reasons, your bill is especially timely.

What is needed now, and which your bill would help support, is action by the committees on appropriations to fund Title IX for FY 72.

Last summer I submitted to George Shultz a statement describing why the activation of Title IX and the Intergovernmental Personnel Act was vital to the operation of the government. I thought you would be interested in seeing a copy of it, which is attached. Those of us who have been working with states and cities as well as the federal government, feel that any program of special revenue sharing and block grants would suffer greatly unless far more professionally trained persons of higher caliber are channeled into these services.

If we can do anything to help you with your efforts, please let me know.

Sincerely yours,

Donald C. Stone

Donald C. Stone
Program Coordinator

DCS/et

Address:
Dean Emeritus and Professor
of Public Administration
Graduate School of Public and International Affairs
University of Pittsburgh
Pittsburgh, Pa. 15213

National Association of Schools of
Public Affairs and Administration
1225 Connecticut Avenue, N.W., Washington, D.C. 20036
Phone: (202) 659-9160

July 27, 1970

Mr. George P. Shultz
Director
Office of Management and Budget
Executive Office of the President
Washington, D. C. 20503

Dear Mr. Shultz:

This Association, comprising some 70 schools and centers, has great interest in the expanded role of the Office of Management and Budget. As the Association's recent president and interim program coordinator, I have been requested by the Executive Council to lay before you several recommendations which we feel most urgent in improving federal organization and management, and especially programs involving state, county, and municipal collaboration.

The Problem. Effective planning and implementation of government programs requires the development and utilization of relevant educational and research resources. The enormous achievement which derives when both manpower and knowledge are mustered for difficult objectives is dramatically illustrated in such fields as space exploration, agriculture, atomic energy, medicine, and weapons systems. The government, through the National Science Foundation, the National Defense Educational Act, and other measures has greatly strengthened university capabilities to contribute to these purposes. In addition, individual agencies like NASA, AEC, Defense, and Agriculture have induced universities through grants and contracts to prepare personnel for new and complex tasks and to engage in research and services crucial to the fulfillment of their purposes.

In contrast, in most other fields of government, notably in those concerned with urban and environmental conditions, social welfare, poverty, race relations, housing, public works, and other functions, almost no educational and research underpinning of either a general or specific character has been provided. Many noteworthy policies and programs launched in these fields have not achieved their potential, and some have floundered. We see three main reasons:

a. Lack of professionally adequate policy and administrative planning complemented by organized and sustained measures (with adequate consultation by all agencies affected) to guide implementation.

b. Managerial deficiencies of city, county, and state governments in carrying forward their part of implementation.

c. The assumption that qualified persons to staff such programs will spring from somewhere.

It would almost appear that well-intentioned policies and programs are deemed to be self-implementing and that administrative knowledge is intuitive.

A new opportunity. During the past few months we have discussed this problem with Messrs. Roger Jones, Dwight Ink, Robert Hampton, Pat Moynihan, and others, and formally presented the problem to Mr. Mayo. The Budget Bureau's response stressed the President's proposals for a National Foundation on Higher Education and the inclusion of "public administration" among its suggested fields.

Our Executive Council believed that reliance upon a general aid to education act (which appears to have no prospect of enactment) to achieve hard-cutting and precise program objectives to be unrealistic. I was, therefore, commissioned by our Executive Council to make a new presentation to the Bureau. The purpose was to express our concern — even our dismay — over the lack of governmental initiative and coordinated effort in establishing professional education, training, and research resources to assure the success of governmental programs. Our member institutions do not believe that the federal system, and Presidential plans in relation thereto, can cope with either present or new initiatives in the absence of positive measures to create and utilize manpower development and research capabilities. Such measures need to focus on public policy, program formulation and implementation, institution building, and executive management in the full range of domestic and foreign operations. A very different kind of process and competence is required under a local-state-federal partnership system than in traditional governmental practices.

While refining our views, the effectuation of Reorganization Plan #2 became assured, and you were appointed director of the Office of Management and Budget. We are pleased that the OMB not only has a mandate to improve program management, but that it also has policy responsibilities for executive manpower. Obviously these new functions entail development and utilization of educational and research resources as a major element in program planning and execution.

Accordingly, the following proposals, formulated by the Association's Executive Council, have been recast to fit your new mandate. It is our hope that they will be helpful.

Findings and Recommendations

1. A question of government performance. The heart of the problem, and what we feel the federal government should be more concerned about, is the critical need for capable executive manpower (with access to functionally operative knowledge) to develop and administer public policies, plans, programs, and projects. Many imaginative legislative acts and executive initiatives fail because R & D is inadequate and qualified persons are not trained to carry out the programs.

As a member of our Executive Council commented in reviewing the draft of this letter:

> "The current Administration has publicly stated that it is more interested in making programs work than it is in creating false hopes on the part of the public. The proliferation of federal programs with laudable objectives but no concrete effects, this Administration has implied, is due to unrealistic assumptions built in the programs in the first place. Yet, this Administration has not shown a willingness to undertake the hard work of uncovering better assumptions and designing optimum solutions. That requires, ultimately, a research and development commitment in the social and management sciences, geared to public sector activities, that is now lacking. In fact, just the opposite has occurred. Research funds are even on the decline".

The hard fact is that many thousands of graduate professionals are needed in public policy analysis, executive management, program planning and budgeting, finance, and personnel administration as well as in more specialized administrative fields such as urban planning and development, renewal, housing, model cities, community action, race relations, economic development, environmental control, public works, etc. The complex of social welfare, social security, health, medicaid, and medicare has suffered for lack of policy planning and managerial talent. The numbers of such persons required by municipal, county, and state governments is staggering because of enormous growth at those levels. At the federal level the same kinds of persons oriented to intergovernmental consultation and action are equally critical.

The annual yield of graduate programs serving these vast needs is miniscule. The total enrollment in master's programs in schools and centers of public affairs and administration, including city planning, urban studies, international affairs, public policy, and

public administration, is estimated at about 5000.

Such schools as law, business, engineering, social work, and the social sciences feed persons into these public service fields. This is desirable, and could be greatly advantaged if their students had more opportunities to take course work in schools of public affairs and administration. However, what we are stressing here is sustained graduate study, some of it of a joint character, which interrelates policy planning and administration with function, substantive technology, and environment to produce both public administration generalists and program managers in major functional fields.

2. Goals and strategy. We believe this situation requires priority action. We are convinced that programs cannot be well implemented without better planning and management, and that proposals for decentralization, tax-sharing, and building an effective partnership of federal, state, and local governments will misfire without a massive infusion of able, solidly trained talent.

To this end we propose the following action program:

a. Specific assignment to the Office of Management and Budget of the responsibility for the development of goals, policy, and program, and for coordination of departmental efforts in executive management (including public policy) education and research. The OMB (with the cooperation of the Civil Service Commission and participation by the agencies)is surely the appropriate Presidential instrument to see that this purpose is served and monitored at regular intervals.

b. Creation of a corresponding or supporting unit within each department to deal with this problem in its special fields.

c. Establishment of effective working relations with the universities, training institutions, and research agencies that serve or should serve these public affairs fields.

d. Appropriation of funds for Title IX (Education for the Public Service) of the Higher Education Act. This is a good piece of legislation. The needed categories of persons will not be produced unless legislation recognizes the direct link between education for public affairs/administration and the practical problems of policy, program development, and executive management. That is why we feel Title IX is greatly preferable to HR 16621 as discussed below.

e. Enactment of HR 5546, the Intergovernmental Personnel Act. This Act which has passed the Senate as S. 11 is neatly complementary to Title IX. This kind of program is imperative to upgrade present state and local personnel. The New Federalism requires this kind of legislation if it is to be successful.

f. Continuation and funding of Title I (Community Service Training and Development), but provide for better administration at federal and state levels.

g. Initiation of doctoral programs to prepare instructors and advanced scholars to staff the professional education and research programs covered by the foregoing. There is not now a national program geared to produce Ph.D.'s equipped for graduate teaching of practitioners and for research in public affairs/administration fields.

h. Incorporation in every new major program or revision of present programs of an adequate component of research and education to assure that the program will become viable. NASA provides an ideal model; Public Health has excellent experience; and the Urban Mass Transportation Administration is off to a good start. HUD's authorized education and research function needs better funding; NASA's doctoral fellowship and research allocations to universities in the administration of large-scale technological and scientific enterprise should be reinstated.

3. The Proposed National Foundation for Higher Education. We find HR 16621, the Higher Educational Act of 1970, to have much merit for its broad objective of making grants to encourage excellence, reform, and innovation in private and public institutions. While it is the declared intention to include public administration within its terms, we doubt that the proposed educational foundation with its coverage of the whole range of traditional fields of universities would be oriented to or capable of focusing on and developing Executive Branch strategy and programs in respect to public service personnel and educational requirements. Moreover, an effective strategy requires complementary attention to research, a function which the Foundation could not be expected to perform. We wonder whether the government has yet distinguished between general assistance to higher education for purposes the universities choose and assistance to encourage programs are designed to supply governments with needed professional leadership.

If HR 16621 were capable of covering all public affairs fields should it not also encompass agriculture, health and medicine, aerospace, and science? Presumably these are recognized as discrete national concerns, not as general assistance to higher education. They are supplied by pinpointed programs under specific agency management. Public Affairs education and research (the two go hand-in-hand) call for the same kind of focused attention by that part of the Executive Branch which is concerned with overall planning, organizing, staffing, coordination, and management of the program of the President.

Not many universities are seriously committed to professional education, research, and services in public policy and administration, either generally or in specialized fields, so that a quite different relationship between government and universities is required to develop these service fields than under a general assistance program for higher education.

Overcoming this inadequacy of universities could not be accomplished very well by that appealing purpose of HR 16621 reflected in that part of the President's message which states that "the time has come for the federal government to help academic communities to pursue excellence and reform in fields of their own choosing. . . and by means of their own choice. . . Educational excellence includes . . . the university turning towards new programs in. . . public administration."

The power structure within most universities would inevitably prevent much of significance to federal program planning and management from happening. Faculty power is in the hands of professors of science, the arts, the humanities, and specialized social sciences. Few have the necessary understanding of and enthusiasm for public administration, especially in its broad ramifications. The inevitable view would be that any funds requested for public affairs/administration would mean so much less for their fields. Experience shows that those who exercise academic power do not have much interest in establishing professional programs in urban planning and development, city management, environmental planning and control, economic development, community action, development administration, public works administration, and other special and general public policy and administration areas.

Only where a major graduate school or center exists, is there enough university strength to mobilize the many kinds of academic inputs required in teaching and research in these newer public policy fields.

4. Capitalizing on Title IX. Since HR 16621 would not fulfill urgent strategic needs, and seems unlikely of enactment in the foreseeable future, we are convinced that the best strategy would be to get

the ball rolling in funding Title IX (Education for the Public Service) of the Higher Education Act. Title IX has many advantages:

a. It is a first-rate piece of legislation developed cooperatively among government agencies, professional societies, the universities, and the Congress.

b. It focuses on the urgent task of strengthening and creating university capabilities in critical public service fields.

c. Title IX is on the statute books and might still be funded, at least for planning purposes, for FY 71.

d. It provides the Office of Management and Budget with an instrument made to order to start buttressing faulty operation of programs.

e. The Office of Education has prepared initial guidelines for its implementation which could be quickly reviewed by OMB and CSC to stress priority purposes.

f. HR 16098, introduced by Mrs. Edith Green, would extend Title IX's authorization for three years after June 1971.

It is our understanding that the Administration did not recommend an appropriation for Title IX in the 1970 or '71 budgets on the grounds that funding of new aids to education should be postponed and that the proposed educational foundation would cover public administration. The problem with Title IX (also Title I) is that these have been treated as aids to education and placed in the hands of public school people rather than viewed as instruments for improving public service and placed in an executive management agency. We urge you to use the leverage of the OMB to change that view.

5. Continued Funding of Title I. No funds were requested for Title I—Community Service Training and Development, but we are pleased to note that an appropriation is being made. In report No. 91-996, dated April 9, 1970, the House Appropriation Committee states: "The Committee does not believe that the existing program should be summarily dispatched before the new one is born and has restored $9,500,000, the amount appropriated for 1970, to continue it for another year".

This Title has been badly administered, both in Washington and in many states. In many cases, administration was channeled through state departments of education which ordinarily have little competence or concern for community service training and development. We are encouraged by recent reassignment of responsibility within the Office of Education. Here again Title I, like Title IX, should become an

element in the OMB's and CSC's program for improving government operations down to the grass roots level.

6. Enactment of the Intergovernmental Personnel Act. This bill (HR 5546), already adopted by the Senate as S. 11, authorizes grants to the state and local governments to modernize personnel services and to encourage education and training of professional, administrative, and technical personnel. It further provides for fellowships for state and local personnel for up to two years of graduate-level study. The member institutions of the Association consider this a very important measure which should be enacted and fully funded.

7. Teachers of Practitioners. Universities face an acute shortage of teachers who combine suitable academic preparation with the government experience needed to make them effective instructors in graduate professional programs in public affairs/administration. Thus doctoral programs need to be fostered and strengthened to produce persons qualified to teach both young and mid-career personnel in practitioner-oriented curricula. There is no federal support for teaching or fellowships of this kind. As a result many public service programs initiated by universities lack competent instructors or researchers.

We suggest that consideration be given to amending Title IX, the Education for the Public Service Act, to authorize appropriations to be used for curriculum development, teaching and related expense, and fellowships to prepare teachers, researchers, and advanced scholars to staff greatly expanded university programs.

8. International Education Act. The purposes of the International Education Act are quite different from Titles I or IX. That Act covers the international academic waterfront, and is much less public service and operationally oriented. Whatever is done about that Act should not preclude the financing of graduate professional education in international development, policy planning, and administration of international programs under Title IX. These are part of public administration.

9. Agency programs. In developing an Executive Branch strategy for public service education and research a blend is needed between support of general curriculum development, teaching, fellowships, etc. in public affairs/urban affairs/international affairs/policy and administration and the more specific concerns which individual departments and agencies have for producing the requisite personnel and knowledge to carry out particular functions. This means there must be very specific and extensive initiatives within individual departments like HUD, HEW, Interior, Commerce, NASA, OEO, DOT, etc.

The Office of Education has both a legislative mandate and extensive appropriations for the preparation of school teachers and school administrators, and for research to improve the nation's educational system. This is also true for public health, mental health, medicine, and transportation. What is needed now is a similar focus on all major public policy and public service sectors. Studies of OEO, Medicare, Medicaid, Urban Renewal, Neighborhood Centers, Model Cities, and other government programs of crucial importance to the American people show the waste and futility of launching programs which are not planned, organized, and implemented by qualified personnel and which lack the research required to produce knowledge essential for both planning and implementation.

10. The Case of NASA. NASA has been notably successful in developing and utilizing university resources. It provided a good prototype in public administration, until the Bureau of the Budget reportedly foreclosed its cooperation with universities to produce administrators for scientific and technological endeavors. This program, thwarted at the very moment it began to meet in a significant way some of the crucial needs of the government, should be continued. We strongly request the Office of Management and Budget to examine its merit and to let it go forward.

11. Government-University Cooperation. Progress along these lines requires close working relations between government and the schools and centers responsible for education and research. Cooperation in identifying and planning of educational and research goals and programs is essential. Universities must be evaluated both as to capability and performance. Government must develop workable policies and procedures by persons knowledgeable about both the function and university administration.

Neither the government nor the universities have been adequately staffed in the past for these purposes. The result has been a vacuum. It is for this reason that we recommend a unit and full-time staff related closely to the executive management function in the Office of Management and Budget. Every department having serious concern for program development, implementation, and evaluation needs a similar unit. State governments and the large cities also require such an office.

At the federal level NASA illustrates how an agency can organize to mobilize educational and research competences for program purposes. New York City has appointed an assistant city administrator to serve as director of university relations for this same purpose.

Concluding Note

Surely the time has come to move forthrightly to upgrade professional competences of executive personnel at all levels of government. This would assure more successful management of both old and new programs, and make more feasible proposals for block grants and tax sharing. When compared with other expenditures for higher education, the cost of putting these measures into effect is miniscule. Their potential in better performance is enormous.

The National Association of Schools of Public Affairs and Administration has as a major purpose the development of university capabilities along these lines and of working responsively with the federal government, and with state and local governments. We wish to see develop a national network of institutions, including universities and colleges at metropolitan and community levels, which will produce the kinds of trained manpower needed in today's world.

We are ready to meet with you or whomever you designate to pursue these matters.

Sincerely yours,

Donald C. Stone

Donald C. Stone
Program Coordinator

APPENDIX X.—Title XI, Higher Education Act

White House
Conference
on Youth

P.O. Box 19, Washington, D.C. 20044

June 9, 1971

Honorable Claiborn Pell
Chairman, Subcommittee on Education
Committee on Labor and Public Welfare
U. S. Senate
Washington, D.C. 20510

Dear Senator Pell:

As you know, the White House Conference on Youth was held recently at Estes Park, Colorado. Each of the 1500 adult and youth delegates attending the Conference was assigned to one of ten task forces dealing with issues determined to be of greatest concern to young people today. The Task Force on Legal Rights and Justice consisted of 150 adults and young people, including federal, state, and local judges, business leaders, Members of Congress, state legislators, and a broadly representative group of American youth.

As co-chairmen of the Task Force on Legal Rights and Justice, we wish to bring to your attention a recommendation on clinical legal education adopted at the Conference by our task force delegates. The recommendation urges the continuation of authorization for Federal assistance to clinical legal education programs now reflected in Title XI of the Higher Education Act of 1965, as amended, and the implementation of such authority through adequate appropriations. There is a great need for the law schools in the United States to enhance the legal education experience by the establishment and expansion of extra curricula and co-curricula programs to give law students relevant experience in the practice of law. Equally, there is an unfilled need in today's society for adequate and readily available legal services for the lower-income citizen. Law school clinical programs are uniquely appropriate to meet these needs, and such programs, to be successful, require new sources of financial support. Accordingly, we believe that funding of Title XI is essential to these important goals.

The 1971 White House Conference on Youth has provided an opportunity for a meaningful dialogue between our nation's leaders and its young people. In view of the current consideration of higher education authorization and appropriations legislation by the Congress, we hope you will give our views on Title XI serious attention.

Sincerely,

Michael A. Dively
Michael A. Dively
Michigan House of Representatives

Richard W. Alexander
Richard W. Alexander
President, Texas Youth Conference

ASSOCIATION OF AMERICAN LAW SCHOOLS

WALTER F. MONDALE
4 16 PM '71

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EXECUTIVE DIRECTOR
MICHAEL H. CARDOZO
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Washington, D.C. 20036

Area Code 202, 296-8751

May 25, 1971

Honorable Walter F. Mondale
United States Senate
Washington, D.C. 20510

Dear Senator Mondale:

When representatives of legal education appeared before the Subcommittee on Education on March 31st to testify in connection with hearings on higher education legislation, you requested that we submit for the record some information concerning the program of the Council on Legal Education Opportunity. You were particularly interested in the number of students who were part of this program, how many have graduated and schools attended.

We think the best way to answer your questions is to enclose with this letter a copy of a draft of a report which was recently prepared by the CLEO staff detailing the operation of this program, which was begun in 1968. Of course, the CLEO students are only a small part of the total enrollment of the minority and disadvantaged students in law schools around the country. Unfortunately, enrollment statistics for the current academic year are not yet available, but we are under the impression that there has been a significant increase in the number of these students from that which we reported for the 1969-70 academic year in our prepared statement submitted for the record last year when the Subcommittee on Education was considering higher education legislation. This appeared in Part 1 of the printed hearings on S.3474 and related bills (91st Cong., 2nd Sess.), the "Higher Education Amendments of 1970", at pages 858-894. The information specifically about enrollments appears at page 866.

One of our principal concerns, as you know, is that federal financial support for the continuation of the CLEO program be assurred by the granting of appropriate statutory authority to the proper federal agency or department to insure this result. In the prepared statement which we submitted to the Subcommittee on March 31st, we briefly reviewed the history of funding arrangemen

for this program from private sources and through the research and development funds of the Office of Economic Opportunity. We further indicated that, in our view, support for a program along the lines of the CLEO program seemed to us to now be a proper responsibility of the Department of Health, Education and Welfare, in the absence of any other existing appropriate federal agency. Thus, we noted our concern that the Department be given the appropriate statutory authority to provide stipend assistance to disadvantaged students in schools of law. In this connection, you will note that we commented on the proposed new Section 461 in the Administration bill (H.R. 5191; S.1123) which would grant authority to the Commissioner of Education to provide stipend assistance to such students. We support this provision in principle, but we feel that the limitation of $30.00 per month, or any comparably small amount, is patently inadequate for disadvantaged students in law and other graduate studies. Perhaps the proviso that exceptions may be made in "exceptional cases as determined by the Commissioner" will alleviate this problem, especially if it is understood that this language would encompass all of the students covered by a program of the CLEO type.

Very respectfully yours,

Peter L. Wolff

Peter L. Wolff
Assistant to the
Executive Director

Enclosure

cc: Honorable Claiborne Pell

CLEO

GENERAL DESCRIPTION

CLEO (Council on Legal Education Opportunity) is a federally funded program, begun in 1968, seeking to enable the "minority" or "economically disadvantaged" student, with "marginal" or less conventional admissions credentials, to have an opportunity to attend law school. To this end, CLEO inspires and cosponsors recruiting programs to inform and encourage students, particularly minority students, to choose law as a career; operates six-week summer institutes, with the cooperation of many law schools, so as to provide the selected students with a vehicle to identify their capability to succeed as law students and to become acclimatized to the process of law study; and provides an annual living stipend to those summer students who continue on in law school. CLEO is sponsored jointly by the American Bar Association, the Association of American Law Schools, the National Bar Foundation and the Law School Admission Test Council.

For the 1971-72 program year CLEO will be funded by both O.E.O. and H.E.W. Approximately 85 per cent of the total federal funds will come from O.E.O.'s Legal Services Division and the balance will come from H.E.W.'s Office of Education. These funds will provide for the operation of seven regional institutes this summer, accommodating 200 students. These 200 students will then receive $1,000.00 per year to help defray their living expenses while in law school. The conditions on this grant are: (1) the student must enter law school in September, 1971; (2) he must continue on in good standing for the three consecutive years; and (3) the law school in which he enrolls must provide for the student's tuition in the form of a grant, loan or combination of the two.

Most summer institutes are operated by a consortium of law schools, with the host school assuming primary responsibility for administration. This year's host schools for summer institutes are:

1) Howard University

2) University of Florida

3) Tulane University

4) St. Louis University

5) Texas Technological University

6) University of Denver

7) University of California - Davis

All of the institutes will conduct six weeks of course study. They will provide students with exposure to three substantive law school courses and a legal writing course. The courses will be taught by experienced law faculty. In addition, the institutes will be staffed by student assistants. These student assistants are minority students already attending law school.

CLEO enrolled its first class in 1968. Of the 93 students who began law school in September, 1968, six graduated mid-year of this academic year, and the bulk of the 65 remaining will graduate this June. These students receive an annual living stipend of $1500.00, provided by a grant from the Ford Foundation. The class of 1969 was considerably larger than that of 1968 and the funds for stipends has been a patchwork of various private sources. For those of the 399 students of the class of 1969 who entered law school in September, 1969, and continue in good standing, the level of support is fixed at $800.00. The 1970 class is the first to receive its stipends from federal funds. Beginning that year O.E.O. Legal Services not only provided for the costs of administering CLEO but granted funds for a class of 200 sufficient to provide stipends in an average annual amount of $1,000.00.

PROGRAM DATA

During the past three summers, 1968, 1969, 1970, CLEO has sponsored a total of twenty-two Regional Summer Institutes enrolling a total of 817 students. Established and operated very largely on an experimental basis, the purpose of these institutes has been varied: some were primarily compensatory or remedial, some were primarily screening devices to identify students who showed promise of success in law schools and others aimed primarily at orientation and conditioning students for the law school. All had mixed purposes.

Although the target groups for CLEO were originally designated as "Negroes, Spanish-Americans and American Indians," applications have appeared from a very wide spread of ethnic, geographic groups. On the face of it, it is very clear that CLEO's existence and its activity in pursuing its goals--particularly through summer institutes and recruitment conferences which it has also co-sponsored--has stirred enormous interest on the part of minority and disadvantaged group members in the law as a profession. Likewise, great interest and support on the part of laws schools of the Bar has been stimulated.

The Summer Regional Institutes and Law School Admissions:

Seven of these Regional Summer Institutes, lasting six weeks, were held in 1970 at Miami, Florida, Washington, D.C., Philadelphia, Detroit, Seattle, Tempe, and Houston. A total of 211 students were

registered in these institutes, of whom 195 were certified for final admission to law school. Detailed statistics on the performance of all three classes of CLEO students are shown in the following table:

Total number of students all CLEO Institutes, 1968-70----------817
Total number of CLEO students entered Law Schools 1968-70----------677
Total number CLEO students enrolled in Law School Sept., 1970------584
Total number CLEO students receiving Financial Aid Sept., 1970-----577
Total number Law Schools Enrolling CLEO students, all classes------105

1968 Class -- Total number post-senior CLEO students 122

No. of Students Entering Law School	Year	No. of Law Schools Enrolling
93	1968	33
2	1969	31
6	1970	28
101	1968-1970	33

77 at present (September 30, 1970) enrolled in law school;
8 of original enrollees failed;

The others either resigned from the program or left it temporarily while in good standing for good cause such as military service. Contingency eligibility is possible under the terms of the funding grant only for the 1968 class. Hence, of those who left temporarily in good standing, six have returned to law school this year. Six more of those who have deferred entrance for military service have indicated that they will enter law school in 1971.

1969 Class -- Total number post-senior CLEO students 444

No. of Students Entering Law School	Year	No. of Law Schools Enrolling
399 *	1969	91

* Includes 16 post-juniors from 1968 class

322 at present (September 30, 1970) enrolled in 80 law schools
44 failed
24 did not enroll because of military service or other good cause
9 status unknown

322 at present (September 30, 1970) enrolled in 80 law schools and receiving financial assistance. Of original enrollees, 44 failed; 24 withdrew or did not re-enroll because of military or other good cause; 9 status unknown. Of the 61 students in this class who did not enter in 1969, approximately 25 entered first year in law school in September, 1970, or returned after having withdrawn during the previous year.

Since the grant of financial assistance for all who did not register, or who failed or withdrew during the year 1969-70 was vacated, it has not been possible to ascertain precisely how many of this group are presently in Law School. Apparently, therefore, there is a total of approximately 340 CLEO students of the 1969 class and juniors of the 1968 class at present in law school.

1970 Class - Total number post-senior students 211

No. of Students Entering Law School	Year	No. of Law Schools Enrolling
187	1970	70

3 failed to enroll in law school for reasons unknown
5 status unknown
16 failed at the Institute

The first CLEO graduate is expected to finish law school in December, 1970. The main portion of the class, numbering 68, should complete law school in June, 1971.

Financial Assistance to CLEO Students:

Financial assistance at varying levels has been provided all CLEO students who successfully completed the Institutes. It cannot be argued that the amount of assistance available for any class has been as large as hopefully it would be. Consequently, within the limitations of funds received, and the terms of the grant, the members of the 1968 class have received $1,500 for living expenses only for each of their three years in law school, while the law schools provided tuition and fees. The members of the 1970 class will receive an overall average of $1,000 per year for living expenses for each of their three years in law school.

For both the 1969 and 1970 classes, the law schools provide tuition and fees by grant, loan or a combination of the two in accord with the policy of the law school applicable to all other students. Unfortunately, it has only been possible to guarantee the 1969 class $800 per year one year at a time. Furthermore, it has been necessary to reject all contingency eligibility for this class because of lack of funds. In fact, for each of the classes the careful husbanding of funds available has been necessary in order to meet the demands made upon them.

Financial Assistance to CLEO Students in Law School:

Financial assistance while in law school to the 1968 class was provided from a three-year grant of $450,000 made in 1968 by the Ford Foundation. By its terms, the grant was to provide $1,500 per year to each of 100 successful members of this class for living expenses only, and the law schools were to provide for tuition fees. Assistance to the 1969 class has been provided grants in 1969 and 1970 totalling $689,400. Two of these grants, from the Ford Foundation for $250,000 and Rockefeller Brothers Fund for $225,000 were three-year grants. The remainder is provided from annual grants totalling $194,400 by the American Bar Endowment and $20,000 from the International Business Machines Corporation. Nevertheless, the funds raised for support of the 1969 class fell far short of our expectations. Consequently, since more than three times as many students were to be supported in this class than in the 1968 class, it has been possible only with greatest of care to provide these students with assistance at the level of only $800 for 1969-70 and 1970-71. At the present time, it is not possible to guarantee even that figure for their third year in law school (1971-72).

For the class of 1970, a more encouraging situation exists. The terminal renewal of our grant by the Office of Legal Services of OEO included an item for the in-law support of the 1970 class of 200 students for three years at an overall level of $1,000 per year, totalling $466,000. One of the conditions of this grant, however, presupposes an annual attrition of 30%, at the end of the first year and 10% at the end of the second. This may actually be too high for the second and almost certainly for the third. Because of the more rigid screening of the 1970 class, the second year re-enrollment may well be larger than the anticipated 140 and the third year larger than the anticipated 126.

The following is a summary of funds received for financial assistance:

	1968	1969	1970	Totals
Ford Foundation	$450,000	$250,000	----	$700,000
Rockefeller Brothers Fund	----	225,000	----	225,000
International Business Machine Corp.	-----	20,000	----	20,000
American Bar Endowment	----	194,400	----	194,400
Office of Legal Services, OEO	----	-----	$466,000	466,000
	$450,000	$689,400	$466,000	$1,605,400

A note should be made of the very substantial contributions of law schools in form of tuitions and fees, and funds raised by the state and local bar associations, and some individuals for the support of minority and disadvantaged law students. Some of these efforts have been independent of CLEO and some have been in cooperation with, or as consequence of CLEO's efforts. Unfortunately, it has not been possible to list all of these efforts or to give the total amount of the funds thus raised. Finally, the Ford Foundation has provided one additional source of financial assistance to minority students by establishing a guaranteed loan fund through the United Student Aid Funds, Inc. of New York.

Recruitment of Minority and Disadvantaged Students for Law Schools:

During the winter of 1968-1969, CLEO co-sponsored with certain law schools and local bar associations and the LSAT Council two Recruitment Conferences. In the winter 1969-1970, the number was increased to ten, held at Boston, Cleveland, Washington, Atlanta, Chicago, Santa Fe, El Paso, Tempe, Denver, and St. Louis. In addition, a special circuit-riding type of recruitment conference was staged jointly by the four Louisiana law schools, CLEO and the LSAT Council. With the exception of the Louisiana effort, these were one-day affairs, and were deemed highly successful. Six one-day conferences were held in the winter of 1970-1971, as well as a group of conferences geared especially to the Southwest and the special conditions of that area.

The Information Clearinghouse and the Toledo Review Symposium:

There has been established at the University of Kentucy Law Library an Information Clearinghouse, containing a collection of reports, published articles and other materials relating to the problem of the minority group lawyers, and legal education and minority group members. This material has been catalogued and prepared for lending on an inter-library loan basis. A catalog or index of materials included in the collection will be available shortly.

There also was publication in November of a special issue of the Toledo Law Review, devoted entirely to a symposium on "Disadvantaged Students and Legal Education--Programs for Affirmative Action." It is a double issue, containing 31 articles. CLEO has participated in the organization, editing and support of the symposium in this issue of the Review. Some copies are available for distribution by CLEO and others will be placed in the Information Clearinghouse Collection at the University of Kentucky Law Library.

CLEO Funding, 1971

At the time the last grant authorization for the support of CLEO was made, OEO arrived at two important conclusions. First, it concluded

that CLEO was an extremely valuable and productive endeavor. Secondly, it concluded that given the limited financial resources available to OEO and the apparent aura of uncertainty surrounding that agency's future funding, it was in the best interests of both OEO and CLEO that CLEO seek out permanent funding from some other source.

Various meetings have been conducted with OEO and HEW officials; and CLEO has analyzed HEW legislation, and prepared various documents on the existing legislative authority pertaining to its program design. It is clear that present legislation severely limits the power of CLEO to serve the community.

ASSOCIATION OF AMERICAN LAW SCHOOLS

OFFICE OF THE EXECUTIVE DIRECTOR

EXECUTIVE COMMITTEE FOR 1971

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ALFRED F. CONARD
University of Michigan Law School

PRESIDENT-ELECT
RICHARD C. MAXWELL
University of California School of Law, Los Angeles
(Visiting, University of Minnesota Law School)

SERVING DURING 1970 AND 1971
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Cornell Law School
WILLARD H. PEDRICK
Arizona State University College of Law

SERVING DURING 1971 AND 1972
PAUL OBERST
University of Kentucky College of Law
MAURICE ROSENBERG
Columbia University School of Law

EXECUTIVE DIRECTOR
MICHAEL H. CARDOZO
Suite 370, One Dupont Circle, N.W.
Washington, D.C. 20036

Area Code 202, 296-8851

June 10, 1971

Honorable Claiborne Pell
United States Senate
Washington, D.C. 20510

Dear Senator Pell:

In accordance with a request received from the staff of your Subcommittee on Education, we are writing this letter for th erecord to clarify a matter relevant to the Subcommittee's consideration of continuation of the Law School Clinical Experience Program, currently Title XI of the Higher Education Act of 1965, as amended.

We refer to the matter of authorization for appropriations. As you know, the present Title XI authorized appropriation of $7,500,000 for each fiscal year of the life of that Title, with no law school to receive more than $75,000 in any fiscal year. The question has been raised whether these amounts would be adequate under present inflationary circumstances.

As we believe your Subcommittee has heard from numerous witnesses representing higher education, inflation over the last few years has had a significant impact. We think that it would not be unreasonable to consider the possibility of increasing these amounts by about 10 percent, assuming an intention by the Subcommittee to adhere to roughly the same level of aid set out in Title XI. Thus, this would suggest an authorized appropriation for each fiscal year of the life of the new section in an amount of $82,500,000, with each law school limited to an amount in any fiscal year not to exceed $82,500.

In arriving at a rough figure of ten percent as indicative of the realities of inflation, we consulted with a number of persons in legal education and also with those who have had for the last several years particular experience with the funding of the programs administered through the Council on Legal Education for Professional Responsibility, Inc. It has been pointed out that the major cost of operating clinical legal education programs is the cost of faculty salaries and fringe benefits. Experience seems to indicate that salaries and fringe benefits have increased by about ten percent because of the inflation to which we have referred.

We hope that this letter will be helpful to you.

Sincerely,

Michael H. Cardozo

Michael H. Cardozo

APPENDIX XI.—Education Professions Development Act

NORTHWESTERN UNIVERSITY
GRADUATE SCHOOL OF MANAGEMENT
EVANSTON, ILLINOIS 60201

March 11, 1971

1914 Sheridan Road

Senator Claiborne Pell
Senate Office Building
Washington, D. C. 20510

Dear Senator Pell:

I have read of your bill S659. It is a very practical approach.

Those of us interested in educating young people in Public Administration feel that it is essential to fund Title XI of the Higher Education Act. The Congress has enacted so much legislation in recent years that has extended governmental functions at the federal, state and local levels. Programs will not be organized and managed well, however unless some attention is given to educating people for public management. I do hope you and your colleagues will keep this in mind. To attract people to such programs as I am directing here fellowships are an absolute necessity.

Sincerely yours,

John A. Perkins
Professor of Public Management and
Director of Studies in the Administration of Public Affairs

JAP:jt

Council of
CHIEF STATE SCHOOL OFFICERS
An Independent Corporation
1201 SIXTEENTH STREET, NORTHWEST
WASHINGTON, D. C. 20036
Area Code 202—833-4194

FLOYD T. CHRISTIAN
President
State Commissioner of Education
Tallahassee, Florida

WILLIAM J. SANDERS
Vice President
State Commissioner of Education
Hartford, Connecticut

DIRECTORS

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Santa Fe, New Mexico

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Boise, Idaho

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State Superintendent of Public Instruction
Madison, Wisconsin

JACK P. NIX
State Superintendent of Schools
Atlanta, Georgia

MES A. SENSENBAUGH
State Superintendent of Schools
Baltimore, Maryland

DON M. DAVOR
Executive Secretary

April 26, 1971

The Honorable Claiborne Pell
Chairman, Subcommittee on Education
Committee on Labor and Public Welfare
4230 New Senate Office Building
United States Senate
Washington, D.C. 20510

Dear Senator Pell:

Enclosed is a statement from the Council of Chief State School Officers, supporting an amendment included in S. 1123, to Section 518 (a) of Part B-2 of the Educational Personnel Development Act to authorize the use of funds appropriated under Part B-2 to provide necessary training to teachers to enable them to teach other grades or other subjects in which such agencies have a teacher shortage.

The Council appreciates the opportunity to submit this statement to the Subcommittee. A copy of it is being submitted to each of the Subcommittee members.

Sincerely yours,

B. Alden Lillywhite

B. Alden Lillywhite
Federal Liaison Assistant

cc: Members, Subcommittee on Education

Honorable Alan Cranston
Honorable Thomas F. Eagleton
Honorable Edward M. Kennedy
Honorable Walter F. Mondale
Honorable Jennings Randolph
Honorable Harrison A. Williams, Jr.
Honorable J. Glenn Beall, Jr.
Honorable Peter H. Dominick
Honorable Jacob K. Javits
Honorable Winston L. Prouty
Honorable Richard S. Schweiker

Enclosure

AUTHORIZING RETRAINING OF TEACHERS
UNDER PART B-2 OF THE
EDUCATION PROFESSIONS DEVELOPMENT ACT

Testimony before the
Senate Subcommittee on Education
Committee on Labor and Public Welfare 1/

Mr. Chairman and Members of the Subcommittee:

This statement is submitted in support of a proposed amendment to Sub Part 2 of Part B of the Education Professions Development Act which would permit funds appropriated under that authorization to be used to provide necessary training to teachers to enable them to teach other grades or other subjects in which such agencies have a teacher shortage. The Council of Chief State School Officers appreciates the opportunity to express the views of its members to this Subcommittee on this proposed amendment.

It is our understanding that this change has been recommended in the Administration's proposed amendments to the Higher Education Act of 1965, S. 1123. It also is included in the Comprehensive Bill, H.R. 7248, submitted by the Chairman of the Subcommittee in the House considering the Higher Education Act amendments, and in H.R. 32, submitted by the Chairman of the House Committee on Education and Labor. As stated above, this specific amendment to which this statement is addressed is the addition of a clause to Section 518 (a) of the Education Professions Development Act which would permit the use of state grant funds appropriated under Part B-2 to be used to provide necessary training to teachers to enable them to teach other grades and subjects in which such agencies have a teacher shortage.

This modest program authorized by Part B-2 for which only $15.0 M was appropriated in 1971, has been in operation only two years but it has already proved of great value to the states by permitting them to use it in priority areas as identified by the various districts and by state educational agencies. It is acknowledged that a teacher surplus does exist in some areas. However, there is no surplus and, in fact, there still are shortages of teaching personnel for such areas as the disadvantaged, bilingual education and the handicapped. It also is true that many teachers in subjects where there is said to be an over supply need reorientation and updating of skills to be most effective under the circumstances that now exist in our schools. This amendment would permit the retraining of teachers for areas where there are shortages and is a means of bringing the teacher supply and demand into better balance.

A few excerpts from letters that have come to the Council office will give this Subcommittee a picture of the way the state educational agencies value this Part B-2 of EPDA and the need for this proposed amendment. The excerpts appear below. The first is from Superintendent Parnell in the state of Oregon:

1/ By B. Alden Lillywhite, Federal Liaison Assistant, Council of Chief State School Officers, April 27, 1971.

"The B-2 program has become an even more important one for the 1971-72 year since it has evolved into a statewide project which will be used as a vehicle for establishing model teaching complexes. With the impetus of B-2 funds, local districts will be developing cooperative training programs involving those local, state, and federal programs they may currently have operating as individual and separate programs. The impact of this program would be greatly expanded by the liberalizing amendments and by an increase rather than the decrease in funds for EPDA B-2 proposed in the BEPD budget."

Dr. Busbee, State Superintendent from South Carolina, described the situation in his state as follows:

"Modest though the EPDA B-2 Program has been, school districts in South Carolina have been able, during two years of operation, to recruit, train and employ 234 new teachers in areas of critical shortages. The State Grants Program has made it possible for these school districts to identify and justify their areas of critical shortages and to take effective steps toward alleviating them. A modification of the guidelines which would permit the retraining of teachers already employed would provide another valuable means of assistance for school districts in South Carolina to improve the quality of their teaching staffs. Although the existing limitation on funds to be used for training teacher aides (one-third) has not yet seriously affected South Carolina, the increasing emphasis on aide programs may well place them at a high level of priority in the immediate future.

In view of the facts noted above, we would like to go on record as urging support of the necessary Congressional actions to continue the funding of the State Grants Program (EPDA B-2) at a level at least equal to or in excess of the Fiscal Year 1971 funding and to liberalize the EPDA B-2 guidelines. We feel that the State Grants Program has made a real impact in South Carolina and that it shows promise of continuing success in this state."

The final excerpt is from the State Superintendent in Florida, Floyd Christian, who is President of the Council of Chief State School Officers. He describes the need for this amendment as a way of bringing the teacher supply and demand into better balance and describes the grants under Part B-2 as "seed money" which should be allowed to grow to fruition. His statement follows:

"There exists a considerable shortage of instructional personnel in Florida as well as the entire nation in the crucial areas of exceptional child education, occupational specialists, and professional trained volunteer teacher aides. To remedy this critical situation, Congress needs to pass the Javits amendment that has been before the Congress since last summer. The passage of this amendment would liberalize the guidelines for the expenditure of EPDA B-2 money, thereby enabling each state to retrain the teachers who are unemployable due to their certification in the oversupplied subject areas such as language arts, social studies, and guidance.

To meet these crucial shortages for the next two to three years certainly does not indicate the proposed fiscal budget reduction under Part B-2 of the act. The 1971 level of funding should at least be maintained if Florida is to rectify its supply and demand situation with the passage of the Javits amendment. The EPDA B-2 seed money that has been planted in Florida during the past three years should be given the opportunity to grow to fruition. I am certain that this is the case in many of the other states in our nation."

The above excerpts and statements in other letters received in the Council office give ample proof of the value this training program, authorized by Part B-2, has been in the past and they give solid justification for the proposed amendment to permit retraining of teachers. The Council recalls the work of the Members of this Subcommittee and of the full Committee on Labor and Public Welfare in developing and helping to obtain passage of the Education Professions Development Act. We wish to express our commendation for the foresighted action enacting this legislation and in particular, Part B, to which this statement is addressed. We believe that the addition of the amendment discussed above is in keeping with the overall concept of Part B-2 and will provide an important additional resource for training educational personnel to function effectively in present day elementary and secondary schools.

Mr. Chairman, insofar as this Office has been able to find out, there is no opposition to this proposed amendment on the part of the states, the major educational organizations or the Department of Health, Education and Welfare. As you know, it also has been recommended by the Administration and by important congressional leaders of both parties. Thus, there would seem to be little need to press the point further, except to say that the Council of Chief State School Officers joins with the others in urging that this Subcommittee and the full Committee recommend the passage of this amendment and work for its acceptance by the Congress. We suggest that consideration be given to broadening the amendment to Section 518 (a) to permit retraining of principals, supervisors and other administrative personnel as well as retraining teachers. This broader language would be particularly helpful in cases where schools are closed or there are abrupt changes due to desegregation or other actions.

Before concluding this statement I want to mention two other points. First, we note that the Administration bill has another amendment to Part B-2 which would increase the amount for state administration from the present 3% to 5% or $20,000 whichever is greater. While we have not given testimony on this point, we note that it also comes in the so-called non-controversial category and the Council strongly supports this amendment. Second, the Council intends to work with the appropriation committees for an increase in the budget item for Part B-2 from the $7.0 M recommended for Fiscal Year 1972 to the $15.0 M which was the amount appropriated for Fiscal Year 1971. It would seem that this increase of $8.0 M in the appropriation for this item is entirely appropriate to implement the new amendment.

JAMES O. EASTLAND, MISS., CHAIRMAN
JOHN L. MC CLELLAN, ARK.
SAM J. ERVIN, JR., N.C.
PHILIP A. HART, MICH.
EDWARD M. KENNEDY, MASS.
BIRCH BAYH, IND.
QUENTIN N. BURDICK, N. DAK.
ROBERT C. BYRD, W. VA.
JOHN V. TUNNEY, CALIF.
ROMAN L. HRUSKA, NEBR.
HIRAM L. FONG, HAWAII
HUGH SCOTT, PA.
STROM THURMOND, S.C.
MARLOW W. COOK, KY.
CHARLES MC C. MATHIAS, JR., MD.
EDWARD J. GURNEY, FLA.
JOHN H. HOLLOMAN III
CHIEF COUNSEL AND STAFF DIRECTOR

United States Senate
COMMITTEE ON THE JUDICIARY
WASHINGTON, D.C. 20510

April 20, 1971

The Honorable Claiborne Pell
Chairman, Senate Subcommittee on
Education
U.S. Senate
Washington, D.C.

Dear Mr. Chairman:

Enclosed is a letter I have received from Mr. Harold Bergquist, Assistant Superintendent of Schools in Grand Forks, North Dakota, concerning Part B-2 of the 1965 Higher Education Act, the Education Professions Development Act. I would appreciate your consideration of his letter during your review of this legislation.

With kind regards, I am

Sincerely,

Quentin N. Burdick

QNB:ag
Enclosure

GRAND FORKS PUBLIC SCHOOLS
GRAND FORKS, NORTH DAKOTA

OFFICE OF THE
ASSISTANT SUPERINTENDENT

RECEIVED
APR 14 197
Office of

April 12, 1971

Honorable Carl D. Perkins
Chairman, Committee on Education and Labor
2181 Rayburn House Office Building
Washington, D. C. 20515

Dear Representative Perkins:

The Grand Forks School District and the State of North Dakota have benefited from the functioning of EPDA, Part B-2. With these funds we have been able to initiate programs to train professionals and paraprofessionals for service in roles which were unknown only a few years ago.

In my estimation, differentiated staffing is, for example, a most promising educational innovation. EPDA, Part B-2 has enabled us to gain experience with this and other practices.

I urge you to continue efforts to fund the provisions of this legislation which, as I comprehend it, are House Bill No. 32, specifically Part C, Sections 321 through 324.

Thank you for your attention to this request.

Sincerely yours,

Harold Bergquist
Assistant Superintendent

jm

cc: Senator Milton R. Young
Senator Quentin N. Burdick
Representative Mark Andrews
Representative Arthur Link

JAMES O. EASTLAND, MISS., CHAIRMAN
JOHN L. MC CLELLAN, ARK. ROMAN L. HRUSKA, NEBR.
SAM J. ERVIN, JR., N.C. HIRAM L. FONG, HAWAII
PHILIP A. HART, MICH. HUGH SCOTT, PA.
EDWARD M. KENNEDY, MASS. STROM THURMOND, S.C.
BIRCH BAYH, IND. MARLOW W. COOK, KY.
QUENTIN N. BURDICK, N. DAK. CHARLES MC C. MATHIAS, JR., MD.
ROBERT C. BYRD, W. VA. EDWARD J. GURNEY, FLA.
JOHN V. TUNNEY, CALIF.
JOHN H. HOLLOMAN III
CHIEF COUNSEL AND STAFF DIRECTOR

United States Senate
COMMITTEE ON THE JUDICIARY
WASHINGTON, D.C. 20510

April 15, 1971

The Honorable Claiborne Pell
Chairman
Education Subcommittee
Labor and Public Welfare Committee
United States Senate
Washington, D. C.

Dear Mr. Chairman:

Enclosed is the April 1 letter I have received from Mr. Kiaran L. Dooley of the North Dakota Department of Public Instruction indicating his support for specified amendments to the Higher Education Act of 1965.

I would deeply appreciate your Subcommittee's careful consideration of Mr. Dooley's views in its deliberations on these provisions.

With kind regards, I am

Sincerely,

Quentin N. Burdick

QNB:hkg

Enclosures

V. L. EBERLY
DEPUTY

R. W. BANGS
ADMINISTRATIVE ASST.

THE STATE OF NORTH DAKOTA

Department of Public Instruction

M. F. PETERSON, SUPERINTENDENT
BISMARCK, NORTH DAKOTA 58501

RICHARD K. KLEIN
ASSISTANT

H. J. SNORTLAND
ASSISTANT

April 1, 1971

Honorable Quentin N. Burdick
United States Senator for North Dakota
Senate Office Building
Washington, D. C. 20202

Dear Senator Burdick:

The Directors and Coordinators of the Education Professions Development Act, Part B-2, for several states in this area have just completed a two-day conference devoted to an examination of the practices and applications of this Act as it applies to the training of teacher aides and the preparation of persons unemployed or otherwise employed to fill the critical needs in the classrooms. As the persons in the state departments of education assigned this responsibility, a prime concern is the utilization of these funds to best meet the needs of the schools in our states.

It has been the expression of many that some of the stipulations in the Act; namely, limiting the expenditure of the state allocation for the training of aides to one-third of the amount and excluding teachers currently teaching who are in need of retraining from participating in the benefits of the program, has reduced to a considerable degree the effectiveness and utility of the program.

In addressing the assembled State Directors, Coordinators, and the members of the U. S. Office of Education at our annual convention in the fall of 1969, Representative Edith Green emphasized the need for the retraining and "retreading" of teachers to meet critical needs and new staffing patterns. Amendments to this effect were introduced during the 91st Congress. Due to the press of other legislative action, time did not permit final action.

We are pleased that Congressman Carl Perkins has seen fit to include in the proposed amendments to the Higher Education Act of 1965 revisions to Sec. 518 (b), 518 (a), 520 (a), as contained in Sec. 321, 322, 323, and 324 of H.R. 32.

The attached resolution reflects fully the support of the State Directors and Coordinators for Representative Perkins' amendments.

Since part of the responsibility I have as Director of State and Federal Relations is the administration of Title III, NDEA, I also urge your support of Sec. 501 of H. R. 32 which amends Sec. 301 of the National Defense Education Act of 1958 extending the program to July 1, 1976, and Sec. 311 providing for the authorization of $160,000,000 per year.

We are pleased that the appropriations committee has seen fit to reinstate an appropriation in the amount of $20 million for the program, an item not included in the President's Budget Message. While we are grateful for this action, we would be remiss in our responsibility if we did not inform you that the $50 million provided to North Dakota $196,253.00, and only partially met the needs of the schools in providing equipment and materials to strengthen programs of instruction for all of the children. While the $76,500 the lower appropriation will provide certainly is better than no funds, it will fall far short of our being able to meet the needs. I firmly believe that a careful examination of priorities is in order. The funds provided for less essential programs in education and in other areas could more appropriately be devoted to the one program that has for the past twelve years proven to be one of the most effective and most desired Federal assistance program.

In closing, I wish to again thank you for your interest, cooperation, and firm support of the various programs it has been my privilege to supervise or administer.

Sincerely,

DEPARTMENT OF PUBLIC INSTRUCTION

Kiaran

KIARAN L. DOOLEY
Director of State and Federal Relations

KLD/gk

Enclosure

60-433 O - 71 - pt. 5 - 51

92D CONGRESS
1ST SESSION

H. R. 32

A BILL

To amend and extend the Higher Education Act of 1965 and other Acts dealing with higher education.

By Mr. PERKINS

JANUARY 22, 1971
Referred to the Committee on Education and Labor

PART C—AMENDMENTS TO SUBPART 2 OF PART B

ATTRACTING AND QUALIFYING TEACHERS TO ALLEVIATE TEACHER SHORTAGES

SEC. 321. Section 518 (b) of the Higher Education Act of 1965 is amended by striking out "1971" and inserting "1976".

VOLUNTEER SERVICE PROGRAMS

SEC. 322. Section 518 (a) of such Act is amended by striking out "and" before "(2)" and by adding the following before the period: ", (3) encourage volunteers (including high school and college students) for service as part-time tutors or full-time instructional assistants for educationally disadvantaged children, (4) compensate such tutors and instructional assistants at such rates as the Commissioner may determine to be consistent with prevailing practices under comparable federally supported work-study programs, and (5) provide necessary training to teachers to enable them to teach other grades or other subjects in which such agencies have a teacher shortage".

INCREASE IN AMOUNT AVAILABLE FOR ADMINISTRATION

SEC. 323. Section 520 (a) (2) of such Act is amended (1) by striking out "and (C)" and inserting in lieu thereof the following: "(C) programs of such to provide necessary

1 training to teachers to enable them to teach other grades or
2 other subjects in which such agencies have a teacher short-
3 age, and (D)", (2) by striking out "3" and inserting in
4 lieu thereof "5", and (3) by inserting before the semicolon:
5 ", or $20,000, whichever is greater".

6 ELIMINATING CEILING ON AMOUNT FOR AIDES

7 SEC. 324. Section 520(a) of such Act is further
8 amended by striking out paragraph (5) and redesignating
9 paragraphs (6), (7), (8), and (9) as paragraphs (5),
10 (6), (7), and (8) and paragraph (5) thereof (as so re-
11 designated) is amended by inserting after "because he" the
12 following: "is teaching or".

13 PART D—AMENDMENT TO PART C

14 EXTENSION OF FELLOWSHIP PROGRAM

15 SEC. 331. Section 528 of the Higher Education Act of
16 1965 is amended by striking out "1971" each time it ap-
17 pears and inserting "1976".

18 PART E—AMENDMENTS TO PART D IMPROVING TRAIN-
19 ING OPPORTUNITIES FOR NON-HIGHER EDUCATION
20 PERSONNEL

21 SEC. 341. Section 532 of the Higher Education Act of
22 1965 is amended by striking out "and" after "1969," and
23 inserting before the period at the end thereof the following:

clude the Commonwealth of Puerto Rico, Guam, American Samoa, the Virgin Islands, the Canal Zone, and the Trust Territory of the Pacific Islands.

(b) The amount of any State's allotment under subsection (a) for any fiscal year which the Commissioner determines will not be required for such fiscal year shall be available for reallotment from time to time, on such dates during such year as the Commissioner may fix, to other States in proportion to the original allotments to such States under subsection (a) for that year but with such proportionate amount for any of such other States being reduced to the extent it exceeds the sum the Commissioner estimates such State needs and will be able to use for such year; and the total of such reductions shall be similarly reallotted among the States whose proportionate amounts were not so reduced. Any amounts reallotted to a State under this subsection during a year from funds appropriated pursuant to section 519 shall be deemed part of its allotment under subsection (a) for such year.

(20 U.S.C. 1109) Enacted June 29, 1967, P.L. 90-35, sec. 4, 81 Stat. 88; amended Oct. 16, 1968, P.L. 90-575, Title I, sec. 234, 82 Stat. 1039.

STATE PLANS

SEC. 520. (a) Any State which desires to receive grants under this subpart shall submit to the Commissioner, through its State educational agency, a State plan, in such detail as the Commissioner deems necessary, which—

(1) designates the State educational agency as the sole State agency for administration of the State plan;

(2) sets forth a program under which funds paid to the State from its allotment under section 519 will be expended solely for (A) programs of local educational agencies or of the State educational agency, or both, to attract to teaching, persons in the community who have been otherwise engaged and to provide short-term intensive training and subsequent in-service training to qualify such persons for teaching, (B) programs of such agencies to obtain the services of teacher aides and to provide them with the preservice or in-service training they need to perform their duties as teacher aides, and (C) administration of the State plan, except that the amount used for administration of the State plan for any fiscal year shall not exceed an amount equal to 3 per centum of the amount paid to the State under this subpart for that year;

(3) with respect to so much of the State program as is to be carried out by local educational agencies, (A) provides assurance that every local educational agency whose application for funds under the plan is denied will be given an opportunity for a fair hearing before the State educational agency and (B) sets forth the policies and procedures to be followed in allocating Federal funds to local educational agencies in the State, which policies and procedures shall insure that such funds will be allocated to local educational agencies having the most urgent need for teachers and teacher aides;

(4) provides that training under a program described in paragraph (2)(A) will be provided only to persons who will, upon

completion of their short-term training, have the qualifications for teaching in elementary or secondary schools in the community, and that training under a program described in paragraph (2) (B) will be provided only to persons who show promise of being able with appropriate training to serve competently as a teacher aide;

(5) provides assurances that not more than one-third of the sums expended under this Act will be used to support programs described in paragraph (2) (B);

(6) provides assurance that no person will be denied admission to training programs carried on under this subpart because he is preparing to teach or serve as a teacher aide in a private school;

(7) sets forth policies and procedures designed to assure that Federal funds made available under this subpart for any fiscal year will be so used as to supplement, and not supplant, funds which are available from State or local sources for purposes for which grants may be made under this subpart;

(8) sets forth such fiscal control and fund accounting procedures as may be necessary to assure proper disbursement of, and accounting for, Federal funds paid to the State (including any such funds paid by the State to any other public agency) under this subpart; and

(9) provides for making such reports, in such form and containing such information, as the Commissioner may reasonably require to carry out his functions under this subpart, and for keeping such records and for affording such access thereto as the Commissioner may find necessary to assure the correctness and verification of such reports.

(b) The Commissioner shall approve any State plan and any modification thereof which complies with the provisions of subsection (a).

(20 U.S.C. 1110) Enacted June 29, 1967, P.L. 90-35, sec. 4, 81 Stat. 88; amended Oct. 16, 1968, P.L. 90-575, Title II, sec. 233, 82 Stat. 1039.

PAYMENTS TO STATES

SEC. 520A. From the amounts allotted to each State under section 519 the Commissioner shall pay to that State an amount equal to the amount expended by the State in carrying out its State plan. Such payments may be made in installments, and in advance or by way of reimbursement, with necessary adjustments on account of overpayments or underpayments.

(20 U.S.C. 1110a) Enacted June 29, 1967, P.L. 90-35, sec. 4, 81 Stat. 89.

ADMINISTRATION OF STATE PLANS

SEC. 520B. (a) The Commissioner shall not finally disapprove any State plan submitted under this subpart or any modification thereof, without first affording the State educational agency reasonable notice and opportunity for a hearing.

(b) Whenever the Commissioner, after reasonable notice and opportunity for hearing to such State agency, finds—

(1) that the State plan has been so changed that it no longer complies with the provisions of section 520(a), or

V. L. EBERLY
DEPUTY

R. W. BANGS
ADMINISTRATIVE ASST.

THE STATE OF NORTH DAKOTA

Department of Public Instruction

M. F. PETERSON, SUPERINTENDENT
BISMARCK, NORTH DAKOTA 58501

RICHARD K. KLEIN
ASSISTANT

H. J. SNORTLAND
ASSISTANT

April 1, 1971

COPY

Honorable Carl D. Perkins
Chairman, Committee on Education
and Labor
2181 Rayburn House Office Building
Washington, D. C. 20515

Dear Representative Perkins:

Thank you for your letter of February 26 and the copy of H.R. 32. The attached correspondence and resolution to the members of the North Dakota congressional delegation and to selected members of the education committee indicates our support for the H.R. 32 amendments which pertain to the specific programs which are a part of the Department of Public Instruction's responsibility.

As in the past, we appreciate the leadership and depth of understanding evident in your continued efforts to provide assistance to the states in their responsibility in providing more germane education at all levels.

Thank you for your interest and cooperation.

Sincerely,

DEPARTMENT OF PUBLIC INSTRUCTION

KIARAN L. DOOLEY
Director of State and Federal Relations

KLD/gk

Enclosure

cc: Senator Milton R. Young, North Dakota
Senator Quentin N. Burdick, North Dakota
Representative Mark Andrews, North Dakota
Representative Arthur A. Link, North Dakota

March 31, 1971

RESOLUTION

IN SUPPORT OF AMENDMENTS
TO EDUCATION PROFESSIONS DEVELOPMENT ACT, SUBPART 2 OF PART B

Whereas there is a need to provide necessary training to teachers to enable them to teach other grades or other subjects in which there is a specific shortage;

Whereas there is a continuing need to train teachers and teacher aides to satisfy the needs for innovative staffing patterns to increase the quality of instruction;

Whereas there is a need to increase the effort of teacher training institutions to change patterns of teacher preparation;

Whereas there is a need to provide adequate administrative and consultative leadership in education professions development at the state department of education level;

Be it resolved that the Education Professions Development Act B-2 coordinators and project directors from North Dakota, South Dakota, Montana, Utah, Wyoming, Colorado, and Minnesota strongly support the passage of House of Representatives Bill No. 32, specifically Part C, sections 321 through 324, as introduced by the Honorable Carl Perkins, United States Representative from Kentucky.

APPENDIX XII.—Miscellaneous

THE SECRETARY OF HEALTH, EDUCATION, AND WELFARE
WASHINGTON, D. C. 20201

MAY 24 1971

Honorable Claiborne Pell
Chairman, Subcommittee on Education
Committee on Labor and Public Welfare
United States Senate
Washington, D. C. 20510

Dear Senator Pell:

Thank you for your letter of May 4 requesting clarification of HEW's proposal to finance 1971 increased pay costs through transfers from the "Higher Education Facilities Loan Fund" and "Community Education." It is true that the authorizing legislation for these accounts does not allow DHEW to make these transfers unilaterally. That is why we requested Congressional authorization for them in the Second Supplemental.

It has always been our policy to absorb the costs of increased pay to the fullest extent possible. By this I mean we identify those funds for which no expenditures are planned and then request transfer authority from Congress--rather than additional appropriations. This has been a government-wide policy for many years.

We proposed to finance a large portion of the increased pay costs through a transfer of unobligated balances in the Higher Education Facilities Loan Fund--a direct loan program. Since 1969, when Congress authorized a program of subsidized loans for higher education, direct loans have been made to help only those schools that could not get a subsidized loan on the private money market. This is the only activity Congress has authorized for the "Higher Education Facilities Loan Fund." As a result, there now exists an unobligated balance of $125 million in this account, much more than we need for making direct loans to schools unable to get subsidized loans. In view of this, we requested that $39,524,000 of this balance be utilized to finance increased pay costs.

The House, in acting on the Second Supplemental Bill (H.R. 8190) on May 11, disallowed the request for authority to transfer any portion of

this balance for increased pay costs. Instead, the House provided additional appropriations. On May 13, the Senate Committee on Appropriations concurred with this action.

The Department also proposed to finance an additional $15 million in pay costs through transfers of unobligated balances from other appropriations, including the $5.4 million from "Community Education" which you mentioned in your letter. The House approved these transfers, and the Senate Committee on Appropriations has concurred in this action.

With best regards,

Sincerely,

Elliot L. Richardson
Secretary

CLINTON P. ANDERSON, N. MEX., CHAIRMAN
WARREN G. MAGNUSON, WASH. CARL T. CURTIS, NEBR.
STUART SYMINGTON, MO. MARGARET CHASE SMITH, MAINE
JOHN C. STENNIS, MISS. BARRY GOLDWATER, ARIZ.
HOWARD W. CANNON, NEV. LOWELL P. WEICKER, JR., CONN.
DAVID H. GAMBRELL, GA. JAMES L. BUCKLEY, N.Y.
JAMES J. GIDRIS, STAFF DIRECTOR

United States Senate
COMMITTEE ON
AERONAUTICAL AND SPACE SCIENCES
WASHINGTON, D.C. 20510

April 5, 1971

Honorable Claiborne Pell, Chairman
Subcommittee on Education
Labor and Public Welfare Committee
United States Senate

Dear Mr. Chairman:

Enclosed for the Subcommittee's information and consideration is a copy of a letter I received from Mr. Richard L. Scott of Raton, New Mexico, concerning assistance to college students.

Sincerely yours,

Clinton P. Anderson

CPA:wlm

Enclosure

1000 No. Third St.
Raton, New Mexico, 87740
30 March 1971

Honorable Clinton P. Anderson
United States Senate
Washington, D.C., 20510

Dear Senator Anderson:

Current news topics and discussions by several officials prompts me to write you concerning my feelings toward Assistance to College Students.

While Assistance to College Students is of paramount importance, it seems to me that sucha proposal is only a temporary expedient. The problem is that the schools are unable to operate without the money received from tuitions. They say they must have increases in money to remain open. I disagree!

I feel a complete overhaul is needed in the educational system throughout the country, and in every level of schooling through the university. Schooling needs the same sort of reorganization the Postal Department is undergoing. Classes are too large, good teachers are needed, time is too short, pressures are too great.

Then, let's change the system and put it on a paying/profit basis. It shouldn't be necessary for a school to close down for the full summer, why not continue classes with only one or two week's break. Classes then could be graduated a year earlier. Classes should be run on the same hourly basis as industry.

In addition, why not academize industries; that is, allow students to work in fields of necessity with the added return of college credits.

Finally, I have searched all over the country, to no avail, to find a recognized degree, offered by any recognized university, that could be obtained by correspondence study. The release of overcrowding at universities would be tremendous. And the impact on overall population education possibilities for those who had to leave school and now can't afford to return, would be beneficial to the whole country. The Government has the bases for accredition now, with Extension Course Institute, Air University, Maxwell AFB, Ala. (I have taken over 645 hours of courses from ECI, to date, but none is recognized credit, according to university standards.)

To distinguish from those students receiving their degrees in residence, perhaps some other distinguishing nomenclature could be attached. But, there should be recognition and on completion of at least the bachelor's work, provision should be made to permit entrance into graduate work, if the student desires. Why penalize any person if he has the ambition to work, but doesn't have the M O N E Y!

In addition to my proposal above, I would like to add that it seems unnecessary and extravegant that the lower grade schools, and others, are all so incompatible. If one's child attends fifth grade in New York State, then, because of necessity to relocate to, say, Illinois, he may be summarily put back a full year's work, because the school he moved from, was a full year behind. This can happen even in a single small town where there may be several schools. The child is wrongly penalized, not the school system. Effectively, the state and school system is wasting money by non-standardizing. Conversely, the student that is "ahead" and moves to an area requiring less effort, may be bored and lose all interest. Result: the student must be put back to the same grade to repeat the courses he already knew, but, where there was no incentive for learning more. At least a standardized course might have some provision for levels of learning and allow a more accurate evaluation which could provide recognition, where merited.

Your consideration of this matter would be of great interest to me. This has long been a subject I would be happy to see considerable discussion about.

Sincerely,

Richard L. Scott

Richard L. Scott.

cc: file

STATEMENT BY ERNEST L. BOYER

CHANCELLOR, STATE UNIVERSITY OF NEW YORK

BEFORE THE SUBCOMMITTEE ON EDUCATION

OF THE COMMITTEE ON LABOR AND PUBLIC WELFARE

U. S. SENATE, 92ND CONGRESS

ON S. 659 AND RELATED BILLS

It is an honor to present my views as Chancellor of the State University of New York to the Subcommittee on Education of the Senate Labor and Public Welfare Committee.

I also welcome this opportunity to express my views on the legislation currently pending before the Subcommittee in order to pay tribute to the work of the senior Senator from New York, Jacob K. Javits. Senator Javits' interest in, and support of, the State University of New York during its formative periods, and his continuing concern has been a source of encouragement and inspiration for those of us at the University.

The State University of New York, with a total enrollment in excess of 300,000 students on 70 campuses geographically ranging from Suffolk on Long Island to Fredonia in the western part of the State, is an institution both unique and diverse. The State University system includes not only the large university centers at Buffalo, Stony Brook, Binghamton and Albany, but also thirteen four-year colleges of arts and sciences throughout the State, two major medical centers, specialized colleges of Forestry and Maritime, six two-year agricultural and technical institutes, 38 locally-sponsored two-year community colleges, and five specialized schools operated through contracts with Cornell and Alfred Universities.

Our principal mission is the growth of quality higher education in New York State, but the thrust of my testimony at this time is to suggest the need for a program of federal institutional aid so that the growth of quality education will continue untrammeled through the decade of the 1970's.

I am therefore pleased to endorse the views presented to this Subcommittee on March 31, 1971 by Dr. Joseph P. Cosand, Chairman of the Board of the American Council on Education in behalf of the major higher education associations. It is my earnest feeling that S.659, the bill introduced by the distinguished Chairman of this Subcommittee, Senator Pell, contains many features which would strengthen American higher education and promote its future development.

It is also my view that several bills introduced by Senator Javits to change the existing student aid programs would be of assistance to the higher education institutions.

It is my fervent hope that this Committee will seriously consider a comprehensive general institutional aid bill in this session of Congress. Though I recognize that S.659 would provide a cost of instruction allowance to each institution enrolling a student who received a supplementary educational opportunity grant, it seems to me that this allowance would permit our institutions to deal with the additional costs of compensatory education, rather than providing them with funds that could be used where the needs are the greatest. The financial crisis in higher education is very much with us at the present time. To enact legislation in the 92nd Congress without providing for

institutional aid would, I believe, seriously jeopardize the future of American higher education, both public and private.

I would like to comment upon the basic elements that should be included in any higher education bill enacted in this Congress. I strongly believe that any federal legislation should contain support for students, support for construction, and support for institutions in the form of operating grants; to support one of these elements without the other only would be to ignore the basic interrelationships among all three and further aggravate the current crisis situation. Commenting on legislation in the other body, for example, I have endorsed the legislation introduced by Rep. Edith Green (H.R. 7248), and strongly believe this Subcommittee should consider amending existing legislation, or developing new legislation, similar to H.R. 7248, to meet the emergency state that encapsulates the higher education community. This condition has been dramatically articulated in the recent Carnegie Commission on Higher Education report, "The New Depression in Higher Education." "It is clear," the Carnegie Commission observed, "that institutions of higher education will not be in a position to meet their responsibilities in the 1970's and subsequent decades if their financial status continues to deteriorate."

While a state university is cushioned against some of the on-going difficulties of the private institutions, the crisis nonetheless affects us deeply. Our applications for 1971-72 are at an all-time high. More than 123,000 prospective students, an increase of 14,660 over the previous year, have applied for next September at 49 of our campuses that participate in our uniform admissions program. Because of cuts in the New York State budget, our planned enrollment growth of 10,000 additional students for the fall of 1971 will, of necessity, be decreased to 8,000. Meanwhile, our state fiscal crisis is such that we have had to terminate key positions while our request for important additional faculty has been denied.

Historically, the states have had the primary responsibility for the development of higher education in this country, and I agree with the Carnegie Commission on Higher Education's observation in "The Capitol and the Campus" that the states should continue to carry the primary governmental responsibility for higher education. States must make a vigorous effort to carry their share of the national burden to accommodate increasing enrollment. According to the criteria employed by the Carnegie Commission in "Capitol and Campus," New York State has carried its share of the national burden, but it is clear that we may be reaching a point where we can no longer expect the state to increase its expenditures for higher education as a matter of course.

The State University of New York feels this Subcommittee should enact a comprehensive federal program of general assistance grants that will enable our institutions to use the money

where the need is the greatest for a particular institution. For example, students at the State University of New York this September will bear a larger portion of the burden of this education; we have been forced to increase our tuition at the very time when reductions in New York's scholarship and direct aid program are being considered.

It is clear, also, that we cannot solely rely on federal categorical programs. The uncertainty and the timing difficulties inherent in the appropriations process can create serious problems of planning, to say nothing of the hopes that are shattered when programs are not adequately funded.

A combination of increasing costs, increasing enrollments, and declining state revenue has created a dramatic turning point for many public universities. Confronted by these developments, we are exploring innovative programs that will save money for the State University of New York. Currently we are in the process of planning an experimental college, based on non-residential instruction; teaching at the proposed Empire State College will take place by television, correspondence courses, and other media. This type of education has great promise for educating large numbers of students with limited state resources. The cost per student, including instruction, development of materials, and administration is estimated to be $1,275. This compares to the 1971-72 estimated per student cost of $2,000 for education and general expenses at our University's four-year colleges. We are also exploring the possibility of a 3-year baccalaureate degree program. While these measures will obviously lead to significant savings in operating and capital expenses, they will never completely solve our fiscal problems. I share Dr. Cosand's opinion before this Subcommittee that "the urgency of obtaining additional funds for operating expenses is so great that the details (of a specific formula) are secondary. Many good formulas already have been worked out." One such formula, based on baccalaureate degrees awarded by each institution has been introduced by Rep. Quie (H.R. 5193); last year a companion bill was introduced by Senator Dominick as S.3817. Another such formula, based upon full-time enrollment and recognizing the differences in costs of various levels of education, is part of H.R. 7248. I prefer this type of formula because it takes into account the very real differences in costs of various levels of education and thus permits greater flexibility in administration.

New York State is currently the only state with an existing institutional aid program for non-public colleges. The State formula employed provides a specific amount for each degree conferred, but the experiences of this program suggest that variables other than the number of degrees awarded should also be considered at the federal level. The experience in New York State has also provided us with some idea of the scope of an institutional aid formula. A grant in the range of 4.5 to 5% of the institution's general educational expenses would provide significant assistance according to the Interim Report on the Financial Problems of Private Colleges ~~and~~

and Universities of New York State. A total expenditure of $491.3 million is recommended for the State University programs in 1971-72; assuming a grant of 5% of the State University's general educational expenses is a reasonable minimum level, this would mean that the State University should receive $24.56 million in 1971-72. How does this figure compare to what State University of New York would receive according to the formula in H.R. 5193 and H.R. 7248? The formula in the Quie bill would provide the State University with $460,000 for this same period. However, if the formula in H.R. 7248 ~~was~~ were applied to fall 1970 enrollment figures, the State University of New York would receive $29.3 million for this current fiscal year. For subsequent years, the amount of money received would depend upon changes in the University's total enrollment. Thus it is clear that a formula similar to the one employed in H.R. 7248 would be more in line with the minimum level found to be acceptable by the New York State experience.

On the question of student aid, we feel student aid programs have been successful; the faults that have developed have not been caused by the structure of the programs, but rather by inadequate appropriations. If these programs--Educational Opportunity Grants, College Work Study, and National Defense Student Loans--were funded nearer their authorization levels, I feel certain that we would be making significant progress in reaching the goal of extending educational opportunity to all students regardless of their economic situation. President Nixon has performed a valuable service by calling attention to the plight of the economically disadvantaged students, but I am concerned with the proposals that would generally require many students, regardless of program or level of study, to borrow money in the private marketplace. As I suggested in testimony to the other body, we should avoid any program which requires students to mortgage excessively their futures as a means of financing their college education.

I would like to commend the efforts of Senator Javits in recognizing some additional modifications that should be made in the existing student aid programs. S.1074 would encourage states to expand their present programs of grant assistance to students. Since states would receive

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funds only when they expand their present efforts, the moneys appropriated as a result of S.1074 would supplement, not supplant, existing programs. In New York State, two out of every three New York State residents who are full-time students at colleges or universities within the State are now receiving some kind of State assistance. In 1970-71 scholarship and scholar incentive grants will total $70.4 million, a ten-fold increase over the past decade. By providing federal dollars for each student aided by the State, New York's student assistance program would be able to increase not only the number of students aided but also ~~increase~~ the amount of each grant. Based upon the authorization level in S.1074, New York State would receive $4.2 million in additional student aid funds; out of this amount, students at our four-year colleges and our agricultural and technical institutes would receive an additional $900,000, when the bill became law. These additional sums would help to alleviate the recent pressures that we have felt as a result of increased enrollments and rising costs.

Similarly, I endorse Senator Javits' proposal which would establish educational opportunity centers in areas with major concentrations of low-income population. This would help develop, on a nation-wide scale, programs similar to the State University's Urban Centers. The Urban Centers in New York are designed to give disadvantaged individuals an opportunity to develop and upgrade their occupational skills and to continue their education. They are tuition free with most of the students representing minority groups. More than 18,500 students have been enrolled in the Centers from their beginning in 1966 until 1970. Of this number, more than 11,500 graduated, with approximately 8,500 finding higher paying jobs and 2,500 going on to further higher education. The record of the Urban Centers has been clear evidence of the possibilities that exist for aiding educationally and economically disadvantaged individuals, and I feel certain that S.1074 would accomplish similar results on a national level.

The provisions of S.1453 that would extend to part-time students the benefits of the Educational Opportunity Grant Program, since they are often the ones that are most in need of such assistance, are most admirable and worthwhile. The current program that makes EOG's available to only full-time students works to the disadvantage of the community colleges. Currently one-half of the students at the community colleges within the State University of New York attend part-time, while 20% of the students at our four-year colleges are part-timers. No doubt many of these students chose to attend school part-time because of financial conditions. However, I would voice one reservation about the proposal to make part-time students eligible for EOG's. Though it is not within the realm of this Committee's jurisdiction, I am sure that you are aware of the serious under-funding that exists within the EOG program. If the program ~~was~~ were not expanded substantially in terms of the money appropriated, I fear that S.1453 would merely result in a redistribution of

money within the various units of the State University. The net effect may very well be that one type of institution would receive a greater proportion of the EOG money and deplete the funds available to other students. I would prefer a program more equitable in nature that awards students on the basis of need and not because they attend one kind of an institution rather than another.

In conclusion, I would like to say how grateful I am to be able to present my views to this distinguished Subcommittee which has done so much to provide a forum for a wide variety of opinions. I wish the Subcommittee success in its most important deliberations. Thank you for this opportunity on behalf of the State University of New York.

CIPHER & COMPANY, LTD.

Suite 507
612 N. Michigan Avenue
Chicago, Illinois 60611
Telephone (312) 944-1725

March 11, 1971

Mr. Stephen J. Wexler
Senate Committee on
Labor and Public Welfare
Senate Office Building
Washington, D.C. 20510

Dear Mr. Wexler:

Per our telephone conversation of yesterday, I am enclosing a Question and Answer Summary of a new financial system, designed to assist colleges and universities, which I call the Education Endowment Exchange. A review of this summary will give you an excellent grasp of the capabilities of this system.

As I mentioned on the telephone, it is the Education Endowment Exchange that Rep. Green asked me to describe and explain to her House Subcommittee on Higher Education.

My purpose in asking to appear before this subcommittee is not only to inform its members of the presence of such a system but to request specific legislative action that would permit federal and state chartered banks and/or securities dealers to market the subscriptions (please refer to the enclosed summary for a complete definition) of the colleges which have chosen to participate in this system.

Subsequent to my correspondence with Mrs. Green, I was advised through Mr. Kevin McKenna, an aide to Senator Pell, that you might be able to assist me in drafting an amendment to S. 659 that would explicitly grant to banks and/or securities dealers permission to market the subscriptions mentioned above. Such permission is an integral part of this financial system.

For purposes of further, in depth, discussion of the above, I will call you on Thursday, March 18th in the afternoon.

Thanking you in advance for your attention to this matter, I remain,

Sincerely yours,

William T. Conaghan

William T. Conaghan

/wc

Encl. -1

2993

CIPHER & COMPANY, LTD.

Suite 507
612 N. Michigan Avenue
Chicago, Illinois 60611
Telephone (312) 944-1725

A Question and Answer Summary

of the

Education Endowment Exchange

Q. Why the Education Endowment Exchange?

A. America's colleges and universities, both public and private, are in serious financial trouble.

Q. What is the Education Endowment Exchange?

A. It is a financial system designed to provide funds to our colleges and universities.

Q. What is the source of funds for the Education Endowment Exchange?

A. All funds to be employed by the E.E.E. will be provided by the private sector.

Q. How will the private sector provide these funds?

A. The private sector will provide these funds to the colleges and universities through the purchase of their subscriptions.

Q. What is a subscription?

A. It is a right, purchased from a specific school, setting forth the obligation of this school to provide a certain amount of class time at no additional cost.

Q. Will these subscriptions be good at all schools or just one particular school?

A. Each subscription will be for one particular school, for a specific amount of time and good only during a particular period of time.

Q. How much does a subscription cost?

A. The cost of each individual subscription will be determined by the respective participating school.

Q. When can these subscriptions or rights be used?

A. They can be used no earlier than 10 years from the date of purchase.

Q. What liability does the school incur be selling these rights or subscriptions?

A. The school is only liable to the purchaser to provide, at no additional cost, the amount of schooling indicated on the subscription.

Q. If a purchaser of these rights can not use them, does the school have to buy them back?

A. No, the school will not buy them back, but the holder of the subscriptions will be free to sell them through the Exchange.

Q. What or who will determine the resale price of these subscriptions?

A. Resale prices will be determined by the forces of supply and demand acting in the marketplace.

Q. What does the E.E.E. do?

A. The E.E.E.acts as the marketing agent for the participating schools by selling subscriptions for tuition (where schools own housing, room and board could be included).

Q. Who will resell these subscriptions?

A. The E.E.E. will be the only marketplace for resale. It will assist in pairing the buyers and sellers and re-registering the subscriptions.

Q. If I buy a series of subscriptions for Northwestern and then change my mind, what can I do?

A. You can either sell the Northwestern and buy another school or trade with a holder of a desired school.

Q. How will the E.E.E. make money?

A. By charging an add-on commission on the original sale and also on any subsequent resale.

Q. When can these subscriptions be sold?

A. Anytime after purchase and prior to their expiration.

Q. Just what are the profit capabilities of the E.E.E.?

A. A conservative projection of Profits, before taxes and depreciation, exceed $30 million in the third year.

Q. What is the major financial benefit to the schools participating in the E.E.E.?

A. Increased annual income on which they are not obligated to pay interest.

Q. Wouldn't the sale of future tuition, at any price, hamper a school's budgeting?

A. No, not if the E.E.E. guidelines, of offering only 25% of a school's present freshman class, are followed.
If this 25% guideline is followed, the participating school would still have the ability to raise the tuition of 75% of any incoming class.

Q. Who will decide how the money each school will receive will be spent?

A. The Board of Trustees, the Board of Governors, or their counterpart at each school.

Q. Would the implementation of the E.E.E. Financial System increase the demand on present or future school facilities?

A. No, it would place no pressure on the school to increase its enrollment now or in the future - so there would be no necessity to expand its facilities.

Q. What would be the allover effect of the E.E.E. Financial System on individual colleges?

A. It would grant them greatly increased budgetary flexibility that could possibly obviate any subsequent tuition or fee increases.

Q. Exactly what services does the E.E.E. provide?

A. The E.E.E. acts as the marketing agent for all participating schools, It also maintains records of all the purchasers of the subscriptions.

Q. Who will pay the advertising costs of each participating school?

A. Each school will be responsible for its own advertising. The E.E.E. wil advertise itself and all of the participating schools on a group basis.

Q. What is the benefit to be derived by parents tryin to plan for the education of their children?

A. They will be able to plan the major portion of colleges expenses years in advance.

Q. What about the average family that can't afford to pay for 1-4 years of college in a lump sum?

A. They could participate by buying it in increments of quarters, tri-mesters or semesters.

Q. Could an individual of limited means participate in the E.E.E. program with borrowed funds?

A. There would be no reason why he couldn't. Bank loans for the purpose of paying for higher education are quite common.

Q. Could someone besides parents, or others directly interested in education, participate in the E.E.E. System?

A. Anybody can particpate. It is even possible that an E.E.E. subscription might assume the proportions of an investment vehicle.

Q. Will the ownership of subscription carry preferred admission status?

A. No, ownership of a subscription should not effect the treatment of an application at all.

Q. Would an enterprise of such a scope necessitate a large amount of office space and a large clerical staff?

A. No, it wouldn't. By profiting from the experiences of the insurance and securities industries, both the space and office force could be minimized.

Q. Wouldn't many of the funds generated just duplicate government spending?

A. No, the funds would not duplicate, but would augment government spending. These funds would be quite different, however, as they would be unrestricted.

Q. Generally, how would these subscriptions be marketed to the public?

A. Ideally, they would be marketed through a bank, or a group of banks, and their correspondents across the country.

Q. How much money will the E.E.E. provide?

A. With the majority of our colleges and universities participating, funds in excess of $12 billic annually can be generated.

Q. Could the present structure of the E.E.E. be altered?

A. Owing to the extreme flexibility of the E.E.E. System, many aspects could be changed without impairing the underlying principles.

The Education Endowment Exchange is a financial system born of manifold needs.

On one hand are the hundreds of thousands of parents and their children with a great desire for higher education but burdened with the prospect of having to raise the thousands of dollars necessary to attain it. This funding problem is further compounded by the fact that the payments must often be concentrated over a few years and by the seemingly unending rising spiral in which the charges for tuition, room and board have been traveling.

On the other hand are the thousands of colleges and universities that are currently being plagued with ever increasing costs of buildings, salaries and ancillary equipment. Their financial problems include both a shortage of funds over the short as well as the long term.

To date students, their parents and families, have approached the problem of college financing by trying to pay for it out of current income, paying for it out of savings, by modified endowment type insurance policies and/or loans and scholarships.

The respective educational institutions, with a limited number of accesses to funds, are fairly well restricted to raising the various fees charged to the students and ever increasing reliance on the various levels of government for an ever increasing amount of assistance. While gifts from individuals, corporations and foundations, together with improved management of their respective investment portfolios are acknowledged, they have not and probably will not provide these schools with the funds necessary to offset their spiraling costs and preclude the sizable increases of the cost of education that is passed on to the student.

In order to alleviate the problems mentioned above, the installation of the Education Endowment Exchange financial system would enable parents, relatives of prospective students and interested private institutions, to purchase from any participating school, a series of prepaid 4 year subscriptions that would guarentee to the purchaser, that upon being accepted for admission to this institution, his tuition (and in some instances his room and board) would be provided him at no additional charge for the indicated academic years. These subscriptions may at any time be redivided into individual quarters, trimesters or semesters.

These subscriptions will only be good for tuition (and room and board in some instances) at the named institution during the indicated period of time.

No holder of any subscription will be entitled to any preferred status or treatment of his application. Acceptance at the institution as a student is a precondition to the use of the subscription.

The price asked on any subsequent resale will be determined by the owner(s) of record of that subscription and its sale must be concluded through the Education Endowment Exchange to insure proper re-registration of the new subscription owner.

In order that all of the participating schools be able to accurately plan their future financial courses, no subscription will be offered for sale prior to 15 years nor subsequent to 10 years prior to the period during which they may be exercised.

To facilitate the operation of this financial system, the Education Endowment Exchange will maintain records that w will at all times reflect the current ownership of each paid subscription.

The pertinent records of ownership of these subscriptions will be available for inspection by the participating institutions or the individual subscriber.

In order that all of the participating colleges and universities maintain a high degree of flexibility as to their fee schedules and budgets, subscriptions for no more than 25% of the projected size of each freshman class will be offered for sale during any one year.

The services of the Education Endowment Exchange will be made available to all interested colleges and universities There will be no charge whatsoever to any of the participating schools.

The promotion and sale of all subscriptions will at all times be in concert with the ethics and dictates of good taste of the individual institution.

Should the configuration of colleges and universities, as we know them today, be altered in terms the length of the academic year, degree requirements, etc., the above discribed financial system could be adapted accordingly.

Some of the various benefits that would accrue to the respective educational institutions would be as follows:

1. There would be no interest payment due on the money received from the sale of the subscriptions.

2. There would be no obligations whatsoever on the money realized through the sales of subscriptions for a minimum of 10 years.

3. There would be no automatic increase in the demand on facilities resulting from the school's participation in the Exchange.

4. The participating institutions would have greatly increased financial leverage.

5. There would be decreased dependance on government aid.

6. There could be higher concentration by upper level administrators in areas other than fund raising.

7. There would be increased budgetary flexibility available to the institutions.

Parents of prospective students, their families, private organizations, corporations and other interested individuals would benefit from the Education Endowment Exchange financial system in the following ways:

1. The bulk of the cost of higher education would be known years in advance.

2. Purchase of a subscription for use in 10 or more years would serve as a hedge against inflation.

3. The subscriptions would provide a planned and/or forced savings plan to provide for advanced education at the school or schools of your choice.

4. These subscriptions would have a salable quality up to the date of their expiration.

5. There is the possibility of capital gains through the exchange or sale of subscriptions.

6. The cost of the operation the growth of of our colleges and universities would be borne more by those who desire to attend them.

The Education Endowment Exchange financial system would expand the economic freedom of choice of approximately 75% of our nation's families and all of our colleges and universities.

A Statement by the CENTRAL YMCA COMMUNITY COLLEGE
on the
STUDENT FINANCIAL AID AND INSTITUTIONAL SUPPORT PROVISIONS
OF THE HIGHER EDUCATION BILLS
Now Before the Congress

We begin with the premise that education should enable each student to reach his full potential, and not only should this be an opportunity for every student, it is in the general welfare interests of the American society and productive economy that this right shall include all citizens. The Green bill in the House and the Williams bill in the Senate would guarantee that the very neediest persons in America will have the opportunity to participate in higher education for their own lives' enhancement and the improved well being of our society.

The Central YMCA Community College in Chicago has ten years of experience with 55% of its 4,200 students being from minority groups and/or the very poor from the inner city. The record is clear - this is an untapped source of man and brain power that in sheer justice as well as national survival we can not ignore in national policy. The record of this College is clear in proving the success potential of these students, given the opportunity in schools prepared to receive them and to up-grade their performance. Graduates from this Junior College enter the world of work for which they were previously unprepared, or they transfer to the upper divisions of four year colleges to which they were originally inadmissable by reasons of under preparation or inadequate credentials.

The sociology is known, but painful to admit, and hence often ignored. A milieu of poverty invariably includes minority group persons frequently residing in ghettos, includes the life situations that provide limited private sector employment opportunities adaptable to school attendance requirements, includes little possibility of any parental family support of the student (in fact, frequently the students necessarily contribute to family support) and includes few legitimate opportunities for upward mobility except via the self-improvement of education. These would-be college students represent perhaps 10 to 20% of America's families and in cities such as Chicago, for example, they may represent 25 to30% of the city's families. These human fiscal facts are obvious. We can no longer afford to ignore them.

The College Work-Study program as a necessary means of earning at least a very minimum livelihood and the Educational Opportunity Grants program as partial support toward educational direct costs, are essential companion pieces. The Green bill very properly provides for these programs to be administered by the colleges on a basis of individual need rather than on an arbitrary formula basis. The Green bill is very much in the spirit of the American ethic of the respectability of self-supporting work limited only by reasonable wage rates and the capacity and hours for work - and not limited by across the board arbitrary formulae.

Less than ten percent of the colleges and universities in the country have deliberately set about to include the very poor in any more than miniscule numbers. Only a few of these ten percent have instituted the necessary compensatory programs to up-grade these frequently under-prepared products of inferior schools - and most of these colleges are the Community Colleges. The Williams bill very wisely relates Federal institutional support to those colleges that go to the extra expense and effort of making education accessible to the poor and under prepared who have potential for personal achievement. In no other way are we likely to attack this problem.

Student loans, for the very poor, are not the answer. Heavy indebtedness for the very poor is at best impractical. It may be necessary as a last resort for the final stretch, but certainly not as a general and pre-planned method for those already denying themselves a decent diet, medical attention or clothes adequate for the change of seasons. Conceivably, a young couple, married after college, moving out of a vicious cycle of poverty by necessarily borrowing the maximum for four years of college, would start life with a $20,000 indebtedness and a burden of interest in addition. As many of the disadvantaged and under-prepared are, understandably, late to acquire the motivation to seek the opportunity for college and frequently are in their 20's or even 30's when they first enter college, they will still be saddled with their own educational debts when called upon to assist their children in college. In any case, a big debt is a poor substitute for the willingness to be employed to sustain a pay-as-you-go study program.

The President is right in stating that a youth from a $15,000 a year income family is more than five times as likely to attend college as a youth from a $3,000 a year income family. What is not recognized, however, is that the $3,000 a year family is supporting state or local higher educational systems via sales and other taxes of similiar effect and real estate taxes (via rents) to a vastly greater proportion of its income than is the $15,000 a year family. The Green bill and the Williams bill work to redress the injustice of that inequity and make the college opportunity at least somewhat more likely for youth from poverty level families.

These are not the sentiments of bleeding heart liberals. These are hard fact conclusions borne out by experience with thousands of poor who strive to work, earn, and pay a good part of their own way out of otherwise self perpetuating poverty and frustration.

We commend the authors and sponsors of the Green and Williams bill for recognizing the hard and sometimes unpleasant facts of life. We urge the adoption of a higher education bill embodying these principles so cogently contained in these two bills. Support of such a measure would, we are sincerely convinced, be an act of statesmanship.

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Tuition Postponement Option

as applied to

Tuition and Fees for 1971–72

in

YALE COLLEGE

February 6, 1971

All American universities are in deeper financial trouble than they have been for generations. If we keep on as we are, something must give. Even if we reduce costs and become more efficient, unless income can keep pace with inflation we must lower our quality.

The universities which are not state-supported must charge their students. Increasingly even the state-supported universities are finding it necessary to charge substantial tuition. But if we raise charges to keep up with costs we will drive away students whose families cannot afford to pay the increased tuition and fees.

Up to now Yale has handled this problem by offering enough gift scholarships, jobs, and loans so that we could admit students without regard to their family circumstance. The University has met financial need as a separate matter, after and apart from the admissions decision. No one was turned away because of his inability to pay. No one admitted was denied aid if he qualified by the general standard of need.

Now, if we raise scholarships to keep up with a traditional tuition increase, we will not have enough income to keep the University's deficit within tolerable bounds. And even a so-called "traditional" tuition increase is much harder for parents and students to take this year than in any year since the war. This year individual incomes just have not kept pace with increased educational costs.

Every university faces this problem. We are, therefore, at a crossroads in higher education. Unless something is done either we lower our quality or we close our doors to those who cannot pay the increased cost of quality. Neither is acceptable—to the institution, to the students, or to the country.

It is our view that we must use some ingenuity and take some risks to find a way out. With this in mind we have been discussing ways to make it possible for students to postpone the obligation to pay part of their tuition, including the entire amount of the increase. They would be obligated to pay it later, not as a fixed debt, but in proportion to their own earnings. In order to meet its current needs the University would then borrow the amount of postponed tuition

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from private lenders while it waited for the flow of delayed student payments.

This is not a new idea. It was first proposed at Yale in 1961 and has been proposed by others elsewhere both before and since that time. This year's awakening to the long run financial plight of all universities has moved us to develop in detail how such a plan might be worked out.

Initially we had hoped that the Ford Foundation might share the financial risks of such an experiment. It now appears that they wish to wait until other institutions are ready to participate. However, they have encouraged us to go ahead, in the belief that what we learn and what we demonstrate will be helpful to others who are considering comparable possibilities.

Thanks to the financial commitment of three friends of Yale and a grant for planning and administration from the Sloan Foundation, it is possible for Yale to undertake this experiment in 1971-72.

We do not for a moment believe that asking students to invest a small charge against their future income will or should allow us to raise charges anywhere near to the full cost of education. It will not even close the budgetary gap we face immediately. However, it will, if it works, offer some light at the end of an otherwise totally dismal financial tunnel without reverting to a policy of admitting students according to their parents' ability to pay.

It can be tried out without reliance upon Government. If it works it might eventually be developed into a Federally backed program for the benefit of a wide variety of institutions and their students. This could be done in a form which would not require the government to deal directly either with the student or with the institution. Like the FHA mortgage guarantees in housing, the government's role might be limited to the guaranty of private lenders.

Such a scheme is certainly no panacea nor cure-all for university deficits nor could it ever be a substitute for other government programs. It should allow charges to rise with costs, however, and still not drive students away just because their families are not wealthy.

We hope our demonstration will make it easier for the Ford Foundation and others to sponsor comparable experiments in a variety of institutions a year from now. If a group plan is brought into being which is compatible with our program we would hope to join it. We also would be eager to participate in any ultimate Federally backed program. In the meantime we hope that our experiment will be helpful to other institutions, foundations, and public groups which have encouraged us to go ahead.

* * *

The rate of tuition and room and board in Yale College for 1971-72 will be forty-four hundred (4400) dollars. This is five hundred (500) dollars above the present rates. Three hundred fifty of this can be attributed to tuition. It is our best information that this will put Yale College charges about at the level of our competitors.

Earlier forms of financial aid will remain available on the same terms and by the same standards of eligibility and limits as now exist. Although room and board may have to rise in response to actual increases in the costs of food, maintenance, and services for those already enrolled, the tuition increase in any of the subsequent three years is not expected to be more than three hundred (300) dollars per year. Any such tuition and room and board increases would also be eligible for postponement.

NEXT YEAR ANY STUDENT MAY ELECT TO POSTPONE UP TO EIGHT HUNDRED (800) DOLLARS OF HIS TUITION IF HE PREFERS TO OBLIGATE HIMSELF TO PAY YALE FOUR TENTHS OF ONE PERCENT OF HIS ADJUSTED GROSS INCOME FOR EACH THOUSAND DOLLARS OF TUITION POSTPONED, FOR NOT MORE THAN THIRTY-FIVE YEARS. A MINIMUM PAYMENT OF $29.00 PER YEAR FOR EACH THOUSAND DOLLARS POSTPONED WILL BE REQUIRED, REGARDLESS OF INCOME. THE OBLIGATION WOULD BEGIN AFTER THE LAST YEAR OF ENROLLMENT FOR FULL-TIME STUDY.

Thus next year he may postpone the payment of the five hundred (500) dollar increase above this year's total fee level, plus up to three hundred (300) dollars of charges which he currently pays.

For example, a student receiving partial financial aid now might be in the following position:

Needs:		
Tuition, room and board	$3900	
Estimated cost of books, etc.	600	$4500
Sources of payment:		
Family	$1600	
Loan	300	
Job	600	
Gift scholarship	1500	
Savings from summer employment	500	$4500

For next year the same student would face the following financial needs:

Tuition, room and board	$4400	
Estimated cost of books, etc.	600	$5000

If he did not elect to defer any of his tuition obligation his family would presumably bear the full burden of the increase of five hundred (500) dollars. The financial aid component would be the same next year as it is this year.

So the sources of payment would be:

Family	$2100	
Loan	300	
Job	600	
Gift scholarship	1500	
Summer employment	500	$5000

If, on the other hand, he wished to postpone the obligation to pay the increase, while his charges and book and personal costs would still be five thousand (5000) dollars, his family would not have to contribute any more than they do this year.

Further, if next year he wished to postpone the obligation to pay three hundred (300) dollars of the amount of tuition which he is paying this year, he might decide not to take a three hundred (300) dollar loan.

In such a case his sources of payment for next year would be:

Family	$1600	
Job	600	
Gift scholarship	1500	
Summer employment	500	
Postponed obligation	800	$5000

• • •

In making the decision whether or not to postpone the tuition payment, it is important to understand what the postponed obligation would be and how Yale has computed it.

The charge against future income is designed to produce an average return to Yale which will cover the cost to Yale of postponing part of its tuition income. This charge would allow Yale to meet the expenses of administering the program and permit Yale to borrow at interest while it waits for the students' postponed payments.

To cover these costs of administration and of borrowing against future payments, we calculate that Yale would have to receive the payment of the principal amount of tuitions postponed plus a **finance charge** equal to interest compounded annually on the unpaid balance at a rate one percent above the interest Yale must pay a lender while it waits for student payments.

While the interest rate paid by Yale can be expected to vary, it is likely to be somewhat in excess of the prevailing prime rate. If Yale is to break even, then, this must be the *average* return from the group which elects tuition postponement.

This average can be achieved only if those who earn relatively more pay more than those who earn relatively less. Although each student is obligated to pay the same charge against his income for each dollar of tuition postponed, the postponed dollar payments to Yale will vary widely among students depending upon their actual earnings. For any individual student the cumulative **finance charge** will be the total amount he pays over the deferment period less the amount of his deferred tuition.

Based on a survey of both national college graduates' and Yale alumni incomes, we have decided that a charge of **four tenths of one percent of a graduate's adjusted gross income per year for each thousand dollars deferred**, for up to thirty-five years will allow Yale to realize the benefit of increased tuition income over the lifetime of a generation. The obligation would begin the first year after the completion of full-time study. If a student wants to cancel his postponed obligation, he may do so at any time up to six months before he graduates, if he is willing to pay the

principal amount and the cumulative interest based on Yale's own administrative and borrowing costs.

Our projections are conservative. The obligation for all those who had begun their postponed payments in a given year would come to an end whenever that group, taken together, had repaid the amount postponed plus Yale's borrowing cost plus one percent. This would probably be achieved earlier than thirty-five years. If the actual cost to Yale of both borrowing and administration proves to be less than expected, the obligation of the group would be terminated earlier.

Also, even after his obligation has begun a student may terminate his own obligation to pay a continuing charge when he has paid one and one-half times the tuition he postponed plus cumulative interest. That ceiling sets an upper limit on his finance charge.

The postponed obligation of a student who marries will be computed on the basis of his or her separate income or one-half of the joint income, whichever is higher. So, for example, a housewife with no separate earnings will compute her obligation on the basis of one-half of the joint income; while her husband, if he has a postponed tuition obligation, would compute his obligation on the basis of his own income.

Because of the importance to the group that each student in it pay his share as agreed, substantial charges will be imposed in the event of default.

* * *

The great virtue of this option from the student's point of view is that the obligation is stretched over such a long time that its burden in proportion to income will not be very heavy in any given year. Legal advisers say that all payments in excess of the principal amount deferred should be treated as payments of interest, hence deductible from gross income for tax purposes A ruling is being sought from the Internal Revenue Service on this point. On this assumption the effective burden of all but the minimum repayment of twenty-nine dollars a year would be greatly reduced. The reduction of the effective cost of repayment would be somewhere between twenty and thirty-five percent of the amount being paid by the average graduate.

The second feature of the plan is that the obligation rises and falls with income, so that it need not distort career choices. The disadvantage of the scheme for those who become high earners is that the cumulative repayment will be disproportionately large when compared to normal borrowing costs. The graduates in the higher income brackets will in effect be carrying their less affluent classmates, just as those families with high incomes who now pay the full tuition do in effect help to carry those whose sons and daughters receive gift scholarships.

TUITION POSTPONEMENT OPTION
TABLE OF ANNUAL PAYMENTS

Annual Income	Postponed Amounts									
	$1,000	*$2,000*	*$3,000*	*$4,000*	*$5,000*	*$6,000*	*$7,000*	*$8,000*	*$9,000*	*$10,000*
$ 7,250 and under	$ 29	$ 58	$ 87	$ 116	$ 145	$ 174	$ 203	$ 232	$ 261	$ 290
10,000	40	80	120	160	200	240	280	320	360	400
15,000	60	120	180	240	300	360	420	480	540	600
20,000	80	160	240	320	400	480	560	640	720	800
25,000	100	200	300	400	500	600	700	800	900	1,000
30,000	120	240	360	480	600	720	840	960	1,080	1,200
40,000	160	320	480	640	800	960	1,120	1,280	1,440	1,600
50,000	200	400	600	800	1,000	1,200	1,400	1,600	1,800	2,000
75,000	300	600	800	1,200	1,500	1,800	2,100	2,400	2,700	3,000
100,000	400	800	1,200	1,600	2,000	2,400	2,800	3,200	3,600	4,000

Note: Annual Payment = .4% (four-tenths of one percent) x Annual Income x Postponed Amount (in one thousand dollar units or percentage thereof)

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3012

YALE UNIVERSITY
NEW HAVEN CONNECTICUT

OFFICE OF THE PRESIDENT

February 4, 1971

The Honorable Claiborne Pell
325 Old Senate Office Building
Washington, D.C. 20510

Dear Senator Pell:

Enclosed are some releases which describe our experiment with postponed student payments. This is obviously full of risks but we should know more about whether it works and what good it does after four or five years trial run.

Sincerely,

Kingman Brewster Jr.

KBJr:mfp
Enclosures

3013

YALE UNIVERSITY
NEW HAVEN CONNECTICUT

OFFICE OF THE PRESIDENT

To Faculties and Students:

This paper is a more detailed explanation of Yale's tuition postponement option. It represents our latest thinking but is subject to technical changes between now and the time tuition postponement contracts are drafted and offered to interested students and applicants.

Kingman Brewster, Jr.

February 6, 1971

YALE UNIVERSITY

Background Detail for Release Morning Papers

February 6, 1971

YALE TUITION POSTPONEMENT OPTION

Yale University intends to adopt a Tuition Postponement Option under which a student would be permitted to defer a substantial part of the charge for his education and pay this cost during his earning years in proportion to his income. The purposes of the Plan are (1) to enable students to defer part of the expense of education, (2) to enable students to contribute to the support of the University in approximate proportion to their ability to do so and to the economic benefit they have derived from their Yale education, and (3) to help meet Yale's immediate need for increased funds to defray sharply rising costs.

The Tuition Postponement Option has four principal elements. First, the University will continue to increase its charges in the College and several of the graduate and professional schools as it has during the recent past. Second, with respect to these increases and with respect to a fraction of existing charges, Yale will permit any student who wishes to do so to enter into a Deferment and Repayment Contract, deferring charges while he is a student and repaying in later years

in proportion to his income. Third, Yale will cover its costs during the deferment period by borrowing from conventional lenders. Fourth, Yale will seek pledges and grants to share the financial risks of the plan.

A. Increased University Charges

Yale plans to increase charges in the College, the Graduate School of Arts and Sciences, the Law School, the Medical School, the Divinity School, and the Schools of Music, Art, Architecture, Drama, Forestry and Nursing.

The present combined charge for tuition, room and board in the College is $3,900. Yale will increase this charge by $500 in 1971-72 and expects a further $300 increase in each of the four subsequent academic years. Of the initial $500 increase, $350 would be attributed to tuition and $150 would be attributed to room and board.

Each of the other schools and departments charges separately for tuition and for room and board. In these schools and departments, Yale plans to increase tuition by $350 in the academic year 1971-72, and by an additional $300 in each of the four academic years thereafter.

B. Deferment and Repayment Contracts

Any student who wishes to pay the full University charges after the projected increases will be entitled to do so. For students requesting assistance, however, the following

rules will be in effect. First, traditional forms of financial aid will continue to be available, on the same basis as at present, to help students to meet University charges up to the amount of University charges for the academic year 1970-71. Second, Yale will not make available any form of traditional financial aid to cover the increases in University charges. Third, a student will be permitted to enter a Deferment and Repayment Contract with respect to (1) any fraction of the increases ("Additional Amounts") he chooses (provided that the amount chosen is at least $300) and (2) an additional $300 per year.

Yale would enter into a separate Deferment and Repayment Contract with each electing student. The Contract would be drawn in such a way that a single Contract will cover all deferments by a particular student.

A student entering into a Deferment and Repayment Contract will be excused from paying any fraction of the Additional Amounts he chooses (provided that the amount chosen is at least $300). If he elects to defer all of the Additional Amounts, he may also elect to have Yale credit his account with an additional $300 per year. A student entering the College in the Fall of 1971 and electing to defer all of the Additional Amounts incurred in his College years would defer a total of $3,800; a student electing to defer an additional $300 per year would defer a total of $5,000.

Deferment and Repayment Contracts will have the following terms:

(1) Eligibility

The Plan will be available to all full time candidates for degrees in the schools and departments covered except (a) students presently receiving government or other financial aid under the terms of a contract which does not permit tuition charges to them to exceed the amount of such aid, and (b) students who are not citizens of the United States and have not been admitted to the United States as permanent immigrants. As to these foreign students Yale has concluded that problems of collection preclude application of the Plan to students who are very likely to reside abroad after graduation.

A student will be permitted to defer payment of University charges for each of eight years of study. This will enable most students to obtain the advantages of deferral both for college and for graduate studies. In the case of a student coming to Yale after studying at another institution, years spent at the other institution will be subtracted from the student's eight years of eligibility at Yale.

(2) Payments Required

In each year, each participant will be required to make one of the following two payments, whichever is greater:

(a) Minimum Payments

Each student who enters into a Deferment and Repayment Contract will be required to pay,

in each calendar year of his Payment Term (as defined below), a Minimum Payment of $29 for each $1,000 deferred. Yale will in its discretion waive the Minimum Payment due in any year for a student who demonstrates to Yale's satisfaction that such payment would impose an extraordinary hardship.

(b) Percentage Payments

Each Participant will be required to make a Percentage Payment, in each year of his Payment Term, equal to 4/10 of 1% of his Repayment Base (as defined below), for that year for each $1,000 deferred.

(3) Payment Term

Each Participant's Payment Term will begin with the calendar year following the year in which he ceases to be a full-time candidate for a degree at any institution of higher learning. For this purpose, a student at Yale College who elects to interrupt his studies for a period of one academic year or less and who declares his expectation to return will be considered a full-time candidate for a degree during that academic year.

Except as provided in paragraphs (a), (b), (c) and (d) below, each Participant's Payment Term will continue for a period of 35 calendar years from and including the first year of his Payment Term.

(a) Interruptions

A Participant's Payment Term will not

include any year during at least eight months of which he

(i) is a full-time candidate for a degree at any institution of higher learning; or

(ii) is, in the opinion of a licensed physician, totally disabled as that term is defined for purposes of any program of disability benefits then provided by the United States Government.

(b) Death or Retirement

A participant's Payment Term will terminate at the end of the calendar year of his death, or at the end of the calendar year during which he has both (i) attained the age of 65 and (ii) ceased to pursue full-time gainful employment.

(c) Individual Termination

Each Participant may elect to terminate his Payment Term whenever the sum of his Minimum Payments and Percentage Payments equals the sum of (i) 150% of the principal amount he deferred plus (ii) interest, compounded annually to the date of his last payment, at the Contract Interest Rate (as defined below), on 150% of the amount he deferred. The Participant's annual payments will be credited against the balance in his Individual Termination account. A student may elect to terminate his obligation at any time by making a payment that brings his total payments to the amount required.

(d) A Participant may terminate his obligation at any time prior to six months before graduation from any school whose tuition he has elected to postpone by payment to the University by 100% of the amount deferred by the student plus interest thereon compounded annually at the contract interest rate.

(e) Group Termination

Every Participant will be part of a Deferment and Repayment Group. Each Group will consist of all Participants, in all departments of the University, whose Payment Terms begin in the same calendar year. The obligation of each member of a Group to make annual payments will terminate with the calendar year in which the total payments by all members of the Group (including repayments of principal not yet made) equal the sum of the amount deferred by all members of the Group Termination, at the Contract Interest Rate (as defined below), on the amount deferred by all members of the Group.

(4) Repayment Base

Each Participant's Repayment Base for a particular calendar year will be computed on the basis of (i) his or her Adjusted Gross Income, or (ii) if he is married, on the basis of his or her separate income, or one-half of the [redacted] j
income, whichever is higher. An individual's Adjusted Gross Income shall be the amount reported as Adjusted Gross Income on his Federal Income Tax Return for the year. The Deferment and Repayment Contract will, however, make

provision for altering the Participant's obligation in the event that the definition of Adjusted Gross Income in the Internal Revenue Code is significantly modified in the future.

(5) Contract Interest Rate

A Contract Interest Rate will be based on Yale's actual costs. The Contract Interest Rate will be at a level calculated to cover (a) the average rate of interest to be paid or accrued by Yale on all funds borrowed externally in accordance with the external borrowing provisions of the Tuition Postponement Option, plus (b) one percent to cover Yale's cost of administering the Plan. When Yale's actual costs of borrowing and allowance for administration for any Group has been recovered, Yale will terminate the Group obligation at an earlier date than thirty-five years.

(6) Insurance

The Plan will include insurance against the death or disability of individual students. The Contract Interest Rate would include the cost of insurance premiums. The insurance would pay benefits to Yale on the death or total disability of an individual student. The amount of the benefits would be credited to the deceased student's Repayment Group.

Such insurance will serve two purposes. First, it will protect the Group against a delay in Group Termination resulting from the death of some of its members. Second, insurance would protect Yale against an inadequate flow of repayments

resulting from a catastrophe and will therefore insure at least against deaths or disabilities caused by a catastrophe, and against those resulting from other causes as well.

(7) Reporting and Payment Procedure

Each Participant will be required to report his Repayment Base semiannually to Yale. The first report will be due on October 30 of the year for which the report is made. The second report will be due on April 30 of the following year. Each Participant would be required by contract personally to certify his adjusted gross income (or other repayment base) annually to Yale, to report any significant redetermination of his adjusted gross income resulting from amendment of his return on Internal Revenue Service audit, and, upon request from Yale, obtain from the Internal Revenue Service and supply to Yale copies of his Individual Federal Income Tax returns as filed and reports of any adjustments thereof. Failure to comply with such a request will be a default pursuant to paragraph (8) below.

With his first semiannual report for the year, the student will be required to pay to Yale one-half of his estimated obligation for the year. With his second report, the student will be required to pay the balance of his obligation for the year.

Each Participant will be liable for the accurate calculation of his Repayment Base. To save administrative expense, it is anticipated that calculations of the reported Repayment Base will be investigated and verified only in cases where probable cause exists to suspect a significant error or misrepresentation. Should it later

appear that his Repayment Base was incorrectly reported, the Participant will be liable for the amount of any underpayment to Yale, plus interest thereon at the Contract Interest Rate from time to time. Any overpayment properly established by a student will be credited against his later obligations.

(8) Defaults

Any Participant will be permitted, upon his written request making a reasonable showing of hardship, to postpone any semiannual payment for any period deemed by the University to be reasonable. The Participant will, however, be required to report the amount due in the usual manner, and any postponed payment will accrue interest at the Contract Interest Rate.

In the event any Participant fails to make a semiannual payment when due, or pays less than the amount of his obligation, the underpayment will accrue interest at the Contract Rate. Yale will send written notice to the Participant requesting payment in full. Ninety days after the date such notice is sent, Yale will have the right to sue the Participant, in the courts of the State of Connecticut or any other court of competent jurisdiction, for the amount of the underpayment.

In the event any unexcused payment has remained wholly or partially unpaid for six months after written notice has been sent to the Participant, commission of an act of bankruptcy, the filing of a bankruptcy petition, or a refusal or failure to supply tax information

requested by Yale pursuant to paragraph B (7) above, Yale shall have the right to declare a default. Upon any such declaration of default, the Participant shall be liable to pay to Yale an amount equal to 150% of the amount originally deferred, plus interest at the Contract Interest Rate compounded annually thereon, minus the sum of his previous payments and interest at the Contract Interest Rate thereon.

(9) Minority

In the case of a student who is a minor at the time of his first deferment, the Deferment and Repayment Contract will also be signed by his parent or guardian. Upon reaching twenty-one, the student will be asked to ratify the contract.

If the student fails to ratify the Contract, then on June 30 of the first year of his Payment Term which falls after the year in which the student reached twenty-one the parent or guardian will be liable to pay to the University an amount equal to 100% of the amount deferred by the student, plus interest thereon compounded annually at the Contract Interest Rate. A student who ratifies at age twenty-one will also have an option to discharge his future liability by an equivalent payment. Any such payment will absolve both the parent or guardian and the student of any further obligation under the Contract.

(10) Treatment of Program Data

Each Deferment and Repayment Contract will provide that income and other data supplied by the

Participant will be available only to the Yale personnel administering the program and to any successor in interest to Yale's rights under the Contract, and not to other Yale personnel, class agents, or other persons generally. Yale and any successor will be obligated to keep this information confidential except as disclosure may be necessary in legal proceedings to enforce any obligation.

(11) Negotiability of Contract

Although Yale does not presently plan to pledge or negotiate student contracts, it will have the right to do so. The primary purpose of this right is to make it possible to merge the Yale program into a larger privately or publicly established educational investment program.

(12) Periodic Surveys

Each Deferment and Repayment Contract will provide that Yale will have the right to circulate questionnaires among all participants in the Plan in order to evaluate its operation.

C. Allocation of Repayments Between Principal and Interest: Deductibility of Interest

It is our opinion that the Deferment and Repayment Contracts may allocate each payment between principal and interest in any reasonable manner, so long as the formula chosen insures repayment of the entire principal amount; and it is our opinion that amounts allocated to interest in accordance with such a formula will, under present law, be deductible for federal income tax

purposes.

One possible formula (which is subject to further perfection) is as follows:

(a) In the case of each Participant, for each $1,000 he deferred, $29 of each annual payment will be allocated to principal until the amounts allocated to principal equal the entire amount he deferred.

(b) In the case of each student, any amount paid in any year in excess of $29 per $1,000 deferred will be allocated to interest until the student has paid previously accrued and current interest, at the Contract Rate, on his principal amount.

(c) Thereafter, in the case of each student, all payments will be allocated to principal until the entire principal amount deferred by the student has been repaid.

(d) Thereafter, all amounts will be allocated to interest on the principal obligations of other students in the Group.

(e) Upon Group termination, the obligation of each Participant who has not completed repayment of principal will continue until principal has been repaid.

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Yale University News Bureau

New Haven, Connecticut 06520
203-436-3441

Steve Kezerian, Director

For release to MORNING papers of SATURDAY, February 6, 1971 #187

New Haven, Conn., February 5: -- President Kingman Brewster, Jr., of Yale announced today a Yale Tuition Postponement Plan in conjunction with an across-the-board tuition increase.

The current cash cost of attending Yale next year will be $300 less than this year for those students who prefer to accept an obligation to pay their postponed tuition in proportion to their future earnings.

The tuition increase will be $350 next year, and there will also be an increase of $150 for room and board, so that the total amount next year for undergraduate tuition, room and board will be $4,400, or $500 above this year's cost. In addition to the option to postpone these increases, a student may also postpone another $300 of currently imposed charges.

The tuition increases are not out of line with Yale's competitors. However, the new postponement option was felt to be essential to allow Yale to continue its practice of admitting students without regard to their parents' financial circumstances.

The adoption of the tuition postponement option by Yale marks the first time that any college or university has attempted such major changes in the traditional pattern of tuition payment.

The unique feature of the Yale plan is that each individual's obligation rises and falls with his income after graduation rather than being a fixed indebtedness. Although the rate is the same for everybody, since it is keyed to adjusted gross income, those who earn more will pay more than their classmates in lower earning jobs.

The charge is computed as four-tenths of one per cent (0.4%) of annual adjusted gross income for each $1000 postponed. It is estimated at current interest rates that students would discharge their obligation in about 26 years. If, however, the average earnings of the group turned out to be lower than projected, or if Yale's cost of borrowing were greater than expected, then it might take longer for the group to discharge the obligation. The outside limit of the repayment obligation in any case would be 35 years.

Even after his obligation has begun, a participant may elect to terminate his contract by making a payment that brings his total payments to one and one-half times the tuition he postponed, plus an interest rate to cover Yale's administrative and borrowing costs. Also, any student may convert the long term charge against earnings into an immediate fixed interest obligation at any time up to six months before graduation.

The postponed obligation of a student who marries will be computed on the basis of his or her separate income, or one-half of the joint income, whichever is higher. For example, a housewife with no separate earnings will compute her obligations on the basis of one-half of the joint income.

"Frankly Experimental..."

President Brewster emphasized that "the tuition postponement option is frankly experimental. The effort is to find out what the problems and possibilities of such a device are. The time seems right since this year even a traditional tuition increase will hit students and their families specially hard in view of the decline in real incomes."

Yale's tuition plan will offer a practical demonstration of an approach to student aid and tuition charges which has been talked about in educational circles for more than a decade. Unlike a plan proposed several years ago by Professor Zacharias of M.I.T., Yale is not linking the tuition postponement option to an out-of-scale tuition increase.

"We do not for a moment believe that asking students to invest a small charge against their future income will or should allow us to raise charges anywhere near the full cost of education. It will not even close the budgetary gap we now face. However, it will, if it works, offer some light at the end of an otherwise totally dismal financial tunnel without reverting to a policy of admitting students according to their parents' ability to pay," President Brewster stated.

Even with the adoption of the tuition postponement plan, Yale's deficit for next year is likely to be in excess of $3 million despite severe cuts in academic and non-academic staff.

Yale has been encouraged to launch the tuition option experiment by various foundations, government officials, and leaders of other universities, President Brewster pointed out. He voiced the hope that others

would be encouraged to develop comparable plans which would make it possible for students to attend the institutions of their choice by investing a small part of their future income in the expense of their education.

Yale will help meet its current expenses by borrowing the amount of the tuitions postponed while it waits for student repayments. There is always some risk of loss if the student payments should fall short of the amount of tuition postponed, plus Yale's cost of borrowing. The income projections on which the payment charge is based is sufficiently conservative so that the University feels the risk of loss is minimal. In view of the novel aspect of the plan, however, Yale is seeking additional pledges from alumni interested in the plan to enlarge a reserve against future losses. In addition, the Sloan Foundation has contributed a grant toward the costs of planning and starting the program.

* *

NOTE: President Brewster's statement of explanation to the faculty and students in Yale College is contained in a special pamphlet being sent to editors with this news release. The University is setting up a special office on campus to assist students and answer inquiries:

Tuition Postponement Option Office
Yale University
399 Temple Street
New Haven, Conn. 06511
Tel. (203) 436-8874

* *

CARNEGIE COMMISSION ON HIGHER EDUCATION

1947 Center Street
Berkeley, California 94704
(415) 849-4474

April 5, 1971

he President
he White House
'ashington 25, D.C.

ear Mr. President:

I have reviewed with great interest the Higher Education pportunity Act of 1971 embodying your legislative program or higher education.

Your emphasis on the goal of removing economic barriers o higher education is certainly to be commended. And the ubstantial funding increases over 1971 proposed for student ssistance programs to remove these barriers is a clear ndication of the Administration's commitment to this goal. ven so, I wonder if the proposed levels of funding will be dequate to remove effectively the barriers. The Carnegie ommission in its revised recommendations (issued June 1970) uggested that $1.2 billion be made available for Educational pportunity Grants and that almost an additional $1 billion e made available for Work-Study grants. This is almost our times greater than the amount provided for these purposes n the fiscal 1972 Administration budget. This substantial ifference in proposed levels of funding may result in part rom different estimates of numbers of students requiring inancial assistance but it also reflects different estimates f individual need and the Administration's greater reliance n loans.

The Carnegie Commission recommends a maximum grant to a tudent with full need in the amount of $1,000 per year and, epending upon his educational costs, he could qualify for Work-Study payment up to an additional $1,000 per year. hus, the proposed Commission maximum for combined Educational pportunity Grants and Work-Study payments is $2,000, just ouble that proposed in the Higher Educational Opportunity ct of 1971. This maximum of $2,000 would be available nly to those demonstrating full need whose combined ducational and subsistence costs amount to at least $2,000. he Commission believes that a student from a low-income amily should receive enough money through grants and work- tudy payments to enable him to attend a low-cost college

near home and that reliance on loans should be required only if the student wishes to select a higher cost institution or an institution at a greater distance from home.

Certainly there is a need for obtaining more funds for student loans and the proposed NSLA could substantially increase the amount of resources available for loans. The elimination of the forgiveness provision for teaching, the extension of the repayment period, and the increase in individual loan limits, are all improvements in the loan program. I believe, however, that even more is required to achieve a good loan program for students. Warehousing may increase the amount of money available for loans but it will leave unchanged many of the present aspects of the loan program that make loans unattractive and to some extent impractical as a technique for financing much of a student's cost of higher education. The National Student Loan Bank proposed by the Commission in June of 1970 provides both a mechanism for increasing resources available for loans at the same time it makes possible certain repayment terms and conditions more suitable to the needs of students.

There appears to be a great deal of flexibility at both the administration level and the institutional level as to the ratio between grants and work-study payments that could be made to a student from a low-income family. While I support very strongly a work-study program, I do believe that there should be some basic grant that could not be converted to work-study payments. The Commission has recommended that an institution should be able to transfer up to 10 percent of the funds it receives for any particular student assistance program to some other phase of the student assistance program. This makes some flexibility possible at the institutional level and perhaps an even higher percentage would be desirable, but the administration proposal seems to suggest almost too much uncertainty in the relationship between work-study payments and educational opportunity grants.

Removal of the matching requirements from the educational opportunity grants and the possibility of waiving the matching requirements for the work-study program in hardship cases seem to me to be admirable improvements in those programs.

The possible extension of student financial assistance programs to students in proprietary schools is a desirable move in terms of our efforts to view postsecondary education more broadly than in the past and to give equal consideration to students in vocational and occupational programs. But the

limitation of the program to students who are in full-time attendance suggests that the program is still too narrowly focused on the needs of the traditional college student. There appear to be growing numbers of students, particularly from low-income families, who must pursue their postsecondary studies on a part-time basis and it would seem that these students, if they could demonstrate need, should be eligible for federal student assistance.

Assuming that the student assistance program would go a long way toward removing economic barriers to higher education, access cannot be substantially increased without creating new places for students, particularly at the community college level. In the next decade, it seems likely that some three million additional students will seek admission to our postsecondary institutions. While this represents only a 50 percent increase over our present enrollment, it is the same absolute increase in enrollment which we experienced during the last decade. That expansion would, perhaps, have been impossible without aid from the federal government for construction of new facilities. With increasing evidence of financial stringency at the state and local levels, the need for federal construction aid to colleges and universities may be even more serious in this decade. I doubt that the proposed interest subsidies for construction loans will be adequate for this purpose.

There is also growing evidence of the need for direct aid to institutions from federal funds. Professor Cheit, whose Carnegie-sponsored report on The New Depression was recently released, suggests that between $300 to $100 million deficiency already exists in higher education. The Commission has not recommended any program of general formula institutional aid, but we have recommended some $900 million in federal cost-of-education supplements to institutions enrolling students from low-income families. This would provide support funds for those institutions that are making the greatest effort to achieve the national goal of equality of access for qualified students, the new GI Bill of Rights.

I believe that an effective student assistance program, cost-of-education supplements to institutions, and a program of construction grants and loans are all essential elements of a balanced program to achieve greater access to higher education. Elimination of any of these elements in a program of federal aid will tend to decrease the positive impact which would flow from implementation of the other elements. Thus I would urge inclusion in the federal aid program of more funds for construction as well as for cost-of-education supplements. With these inclusions, and possibly some modifications in the student assistance program, the Administration's proposal would constitute a highly effective

federal program for higher education. With the addition of the National Foundation for Higher Education, the Administration's legislative program could go a long way toward creating the conditions necessary for higher education to expand and undertake desirable reform without loss of quality in the years immediately ahead.

Best wishes,

Clark Kerr

cc: Eliot Richardson
Sidney Marland
Honorable Edith Green
Honorable Claiborne Pell
Honorable Carl Perkins
Honorable Harrison Williams

3035

LUBBOCK CHRISTIAN COLLEGE
5601 WEST NINETEENTH STREET
LUBBOCK, TEXAS 79407

W. MATTOX, PH.D.
PRESIDENT

June 11, 1971

Senator Claiborne Pell
United States Senate
Washington, D.C.

Dear Senator Pell:

Your report for the Summer of 1971 has reached my desk and I am delighted to have been included in the mailing.

I especially want to commend you for your understanding and foresight in your higher education bill which would provide grants to students of low income families who need to attend college.

To emphasize the need for such legislation, Lubbock Christian College is in an area of West Texas in which the Mexican American people are multiplying in large numbers, while at the same time, they are on the lowest level of our economic structure. Very few of them complete high school, and very few of those who complete high school enter college.

We have about 50 of these students who would like to attend Lubbock Christian College this fall but who have no funds. The federal Economic Opportunity Grants are entirely inadequate and even so, our small grant was cut drastically for next fall. We made a trip to Washington and visited all the federal agencies and were unable to discover any funds. We did make application with the Economic Opportunity Office where we heard there was money, and we applied for assistance in carrying on this program, asking for aid for a special Mexican-American counselor to help meet the needs of these students during their orientation and adjustment to college period, but were unable to receive any allocation.

It is my feeling that these agency people feel these needs are being met, for for those in the field trying to render this service, it is another story.

Please continue to push in this direction and if we can be of any assitance, we will be delighted for you to call on us.

Sincerely,

F. W. Mattox

F. W. Mattox
President

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SOUTH DAKOTA STATE UNIVERSITY
BROOKINGS, SOUTH DAKOTA 57006

OFFICE OF THE PRESIDENT

May 17, 1971

Chairman Claiborne Pell
Senate Subcommittee on Education
Washington, D. C. 20036

Dear Chairman Pell:

We are extremely happy that your Subcommittee on Education of the Senate Committee on Labor and Public Welfare is taking a very careful examination of the problem of Institutional Aid being made from the Federal Government. Certainly we have manifold problems these days in financing all governmental services, but we have a particularly acute problem in higher education in our state-supported institutions. We have heard a great deal about the problems of private schools of higher education but very little has been mentioned concerning our public problems. Here in South Dakota, for instance, our State legislature was not in a position to make any increases this year. We were already well below national level in salaries and operating expenses; thus making it a particularly serious problem for us. We happen to be a state with relatively few people and consequently, a small tax base. There are some who can say that this is not a problem of national concern; on the other hand, the thing that has kept our population base small is that we have been exporting young people. This has been particularly true of those that have had the advantages of a college education at our state supported institutions since we handle a large number of students in our state. These young people, consequently, go into the National Labor Market well prepared and we feel there is an obligation on the part of others to help in financing this education.

We trust that the mobility of our college students from this and from many other states will be given careful consideration by your committee as you consider this extremely important problem.

Sincerely yours,

H. M. Briggs
President

HMB/jr
cc: Ralph K. Huitt

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NEBRASKA ASSOCIATION OF INDEPENDENT COLLEGES AND UNIVERSITIES

March 9, 1971

President
President Vance D. Rogers (NWU)

Vice-President
President Philip Heckman (Doane)

Secretary-Treasurer
William F. Kelley, S.J.
218 - Bergan Hall
Creighton University
Omaha, Nebraska 68131
(402) 536-2890

Member Colleges
College of St. Mary
Concordia
Creighton University
Dana
Doane
Hastings
Midland
Nebraska Wesleyan University
Union
York

To the Honorable Members of the United States Congress from Nebraska:

The state of Nebraska is served by ten independent, fully accredited colleges and universities. This service extends back almost one hundred years. The presidents of all ten institutions appreciate the opportunity of meeting with our representatives in Congress. We express gratitude to the Congress for past acts and policies that have provided support for students and programs in the private sector.

We wish to call attention to the present state of independent higher education, both in Nebraska and across the nation. Trends that have been twenty years on the march now bring us to a critical present. Non-public education is entering a decade of decision, in fact survival. We point with pride to the vigor and quality of higher education in the United States, created in a large part by the existence of a dual system. Any study of higher education in other lands quickly indicates that the absence of a private sector has produced a monolithic system that does not serve its nation well.

It appears probable that the best efforts of the independent colleges will not be enough, if unaided. We, therefore, acknowledge the important role of federal programs over the past thirty years. Wise attention must be given to the present. If revenue sharing with the states is substituted for any part of federal assistance, appropriate safeguards must be introduced to make support available for both public and independent institutions. Absence of such safeguards could further restrict the flow of funds to the independent colleges. Recent decisions to terminate construction grants leaves many colleges with aging and incomplete facilities. The shrinkage of funds for libraries, equipment and general science purposes throws responsibility back on general budgets already pinched between the rising costs of operation and the lessening ability of the public to pay charges close to cost.

We hereby declare our desire to provide high quality, exercising the flexibility that the independent sector enjoys, being innovative and providing Nebraska with centers of initiative. We offer our services in whatever ways appropriate in support of proposals made in Congress, in the providing of information and in the education of constituencies.

P.H.

3038

The City University of New York
Graduate Center: 33 West 42 Street, New York, N. Y. 10036

Ph.D. Program in Economics

February 9, 1971

Senator Claiborne Pell
United States Senate
Washington, D.C.

Dear Senator Pell:

I noticed a brief description of your "higher education financing bill" in the New York Post last night. I think the idea is excellent, and indeed, I have proposed almost the same thing in a paper published in the American Economic Review. The only difference is that you plan to supplement welfare payments whereas I suggest a change in the criteria for welfare.

I am enclosing my paper which provides some theoretical and emperical support for your plan. Your proposal might also be extended to provide payments for high school students as well.

I would be happy to correspond with you further on my paper and your bill. I am also interested in seeing the bill as a whole, if you could send me a copy.

Sincerely,

Lewis C. Solmon

Lewis Solmon
Asst. Professor of Economics

LS:hm

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THE AMERICAN ECONOMIC REVIEW

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REPRINT

The Journal of
THE AMERICAN ECONOMIC ASSOCIATION

3055

A Note on Equality of Educational Opportunity

By Lewis C. Solmon*

"It will be profitable as mere investment to give the masses of the people much greater [educational] opportunities than they can generally avail themselves of" . . . "General ability depends largely on the surroundings of childhood and youth."

Marshall-*Principles*

Most studies of equality of educational opportunity have begun by looking at the roles played by sociological factors and by various inputs of school systems in achieving the school's goals. Goals include increasing the incomes of students in their postschool lives or, in the shorter run, maximizing Scholastic Aptitude Test scores of students (see Samuel Bowles). Finis Welch concludes that the systematic differences in returns to schooling by states are determined by the multiple of quality of schooling and the value of the marginal product of education. James Morgan and Ismail Sirageldin report evidence of association between the amount a state spends per year on primary and secondary education and the subsequent earnings of people who went through those school systems. Some might conclude from the previous studies that the way to effect "equality of opportunity" in education for subgroups in society is to increase expenditures per student by raising teacher salaries and reducing classroom size in schools attended by these underprivileged groups (see James Coleman et al.,). Others might even use the significance of the race variable as an argument (incorrectly in my view) for busing students to reduce the proportion of blacks in the ghetto schools.

It is argued here that although higher salaries and smaller classes, in ghetto schools as compared to suburban schools, will move toward equating quality of schooling available for those who attend, equality of educational opportunity will not be achieved because of inability to act on an available opportunity. To achieve equality of educational opportunity for low income students, we must take cognizance of the different effects family income and opportunity costs (foregone earnings of students) have on decisions about schooling by families of different socioeconomic classes. Family income is important because its level affects the ability of the family to provide at home complements to in-school learning. The importance of opportunity costs arises because any amount (or percentage) of family income which must be foregone when a potential earner stays in school probably will hurt a poor family more (or in different ways) than will the same amount foregone by a wealthy family.

The latter point is based on the assumption of diminishing marginal utility of income. More precisely, it is asserted that the sacrifice of any *percentage* of family income becomes more "painful" as family income declines. In the present context, adjustments necessitated by a $300 reduction in income for a family earning $3,000 probably hurt a youth's ability to benefit from schooling more than does a $600 reduction (or even a $700 reduction) in income of a family earning $6,000.[1]

The calculations made in Table 1 show that a larger portion of family income must be foregone, on average, when a nonwhite or Southern family sends a child to school, compared to other families. If it is assumed that a family sending its teenager to school gives up the median income of 14 to 19 year olds, then a Southern nonwhite family sacrifices 26.56 percent of its median family income by so doing. The typical family in the

* City University of New York and the National Bureau of Economic Research.

[1] This argument is analogous to the argument for progressive taxation which asserts that in order to equalize the "burden" of the tax, higher income groups should be taxed at *higher* rates rather than at the same rate as all groups.

TABLE 1—FRACTION OF FAMILY INCOME CONTRIBUTED BY A 14 TO 19 YEAR OLD CHILD

	U.S. Total	U.S. Nonwhite	North-east	North Central	South Total	South Nonwhite	West
(1) Median family income	$5,663	3,169	6,195	5,898	4,467	2,319	6,342
(2) Income of those aged 14–19	$ 700	650	713	708	670	617	750
(3) Fraction of family income contributed by a child aged 14–19	.1236	.2051	.1150	.1198	.1564	.2656	.1181
(4) Enrollment per population aged 14–19	.7394	.6921	.7488	.7560	.7076	.6949	.7650
(5) Fraction of pupils enrolled attending daily	.900	.889	.898	.888	.892	.881	.929
(6) Fraction of those aged 14–19 attending daily	.6654	.6152	.6724	6713	.6311	.6122	.7106

Sources

(1) *1960 Census*, Subject Report, Sources and Structure of Family Income, Table 2.
(2) *1960 Census*, Subject Report, Educational Attainment, Table 6. (Weighted by total population aged 14–15, 16–17, 18–19, in each group.)
(3) (2) divided by (1).
(4) *1960 Census*, Subject Report, School Enrollment, Table 2.
(5) *Statistics of the State School Systems 1959–1960*, p. 46. (Nonwhite is the regional total figure multiplied by the ratio of the South to the *U.S.* total.)
(6) (5) multiplied by (4).

United States as a whole gives up only 12.36 percent of its income by sending a comparable child to school. It is interesting to note that days attended per population aged 14 to 19 varies inversely with the percent of family income foregone by sending a child to school and varies directly with median family income.

These calculations are necessarily crude. However, the point to be made is still valid if the fraction of family income foregone were equal for different groups as long as the levels of incomes of the two groups are different. Table 2 attempts to refine the estimates of earnings foregone by replacing median income of those 14 to 19 with the difference between earnings of youths who were in school and youths not in school. The data here show almost identical shares of family income foregone in the four race-region classes. Of course, if students work during out of school hours they reduce the burden of lower family income but also reduce out of school time available to be spent on their studies.

Three completely different problems must be dealt with in order to bring about equality of opportunity in education. The usual point is that to improve quality of ghetto schools, the expenditures per student in these schools must be increased. However, the differential impact of foregone earnings points to a second problem. In order to get the poor to send their high school aged children to schools of *any* quality, the cost in terms of proportionate reduction in family income must be reduced for low income families. Perhaps direct payments to these families based on sending their children to school (rather than welfare payments based on the *number* of children) are the answer. This policy would reduce the immediate cost of the decision to enroll the child in school. This point may be minimized by claims that poor families can lessen the income loss by resorting to capital markets. However, capital markets are imperfect, with respect both to availability and cost of funds to the poor, and to the traditional dislike of many families to borrow at all.

It has been suggested that since the poor have lower opportunity costs than the rich, they should demand more schooling. That is, if both groups have the same demand curve relating opportunity costs (the price to the individual) and quantity of schooling, the price is lower for the poor and so, quantity should be larger. However, both lower

TABLE 2—EARNINGS FOREGONE BY TEENAGE STUDENTS AS A FRACTION OF FAMILY INCOME

	North Whites	North Nonwhites	South Whites	South Nonwhites
(1) 1959 earnings for youths not in school in 1960	761.6	466.1	579.0	292.4
(2) 1959 earnings for youths in school in 1960	209.9	107.7	173.8	96.9
(3) Earnings foregone	551.7	358.4	405.2	195.5
(4) Median family income	6,306	4,191	4,913	2,319
(5) Fraction of family income foregone by sending a child to school	8.75	8.55	8.25	8.43

Source:

(1) and (2) from unpublished tables of Giora Hanoch. Youths are 14 to 18 years.
(3) (1) minus (2).
(4) See Table 1, source 1. Incomes for North whites and nonwhites and Southern whites were obtained by taking weighted averages using data on number of families in each group.
(5) (3) divided by (4).

income and lower rates of return are factors causing the demand curve of the poor to be lower than the demand curve of the rich. It cannot be argued that poor families should have a "longer run view" of the education decision and look at rates of return rather than merely at costs. Gary Becker (1964) has shown that rates of return are lower for nonwhites (usually the poor class) than for whites. Probably the poorer the family, the shorter its time horizon for decision making.

The differential impact of opportunity costs implies that children from poorer familes get lower quality education (or less opportunity to obtain equal quality education) even if they attend the *same* school as children of wealthy families. The loss of 10 percent of income for a family earning $3,000 has several implications: certain goods and services formerly purchased in the market will have to be produced in the home. According to Becker's theory of allocation of time (1965), as income declines when a family sends a child to school, household time is substituted for market goods in producing consumer utility. Probably, the student will have to reduce his nonschool study time in order to help with the household activities. Moreover, other members of the family will have less time to spend in assisting and encouraging the student. This lack of home stimulation has been demonstrated to be a problem in low income families which has lowered achievement in school of children from these families. Consumption of certain commodities will have to be reduced. These may include books, lamps, clothing, and nourishing foods, all complementary to schooling.

Pressure to take part-time jobs and increase household production, lower levels of complementary goods, and a less favorable home environment reduce the student's ability to get the most out of his school attendance. Compared to the student from the home having a high median income the poor student's opportunity to benefit from education has been reduced.

Finally, it has been suggested that since on average, poor black families have more children than wealthy white families have, the income sacrificed by sending any *one* child to school is less for the poor. Table 3 provides information on this point. Rather than using median regional incomes as in Tables 1 and 2, take median income for a nonwhite family with three or more earners ($5,357) and median income for all families with two wage earners ($6,671). This adjusts incomes to allow for more people of working age in a black family. If these are divided into earnings of the corresponding

TABLE 3—MEDIAN INCOME BY FAMILY SIZE AND NUMBER OF EARNERS

	U.S. Total	White	Non-White
Median Family Income When Number of Persons in Family is:			
2	4,651		
3	5,861		
4	6,289		
5	6,309		
6	6,093		
7+	5,349		
Median Family Income When Number of Wage Earners is:			
0	1,499	1,577	973
1	5,179	5,379	2,757
2	6,671	6,911	4,099
3+	8,775	9,152	5,357
Population per Household	3.29	3.23	3.85
Average Family Size	3.65	3.58	4.31

Source: Census of Population 1960.

14 to 19 year old, the black family appears to sacrifice 12.13 percent of its income by sending one child to school whereas the *U.S.* average sacrifice is 10.49 percent. Although the difference has narrowed, the black family still gives up a higher percentage of family income. Moreover, as noted earlier, an assumption of diminishing marginalutility of any fraction of income implies that even equal percentage sacrifices will hurt a poor family more than a rich family.

Conclusions

Certainly attempts to buy higher quality teachers and to have them teach smaller groups will increase the educational opportunities of students from poor families. However, there are definite limits to the effectiveness of this policy. The cost in terms of proportionate reduction in opportunity cost must be reduced for poor families to move toward real equality. Children from poor families who attend school reduce family income by a larger percentage than do children from rich families. Hence, the poor family is likely to consider school a greater hardship and so is less likely to enroll its children. Moreover, any percentage reduction in family income (due to school attendance) is more likely to cause adjustments in living patterns that will hurt a student's ability to benefit from schooling if the family is poorer.

Incentive payments for poor families to send their children to school would reduce the differential influence of opportunity cost on the decision to enroll, would enable the greater availability of household goods which complement schooling, and would increase the rate of return to schooling for the children of poor families.

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WEST VIRGINIA WESLEYAN COLLEGE
Buckhannon, West Virginia 26201
DEVELOPMENT OFFICE
Telephone (304) 473-7332

January 19, 1971

The Honorable Robert C. Byrd
United States Senator from West Virginia
United States Senate
Washington, D. C. 20510

Dear Senator Byrd:

Much of the current Federal Legislation relating to higher education has a "Maintenance of Effort" provision which requires an institution to show net educational expenditures for the current year to always exceed those of the previous fiscal year in order to be eligible for federal funding.

This provision has not been a matter of concern for most public supported institutions, but two years ago it became obvious that most privately supported institutions were facing a downward trend in enrollment and an upward trend in costs, which has now placed many private institutions in a financial bind or facing serious financial problems. Therefore, it is not good management on our part to continue deficit spending in order to qualify for federal funds and this was brought home to us last month when we were asked to send in a proposal under Title VI-A of the Higher Education Act of 1965 for equipment and materials. West Virginia was allocated some $70,000 of the total $7 million appropriation for this purpose and all colleges and universities in West Virginia were invited to file proposals for equipment and materials to improve undergraduate teaching by December 31, 1970.

Wesleyan's enrollment this current academic year is approximately 35 students less than last year and our costs continue to rise so we have naturally reduced our expenses considerably and upon completion of the appropriate forms for a Title VI-A grant we, of course, came out with a negative figure of some $19,000 expenditures projected for this year as compared to last year's expenditures and, consequently, are not eligible to apply for help when we need it most.

I believe the "Maintenance of Effort" provision is included in several other federal programs aiding higher education, and I know this is a fact for the Library Resources Program because we recently had to return $2,300 to the Federal Government because we were unable to maintain the required expenditures. To me this is false economy and certainly places most of the private schools at a disadvantage when our enrollments are gradually going down and our costs are going up. I sincerely hope that you will give this very serious matter your consideration and take early action to amend this provision if possible so that the private schools once again may be eligible for support under these federal programs.

Sincerely yours,

Herbert L. Sharp
Director of Development

HLS:ls

WEST VIRGINIA WESLEYAN COLLEGE
Buckhannon, West Virginia 26201
DEVELOPMENT OFFICE
Telephone (304) 473-7332

February 2, 1971

Mr. Stephen J. Wexler
Counsel
Subcommittee on Education
United States Senate
Washington, D. C. 20510

Dear Mr. Wexler:

This is in response to your letter of January 25, 1971, to the Honorable Robert C. Byrd, in which you solicit my permission to include my letter to Senator Byrd on the policy question, "Maintenance of Effort," in some of the federal legislation designed to assist higher education.

We are pleased to have you include this letter in the hearing record and I hope some of the smaller, private, church-related institutions represented by the American Association of Colleges will be given an opportunity to add additional comments and testimony when the Subcommittee on Education is considering federal legislation affecting institutions of higher education.

We recognize that some criteria for federal assistance to institutions of higher education is necessary but in view of the present trend where fewer and fewer students are attending private institutions, the "Maintenance of Effort" provision makes many of the private institutions ineligible for federal support at a time when the support is needed most.

We appreciate your concern on this matter and we are pleased that the question will be considered by the Senate Subcommittee on Education.

Sincerely yours,

Herbert L. Sharp
Director of Development

HLS:lb
cc:Robert C. Byrd

In the service of Christian higher education since 1890

APR 1 1971

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March 26, 1971

Senator Claiborne Pell, Chairman
Subcommittee on Education
Senate Office Building
Washington, D.C.

Dear Senator Pell:

Press reports indicate that your Subcommittee is or until very recently has been holding hearings on the financing of public education.

The California Labor Federation, AFL-CIO, favors modernizing reclamation law as one means of lightening financial burdens on taxpayers and of improving the financial condition of education (see enclosed copy of California AFL-CIO News).

When giving away public lands the Congress allotted 94 million acres to the support of education between 1803 and 1966. Why not follow this historic example as we give away public water?

If there is still time, this Federation would like to submit a statement of this plan to your Subcommittee for inclusion in the printed record of your hearings. Please advise this office if this is possible.

Sincerely,

John F. Henning
Executive Secretary-Treasurer

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Enclosure

California AFL-CIO News

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JOHN F. HENNING 151
Executive Secretary-Treasurer

Oct. 2, 1970
Vol. 13—No. 40

Tunney Whacks Murphy's Plan To Bar Strikes

John V. Tunney, labor-backed candidate for the U. S. Senate, has sharply attacked proposals advanced by U. S. Senator George Murphy aimed at abolition of the right to strike.

In an address to the Los Angeles Federation of Labor last Saturday, Tunney described Murphy's statements as amounting "to the greatest peril to organized labor in California since right-to-work was defeated in 1958."

Tunney said that "Murphy, after much hemming and hawing in two recent speeches, has proposed the abolition of the right to strike."

Noting that Murphy has been "obscure in his proposal to set up all-powerful courts to force labor settlements," Tunney said:

"He hasn't spelled out the total authority of these labor courts and, so far at least, he's

(Continued on Page 2)

Use Water Plan Funds for Schools, State Fed Urges

The California Labor Federation this week spelled out its support for government policies that would let all taxpayers share in the benefits that flow from the investment of public funds in federal projects that bring water to arid lands instead of letting the bulk of the benefits pour into the pockets of land speculators.

The State AFL-CIO's position was spelled out in a paper distributed at the Western States Water and Power Consumers Conference in Salt Lake City Monday and Tuesday, September 28-29, 1970 by Paul Taylor, Economist and Research Director for the State Labor Federation.

Asserting that "water is a pub-

(Continued on Page 3)

Reagan-Backer Salvatori Tops List of Contributors

Henry Salvatori, a wealthy California oil man recently cited by Democratic gubernatorial candidate Jess Unruh as a significant potential beneficiary of Governor Reagan's 1970 tax shift plan, has just won another distinction.

One of the most comprehensive surveys of political contributions by corporation executives ever made reports that Salvatori, a director of Litton Industries and a member of Reagan's Kitchen Cabinet, was the nation's top individual contributor to Republican Party coffers during the 1968 political campaign of those in the survey.

The survey, compiled by the Citizen's

(Continued on Page 2)

Reagan's Safety Bill Veto Spurns Workers: Henning

"Governor Ronald Reagan showed total disregard for the safety of California workers by his recent veto of a labor-backed bill that would have required the Division of Industrial Safety to investigate complaints of safety code violations or unsafe places of employment," John F. Henning, Secretary-Treasurer of the California Labor Federation, AFL-CIO, charged this week.

"The Governor's veto," Henning said, "mocks the tragedy of the alarming increase in the number of deaths and disabling injuries in the construction industry."

Last year, he pointed out, 21 more workers lost their lives than a year earlier and disabling injuries, in just the first three months of this year, were more than 25 percent higher than the same period last year.

The measure, AB 1383 was introduced by Assemblymen Leo McCarthy and Walter Powers at the request of the State Build-

(Continued on Page 4)

I.A.M. Parley Urges Support For U.S. SST

A resolution urging support for the development of a supersonic transport (SST) has been adopted by the Western States Conference of Machinists.

The resoltuion, adopted at the organization's recent 33rd convention in San Diego, says that the nation's stake in the development of the SST is "enormous" and asserts that it would create 50,000 jobs "not only at Boeing and General Elec-

(Continued on Page 4)

Here's Where To Call To Help COPE Candidates

With the voter registration job successfully concluded, California trade unionists need to turn their fullest energies to bear on voter education and get-out-the-vote efforts during the few weeks remaining before the Nov. 3 General Election, John F. Henning, executive officer of the California Labor Council on Political Education, AFL-CIO, declared this week.

Henning wrote all affiliates last week to urge a maximum effort to mobilize the talents and energies of all women relatives of trade unionists in this campaign, noting that:

"Unless we get the story of Labor to the people of California we will be overwhelmed by Big Business on Nov. 3."

Volunteers are urged to call

(Continued on Page 4)

Nixon's Top School Job Nominee Hit

Vigorous opposition to President Nixon's nomination of Sydney P. Marland, Jr. as U.S. Commissioner of Education was voiced by the California Labor Federation, AFL-CIO this week.

Terming Nixon's nomination "a direct affront to the teaching profession" and "a threat to the future of public education," John F. Henning, executive officer of the State AFL-CIO, called on all AFL-CIO affiliates in California to write or wire California's two U.S. Senators — George Murphy and Alan Cranston—immediately to urge them to oppose the Marland nomination.

Henning pointed out that AFL-CIO President George Meany has described Marland as "an outspoken enemy of the right of teachers to join to-

(Continued on Page 2)

Reagan-Backer Salvatori Tops List of Contributors

(Continued from Page 1)

Research Foundation of Princeton, N.J., reports that Salvatori and his wife contributed $90,000 to the Republicans.

It also reported that 11 of Litton Industries' 29 listed company executives in 1968—representing more than one-third of the huge corporation's top brass—gave a total of $151,000 to the Republican Party and nothing to the Democrats.

Litton Industries ranked 14th among the 25 top contractors in fiscal 1968 on the Department of Defense (DOD) contractor's list, the report said.

All told, the study said that officials of 49 companies that ranked among the top 25 defense, space, and nuclear contractors in fiscal 1968 gave at least $1,235,402 to political campaigns during the year and that Republicans received nearly six times as much of that money as Democrats. The survey said that $1,054,852 went to Republicans while only $180,550 went to Democrats.

But the importance of this survey for California workers—indeed for all U.S. workers lies not so much in the preeminence it thrusts upon Salvatori as a major Republican contributor as it does in the fact that it demonstrates the ease with which special interests can make huge donations to political campaigns, despite the fact that the Corrupt Practices Act of 1925 makes it illegal for any corporation to give money to candidates for the Presidency, the Vice Presidency or Congress.

The loophole is that the 1925 Act does not prohibit corporate executives from making political campaign contributions as individuals.

The survey points up the need for workers to study the record if they are to cast a vote in their own self-interest in the 1970 general election.

The record shows that California's incumbent Senator George Murphy, who enjoys oil man Salvatori's support, voted in favor of an amendment by Allen J. Ellender of Louisiana late last year that would have protected the oil industry's preferential tax treatment by boosting the oil depletion allowance back up to 27½ percent instead of going along with Senate Finance Committee recommendations calling for cutting it to 23 percent. The amendment was defeated despite Murphy's "No" vote.

And just last December, Murphy voted in favor of a one-sided attempt by reactionary forces to strip labor unions of their tax exempt status if they engaged in any political activity at the local state, or national level.

This amendment, known as the Fannin amendment, would have given the nation's big corporations virtually a free hand in the political field.

The immense influence exerted by the oil industry on the nation's political process was also underscored barely a year ago when a letter written in behalf of President Nixon to a county official in Midland, Texas, came to light.

The letter, written September 18 by White House aide Harry S. Dent, President Nixon's deputy counsel, said that testimony given earlier on tax reform by Nixon's Secretary of the Treasury, David M. Kennedy, which defended the House provision cutting the oil depletion allowance from 27½ to 20 percent would be "corrected very soon."

The letter said:

"The recent testimony given before the Senate Finance Committee is to be corrected very soon by the Secretary of the Treasurer. The President continues to stand by his campaign commitments.

"As you may know, the House did vote to lower the oil depletion allowance but this was an action of the House of Representative and not of the President."

According to the National Committee on Tax Justice, the continuation of the oil depletion allowance means that the federal government loses $1.6 billion in potential revenue each year.

With that kind of a tax loophole at stake, it's not surprising that big corporation executives should invest a million or so to protect it.

What's alarming is that many workers—those who in the end foot the bill for such tax loopholes—are taken in by candidates with records showing vote after vote against the workers' best interests.

Tunney Whacks Murphy's Plan To Bar Strikes

(Continued from Page 1)

latly refused to come right out nd say his proposal calls for o-strike sanctions against lao unions."

But, Tunney warned, the Republican incumbent is "proposing drastic and radical changes n American labor law."

Tunney, who has served three erms in Congress, said that hile it was not yet clear just ow far Murphy "wants to tip he balance against working en and women and in favor of ig corporations," one thing as clear:

"Murphy always has been on he attack against labor. Apparently he felt well enough ff with the salary and the redit cards from the Technicolor executive suite to vote gainst a minimum wage of 1.60 and against the extension f unemployment compensation nd other employee benefits."

Declaring that "Murphy has ways been on the side of onopoly business and against bor," Tunney charged that his pponent was apparently unching a new assault at a me when labor is hurt by rising unemployment, recession, nd the other no-win economic olicies of the Nixon Administration."

Top School Post Nominee State Fed Raps Nixon's

(Continued from Page 1)

gether in organizations of their own choosing" who has urged Federal anti-strike legislation for teachers.

The AFL-CIO Executive Council had unanimously urged President Nixon not to nominate Marland to the nation's top education post.

The position has been vacant since last June when Dr. James E. Allen, Jr. was fired following policy disagreements with the White House.

Marland has been president of the Institute for Educational Development since 1968, following his resignation as School Superintendent in Pittsburgh, Pa., after the American Federation of Teachers won a collective bargaining election.

Meany said that in Pittsburgh as well as in earlier posts in Connecticut and Illinois, Marland "took an uncompromising position against unions for teachers."

In Pittsburgh, Marland had opposed both the American Federation of Teachers and the National Education Association, holding to a declared policy of "no bargaining and no negotiating," Meany said.

Just last Spring, Marland urged enactment of federal legislation to deny teachers the right to strike. In a statement to the House Education and Labor Subcommittee, Marland suggested that "student rebellion . . . vandalism . . . obscenity" might be linked to the poor example set by teachers who have gone on strike.

While conceding that better pay and working conditions for teachers may have been "long overdue and justified," Marland complained that the outcome is that "public funds have been diverted to teacher benefits as against other school needs."

The Senate Labor and Public Welfare Committee, chaired by Senator Ralph Yarborough (D-Texas) is expected to take up the nomination within the next two or three weeks.

Seafarers' School

The Seafarers' Harry Lundeberg School of Seamanship at Piney Point, Md., graduates more than 1,000 recruits in a typical year. In addition the facility is responsible for upgrading about 800 seamen in the unlicensed ratings and preparing another 300 for examinations to qualify as licensed deck and engineering officers.

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Labor Urges Use of Water Project Income for Schools

(Continued from Page 1)

lic resource," Taylor said:

"The money that finances its development is public money. The environment created by that development surrounds the public that lives within it.

"Public interest should guide development, not private pressures that destroy policy. The time has come to modernize the 160-acre statute, but not to destroy it."

In regard to the danger of imminent destruction, the State AFL-CIO Economist was referring to a measure currently pending in Congress which is backed by Senator George Murphy and Governor Ronald Reagan that would let land speculators reap vast unearned profits from publicly financed reclamation projects such as the Central Valley project which has brought water to thousands of acres of land along the East side of the San Joaquin Valley.

The hangup has been that large landholders have refused to comply with federal reclamation law which requires them to sign recordable contracts agreeing to divest themselves of excess acreage (acreage in excess of 160 acres per person or 360 acres for man and wife) within 10 years after receiving benefits from that project.

The California Labor Federation, Taylor explained, supports government purchase of excess lands at the pre-water price.

The State AFL-CIO pointed out that revenues from the sale or lease of such lands could be assigned to public purposes, including education, the Land and Water Conservation Fund, or used simply to replenish the hard-pressed national treasury.

Taylor, who was elected to the organization's Board of Directors during the two-day meeting, pointed out that the policy statement on Natural Resources adopted by the California Labor Federation's convention in San Francisco last month noted that "in California alone there are 900,000 acres owned in excess of the legal limit."

The Federation's policy statement urged "that a generous share of the revenues from resale or lease of lands so purchased be assigned to public purposes, particularly to education, to the National Land and Water Conservation Fund" and to public planning of a decent environment with open spaces and agricultural green belts.

It also urged the creation of a public authority with power sufficient "to plan land use effectively in reclamation areas and so to create an environment of quality."

Labor Urges More U. S. Aid to Schools; Hits Denial of Pay Hike to U. C. Faculty

A plea for "greatly increased federal financial aid to all levels of public education" and a condemnation of the Reagan Administration's singling out of the faculties of California state colleges and universities by denying them a five percent cost-of-living salary increase that was granted to other state employees were among the highlights of a policy statement on Education adopted by delegates to the California Labor Federation's Eighth Convention in San Francisco last month.

In emphasizing the need for more federal financial aid to education, the delegates pointed out that the federal government "is the richest source of funds" and that revenues for education "should be raised from progressive, rather than regressive taxes."

They emphasized that the costs of education have risen for a variety of reasons including population growth, inflation, and improvements in quality education standards. It also results from the fact that some 40 percent of today's youth are seeking college educations compared to two percent a century ago, they said.

Noting that the State Commission on Education estimated that in 1967-68 61 percent of local school revenues came from local sources, mainly property taxes, while only 34 percent came from the state and five percent from federal grants, the delegates said:

"With the generally recognized need to relieve rather than to add to the present burden of local property taxes, coupled with growth in student enrollment, inflation of dollar costs and the need to expand educational opportunities and to institute programs for children from low-income and minority groups, the necessity to rely increasingly upon state and federal sources is obvious."

They pointed out that "great inequities" exist between various school districts with the result that light tax burdens are imposed on some and heavy burdens on others. This is all the more reason why more federal aid is essential, they said.

Among other things, the delegates:

- Called for enactment of legislation extending collective bargaining rights to teachers and giving them a greater share in educational decisions.
- Defended the traditional right of dissent and academic freedom.
- Deplored the violence of "the microscopic minority of students who, by terrorism and vandalism, have defiled democratic processes."
- Pledged the State AFL-CIO's continued opposition to the imposition of tuition at the state college and university levels.
- Opposed the current "massive" cuts in the university and state college budgets.
- Called for enlarging such programs as Headstart, Teacher Corps, special classes in English, and school lunches.
- Urged the development of more realistic curricula in social studies to present the history and role of organized labor, minority, and low-income groups adequately.
- Urged expansion of adult education and labor education.

Hackler Named As Assistant to CWA President

Richard W. Hackler, a vice president of the California Labor Federation, AFL-CIO, and vice president of CWA District 9, has just been appointed as Assistant to the President of the CWA by Joseph A. Beirne.

Hackler is scheduled to take up his new duties in the CWA's Washington, D.C. headquarters in mid-November.

James B. (Jim) Booe has been elected by the CWA's Executive Board to succeed Hackler as Vice President of CWA District 9, a district encompassing the states of Washington, Oregon, California, Nevada, Alaska, and Hawaii, and part of Idaho.

'Nixon Economics -- A Cure More Painful Than Disease'

"We recognize fully that it is the bankruptcy of Nixon economics that is watering down our purchasing power and endangering our jobs. . . . It is possible that this kind of 19th century, blunderbuss economics may ultimately end inflation, but whether it does or not, the cost of the cure for millions who are jobless or working short-time is already more painful than the disease."—I. W. Abel, President of the AFL-CIO United Steelworkers in an address to the union's convention in Atlantic City, N.J., Sept. 28, 1970.

Volunteers Sought To Aid Quake Victims

The Peace Corps need 28 apprentice carpenters, eight architects and 10 civil engineers to help rebuild homes and schools wiped out by the massive earthquake in Peru that killed 50,000 and left 800,000 homeless on May 31, 1970.

Prospective volunteers in San Diego may phone (714) 293-5525; those in Sacramento (916) 449-3388; those in San Francisco (415) 556-8400; and those in Los Angeles (213) 688-3454.

Meany Stresses Urgency of Nat'l Health Insurance

Health care is "a basic human right" and the sooner Congress acts on national health insurance, the better it will be for the American people, AFL-CIO President George Meany declared in the course of an appearance before the Senate Labor & Public Welfare Committee to affirm labor's "complete, unequivocal support" for national health insurance and to stress the urgency of the problem.

But the Nixon Administration lost no time in denouncing national health insurance legislation as too costly and not the "proper" approach.

Under Sec. of Health, Education & Welfare John G. Veneman told the committee that the Administration "simply cannot subscribe to the idea that we must now break—utterly and totally—with the past."

The hearings, chaired by Sen. Ralph M. Yarborough (D-Tex.), marked the first public exploration of national health insurance in 20 years. Meany conceded that Congress will not be able to reshape the nation's health care system in the few weeks remaining to the 91st Congress.

But, he emphasized, "We do want action early in the next session. The need is too great and too urgent for Congress to delay acting on national health insurance beyond 1971."

He called on Congress to combine the best features of the "carefully thought-out" bills introduced by a bipartisan group of senators and by Rep. Martha W. Griffiths (D-Mich.) and numerous co-sponsors.

But he warned against a "medi-credit" bill, backed by the American Medical Association, as "legislative quackery designed to salvage as much of the old order as possible, and to do a little as possible about providing health care for all."

The Senate committee also heard strong support for national health insurance from Auto Workers Pres. Leonard Woodcock, who testified as chairman of the Health Security Action Council.

Woodcock said he had come to Washington despite the pressures of the General Motors strike because the health care bill is "vital to our members and to all working people." Private medical insurance, Woodcock said, has proved costly, wasteful and inadequate.

Meany restated labor's goals for a national health insurance program, including:

- Full coverage for "every man, woman and child in the nation."
- Comprehensive benefits, "including preventive, outpatient, inpatient and rehabilitative care."
- Financing "like social security with payments by employees at about the present scheduled Medicare rate, with the federal government and employers splitting the remaining payroll costs."
- Contracting for all medical services on a prepayment basis with groups of physicians and medical and dental societies.
- Free choice of physicians and of health delivery systems.
- Financial assistance for development of comprehensive health care systems.

The AFL-CIO's endorsement of the Griffiths bill early this year also applies to the legislation introduced by Yarborough, Sen. Edward M. Kennedy (D-Mass.), Sen. John S. Cooper (R-Ky.), Sen. William B. Saxbe (R-Ohio) and other co-sponsors.

Both "in their basic approach and fundamental philosophy," Meany noted, the House and Senate bills "are very close." He suggested that "by combining the best provisions of both, an even better bill than either could be enacted in the next Congress.

Here's Where To Call To Help COPE Candidates

(Continued from Page 1)

the County COPE or Central Labor Council nearest them listed below for information on how they can help.

Central Labor Council	Phone
Alameda	(415) 444-6510
Butte and Glenn	(916) 343-2356
Contra Costa	(415) 228-0161
Fresno and Madera	(209) 233-5189
Five Counties (Plumas, Modoc, Siskiyou, Shasta, Tehama)	(916) 243-0366
Humboldt and Del Norte	(707) 442-4575
Kern, Inyo and Mono	(805) 324-6451
Los Angeles County Federation of Labor	(213) 381-5611
Marin	(415) 454-2593
Marysville CLC	(916) 743-7321
Mendocino	(707) 274-1132
Merced	(209) 722-6639
Monterey	(408) 375-7410
Napa and Solano	(707) 643-4030
Orange	(714) 537-2021
Riverside	(714) 684-5335
Sacramento-Yolo	(916) 442-4983
San Bernardino	(714) 887-2508
San Diego and Imperial	(714) 234-0311
San Francisco	(415) 863-7011
San Joaquin and Calaveras	(209) 462-8338
San Luis Obispo	(805) 773-2453
San Mateo	(415) 343-1434
Santa Barbara	(805) 966-6876
Santa Clara	(408) 298-0500
Santa Cruz	(408) 426-0724
Santa Maria	(805) 925-5188
Sonoma	(707) 762-7388
Stanislaus	(209) 523-8079
Tulare-Kings	(209) 784-7842
Ventura	(805) 648-4032

Reagan's Safety Bill Veto Spurns Workers: Henning

(Continued from Page 1)

ing and Construction Trades Council of California headed by James S. Lee and was strongly supported by the State AFL-CIO, Henning said.

The measure had passed the Assembly with no opposition and cleared the Senate with very little opposition.

In vetoing the bill, Reagan said:

"The present policy of the Division of Industrial Safety places response to complaints concerning unsafe working conditions in the highest priority category while reserving some discretionary judgment based on the imminency of the hazard and the complaint."

"That's all he said," Henning pointed out, "and in my book that doesn't show any concern for the workers whose lives may be lost or bodies maimed by the state's failure to adequately enforce safety standards."

During the veto session last week, the Assembly sought to override the Governor's veto but the bill fell six votes short of the 54 votes needed to override.

The vote was 48 "Yes" to 9 "No". All nine "No" votes were cast by Republicans and 16 other Republicans failed to vote even though they had voted favorably on the bill when it first passed the Assembly.

The bill would have made it mandatory rather than permissive for the Division of Industrial Safety to investigate complaints of unsafe places of employment or safety code violations. It was opposed by the California Merchants and Manufacturers Association and by the Director of the Department of Industrial Relations, William Hern, a Reagan-appointee.

I.A.M. Parley Urges Support For U.S. SST

(Continued from Page 1)

tric plants but at the factories of sub-contractors and suppliers in 43 states."

Noting that President Nixon has chosen to proceed with the production of two prototype aircraft, the resolution says that "the continuance of the funding of this phase of SST development is now up to Congress" and calls on "all local lodges to contact their congressmen and senators urging them to support and approve the necessary funds as an investment in continued world leadership for American aviation and America's future prosperity."

The Machinists' resolution also warns that Russia, France and Britain "are years ahead in the development of supersonic transport aircraft."

40% of Workers Women

Today nearly two out of every five workers in the U.S. are women. Most of these women are married; half are over 30 years old.

ADVANCING VOLUNTARY LEADERSHIP IN A CHANGING WORLD

Chamber of Commerce of the United States

LEGISLATIVE ACTION GENERAL MANAGER
HILTON DAVIS

202-659-6140

1615 H STREET, N.W.
WASHINGTON, D.C. 2000

June 16, 1971

The Honorable Claiborne Pell
Chairman, Subcommittee on Education
Labor and Public Welfare Committee
United States Senate
Washington, D. C. 20510

Dear Mr. Chairman:

The National Chamber appreciates this opportunity to present our views to your subcommittee as it develops a legislative program designed to assist colleges and universities in a period of financial stress.

The business community, as you know, has long been an advocate and supporter of higher education. Indeed, estimates are that business support for higher education increased from $150 million in 1949 to $375 million in 1969.

We have reviewed a number of higher education bills, specifically S. 659, your own bill; S. 1062, S. 1072, S. 1073, and S. 1074, by Senator Javits; and S. 1123, by Senator Prouty.

This review prompts, first, some general observations.

Although some people contend the current problems in higher education are entirely financial, the National Chamber believes that the financial problems of colleges and universities are symptomatic of deep-seated conditions, the cure for which is not massive doses of financial antibiotics, however ingeniously applied.

This, of course, does not deny that there is a fiscal problem in higher education. However, it does suggest a need for serious reforms, as well as financial aid.

Unfortunately, most of the proposed bills make little provision for educational reform -- reform which most thoughtful people, in and out of the profession, believe is critically needed. And the reforms that have been advanced are scant in details. We think programs and incentives for reform in higher education should receive high priority.

All of the bills seem to assume that virtually everyone should go to college. We think this is a highly questionable assumption. The dropout rate among college students, the incidence of drug use among college students, and other symptoms of disaffection among the young indicate there is something disturbingly out of joint in the notion that more and more young people should be encouraged -- and even coerced -- into going to college.

This in no way argues against development of relevant post-secondary education programs as enunciated by Representatives Green, Quie, and Pucinski, Senator Javits, and others on several occasions. The renewed interest in career or occupational education is clearly a step in the right direction. But college has been oversold. We have diluted the quality of higher education by confusing higher education with more education.

Much of the fiscal difficulty incurred by colleges and universities is due in large measure to the absence of cost-effectiveness thinking by college officials. The principal reason for this is that they have not been subjected to competitive pressures to develop more effective, relevant education for less money. The scorning of cost-effectiveness and reform in higher education is best illustrated by the demands for federal, "no strings attached" financial aid by higher education organizations. Clearly, performance-based accountability demands should be placed upon colleges and universities.

As for the legislation on which you are now working, we ask that you consider the following specific points:

Institutional aid: Institutional aid should not be unrestricted, but should be tied to conditions for reform and accountability. Higher education institutions should be encouraged to apply the principles of cost accounting to their operations. Certainly, institutions seeking aid should demonstrate they are operating as efficiently as possible. Taxpayers should not be asked to subsidize low productivity in the colleges.

Student grants: The National Chamber supports student assistance through loans and other means, but it does not favor federal student assistance grants, to "guarantee" higher education.

Guaranteed higher education will dull initiative and ambition, and eliminate the necessity for commitment or sacrifice. It will destroy what is currently, to some degree, a natural selection process which assures that the strongly motivated student will seek higher education.

College and university tuitions should be adjusted to levels more commensurate with the actual costs of providing such education. Tuition rebates or other desirable forms of assistance should be available, as alternatives to federal grants, to qualified students with limited financial resources.

Loans: More opportunities should be provided for students to secure low interest loans. It is essential in setting up such programs that banking associations be consulted. Use of private lending institutions should be encouraged.

Work study: We support Representative Edith Green in her emphasis on self-help. This is an area that has been too long neglected. Programs of social services, which many of our youth are requesting, could be expanded, providing both remuneration for students and benefits to society.

Aimlessness in our young is, unfortunately, far too prevalent. There is nothing wrong in working for an education; it is wrong, however, to foreclose opportunities for higher education for motivated young people.

Planning grants for community colleges: Support should be given to states to assist them in planning for the establishment of community colleges with adequate provision for occupational programs.

We recognize the many complexities inherent in higher education legislation. The action of the 92nd Congress will set the course, not only for the life of the Act, but for a generation. The choice is whether we will have dry-well legislation which puts precious resources into programs in sore need of reform -- or whether we will seize upon the current crisis in education to develop new directions.

We will appreciate your consideration of these recommendations and we request that this letter be made a part of the hearing record on this legislation.

Cordially,

Hilton Davis

Hilton Davis
General Manager
Legislative Action

cc: Members of the
Senate Labor and Public Welfare Committee
Stephen Wexler, Subcommittee Counsel

3055

Towson
Baltimore
Maryland 21204

FIELD POLITICS CENTER **GOUCHER COLLEGE**

COMMENTS ON THE DRAFT

INTERNS FOR POLITICAL LEADERSHIP ACT

(S. 1410, H.R. 7187, H.R. 7248)

by

BROWNLEE SANDS CORRIN
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and
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14 June 1971.

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Towson
Baltimore
Maryland 21204

FIELD POLITICS CENTER

GOUCHER COLLEGE

14 June 1971.

SUBJECT

COMMENTS ON THE DRAFT INTERNS FOR POLITICAL LEADERSHIP ACT OF 1971. (S.1410, H.R. 7187, H.R. 7248), 92d Cong. 1st Sess.

FROM

Brownlee Sands Corrin, Professor and Chairman of the Department of Political Science (since 1958), and Director of the Field Politics Center (since 1954), Goucher College, Towson, Md. 21204.

A. General Remarks

The interest and support for legislative internships by many members of the Senate and the House is well known, of long standing, and widely appreciated by institutions and members of the academic community in this country whose academic programs in government and politics emphasize a combination or balance between theory and practice. Since the early 1950's, Congressional and academic interests have been aided and abetted by financial and program encouragement from organizations such as the Maurice and Laura Falk Foundation of Pittsburgh and the Ford Foundation, professional groupings such as the American Political Science Association, the U. S. Congress itself (in the recent past) through monetary allocations to individual members for intern purposes, and from many individual donors to, as well as institutionally supported programs (e.g., Stanford in Washington). In my judgment, there is high value in continued and expanded financial support for such programs; and I appreciate the endeavors of the sponsors of both the Senate Bill 1410 and House Bills 7187 and 7248 to demonstrate their recognition of merits in internships as well as the usefulness of financial assistance.

It is with some trepidation, then, that I feel compelled to criticise the draft bills as they are presently written, and, at the same time, suggest some alternative directions. I am making these criticisms and suggestions in the belief that the sponsors have not had the opportunity to hear from the many individuals who have been involved in internships over the past twenty years and would welcome their views. Along this line, I note particularly that the two House bills have completed public hearings and I gather that the political internships were not discussed one way or another in those hearings. The same condition may well be true at the Senate subcommittee level. I consider this to be both astonishing and unfortunate at the least, and I would urge that the House Committee on Education and Labor and the Senate Committee on Labor and Public Welfare solicit the professional opinions and testimony of a number of distinguished members of the academic community who might well be classified as knowledgeable and experienced if not expert on the subject of internships. I have attached a list of some of those persons for use as desired by sponsors, Committees, and Staffs (See, Appendix A).

8. Suggested Modifications.

1. That the legislative internship support program, at the national level be extended in scope to meet high priority fund needs in a variety of types of internships.

   a. Internships in the offices of Senators and Members of Congress are but one form of legislative internship. There is a great value in committee and subcommittee staff internships and with the possible exception of positions requiring security clearance, such posts should be available for service as desired by committee members and their staffs, with selection the responsibility of each Committee.

   b. For some years, the newly named Congressional Research Service has conducted a modest but highly successful summer intern program within its divisions (e.g., Foreign Affairs Division). It has not received fund support and interns have served without pay. Congress might well consider not only financial support, but expansion of this program within and under the direction of the CRS, as well as internships with the General Accounting Office.

   c. Departments of the Executive Branch maintain Congressional Liaison offices and staff. An intern program for such offices under the direction of the Executive Branch would be most useful.

   d. Established media organizations and interest groups with Congressional representation have had interns on occasion. Congress might well encourage expansion of such programs through legislation which would clearly exempt such groups from tax liability on income used in intern programs involving legislative relations at the national, state, and local levels.

   e. The Congress should include in any legislation, support provision for a limited number of internships with the National Committees of both major political parties, and with the respective party organization groups in the Congress (e.g., Congressional Campaign Committee). Such internships should be in addition to existing fellowship arrangements with the program of the American Political Science Association.

   f. The Congress should provide support funds for two types of intern groups related to the District of Columbia government. One such group would serve as interns with the District under a District devised and supervised program. The second intern group would function as legislative/liaison interns in a combined program involving D.C. Committee Staff service and the Office of the D.C. Mayor, program operations to be under the initiative and supervision of representatives from the staffs concerned.

   g. The present White House Fellowship Program bears many functional and purpose relationships with legislative internships (as expanded). Any general legislative intern program should include opportunities or occasions when joint meetings and exchanges of views may occur.

   h. Legislative internships may be separated into academic year, summer, and quarter, semester, or January term periods.

   i. Individuals, as interns, whose interests, talents, and programs are particularly well suited to further legislative experience, may be considered for additional intern activity in some capacity or role that is different in form, type, and office of assignment from previous experience.

j. Intern selection should remain within the responsibility of the individual Senator, Member of Congress, committee, and other organization. Any such individual or grouping, however, would be free to utilize the facilities of a Congressional Intern Office for selection purposes.

k. A Congressional Intern Office should be established headed by an individual with appropriate academic credentials and intern management experience. This officer and a staff would bear responsibility for:

1) Development and implementation of an enrichment program for all levels and types of legislative internships in consultation with the intern's academic representatives, the interns, a joint Congressional Advisory Committee, and the executive-administrative intern group supervisors. Such a program would involve lectures, observations, symposia, debates, etc. on aspects of procedural and substantive operations, policy and political considerations, relationships with other branches, interest groups, independent agencies, and other bodies. Program design would be general and specific. Interns would not be expected to attend or participate in all aspects. For those aspects which meet any intern needs, it would be expected that the intern's office would release the intern from assigned responsibilities.

2) Arrangements for program space.

3) Information, planning, evaluation, coordination, and liaison assistance as desired by home institutions of interns, academic advisers and supervisors, intern offices and their supervisory personnel, and other bodies; except that no evaluations data on particular interns or specific data on particular intern activity of which the Office may be aware shall be released by the Office except to the intern supervisor and the intern's academic adviser, and then only upon specific written request.

4) The Congressional Intern Office and later noted HEW operations should replace the National Coordinating Agency which has a number of potential disadvantages and is subject to criticism as it has been defined in the draft bills (See, Criticisms, infra.)

5) Funds should be provided for the establishment of the Congressional Intern Office and the Office must maintain the necessary financial records and report annually to Congress on its operations and expenditures.

6) Each member of the Senate and the House, the National Committees, and the party Congressional Commitees shall be authorized funds up to the equivalent of one intern for a twelve month year.

7) The number of interns and supporting funds for the Congressional Research Service, the General Accounting Office, and the office of Mayor of D.C. shall be determined after consultation with representatives from these bodies. In my opinion, the major divisions of the CRS could utilize and benefit from financial support for a total of 40 interns. This, however, is merely an enthusiastic opinion.

8) Participating Congressional Committees and Subcommittees should be authorized two interns, one selected by the minority party committee members and their staffs, the other by the majority party committee members and their staffs.

2. That the legislative internship support concept at the national level be expanded to include important groups of persons not covered in the present draft bills.

   a. The drafts limit internship to undergraduate students in institutions of higher education. There is as great a need to provide for intern opportunities for graduate students; for the primary and secondary school teacher in the social sciences and for the academician in institutions of higher education whose training has not included operational experience in government and politics; and for certain well-qualified students recently completing a secondary school education. Draft legislation should be modified accordingly.

3. That the internship support concept cover a broader portion of the practical experience spectrum than legislative/political internships.

   a. The Congress should eliminate draft provisions regarding state and local government internship support and requirements (see, Criticisms infra) and substitute a provision whereby the Department of Health, Education, and Welfare is authorized to approve grants to American colleges and universities for the establishment of:

      1) Summer institutes on the operations and practices of state and local government and politics. Such institutes would be of three types: one for the accredited primary and secondary school teacher, or college/university academician, who has not had practical training in government and politics and whose teaching responsibilities include instruction in government and politics; the second for selected students at the undergraduate and graduate levels; and the third for qualified students who have just received their secondary school credential (via examination or graduation) or who have successfully completed the eleventh grade. The major emphasis in such institutes would be upon observation, participation, and study through field work, field trips, internships, briefings, interviews, and conferences with elected and appointed officials and career personnel in the legislative, administrative/executive, and judicial agencies, departments, and divisions of state and local government. Participants would receive as well appropriate academic instruction linked with their experiences in methods and techniques of problem analysis; in decision-making, administrative and legislative behavior and their analyses; in systems and communication objectives, techniques, and analyses; and in application projection of their institute experience. The institute format would follow the established patterns for academic institutes from proposal to reporting as required by H.E.W.

      2) January term, semester or quarter intern grants for state and local legislative/executive internships, whichever occur during state and local legislative sessions to graduate or undergraduate institutions with academic programs providing course and/or field programs in state and local government. Program to be under the administration and supervision of the Department of Health, Education, and Welfare and centralized in application and distribution by state or regional committees of participating academic institutions in the pattern established by the regional units of the Citizenship Clearing House-National Center for Education in Politics. It is expected that

interns will undertake academic courses related to and simultaneous with their internships, and that interns will have a general background in the social sciences, specific theoretical background in area of any project assignment, and a demonstrated interest and capacity as seen through curricular and extracurricular activities.

This program should be established on a state and local government matching basis. While we recognize the importance of state and local governments to the life of American citizens, the national government cannot and should not provide the total support, desirable as it may be to have such programs at the state and local levels. If state and local governments are unwilling to participate on a matching basis, implicitly such a condition suggests that the program has either an insufficient priority or enthusiasm to warrant establishment.

It is suggested further that the operational costs are of such potential magnitude that this program should be initiated on a pilot and limited number basis in selected jurisdictions, as well as draw on the previous experience of many institutions and groups with such internships.

3) U. S. Congressional state office internships. The possibility of internships in the home offices of Members of the U. S. Senate and House of Representatives offers an opportunity for legislative intern experience which has some parallels and unique and useful distinctions from such training/service periods in Washington, D.C. For certain students, they will have particular value when the intern may combine his internship with home institution course training which may parallel and supplement the internship. For others, there will be the advantage of research projects involving personnel, agencies, data, and resources related to state affairs and more accessible within the state than in Washington, D. C. For some others, intern experience is possible only within their home area due to commitments to family, costs, and other factors. And for a number of educational institutions which cannot maintain or arrange for a faculty supervision representative in Washington, the Congressional state office internship permits necessary academic supervision.

The allocation, selection, and funding of such internships would remain essentially the same as with Washington Congressional internships, with the Congressional Intern Office providing such services as desired.

4) Problem/issue institutes. Large numbers of bright, alert, competent, and humanity dedicated student persons with capacities for leadership in this society find more utility and social political value in the research and analysis of aspects of national problems as well as in the development of legislation and administrative regulations appropriate to problem resolution. The authorization of and support for summer institutes, again under the supervision of Health, Education, and Welfare, which focus upon field work and practical experience in a number of such problem issue areas would be of great value to this country and the students involved.

The program of such institutes would, of course, cross national, state, and local lines in many instances, as they would cross, similarly, executive, legislative, judicial, and party divisions of government. Improvement of environmental quality, drug abuse problems, utilization of ocean resources, the quality and operations of mental health institutions, dyslexia and public education, problems of political socialization in urban centers and their surrounding suburbs, the problem of communications in government and politics at international and national levels, problems of consumer protection, poverty/welfare/life style problems, state and local juvenile (so-called delinquent) supervision and control problems, civil-military relations problems, aerospace problems--are but some of the general subjects which would benefit from institute analysis as well as provide significant training for the participants. The latter should include qualified teachers at the primary and secondary school levels, qualified members of the academic community from institutions of higher education, undergraduate and graduate students, and possibly recent secondary school graduates and rising seniors. Specific criteria for participation would vary with the subject problem/issue of any institute--which should be single topic oriented.

An institute concerned with water quality standards, for example, might draw its participants from students with major training in biology and chemistry, political science, economics, law and sociology. In fact, a multi-disciplinary mix is necessary, for considerable effective teaching is accomplished by and between students as Harold Taylor so well states in his volume, Students Without Teachers. Along with background instruction in the nature and scope of environmental problems generally and water quality problems in particular, a considerable period would be spent in field sampling and laboratory testing of a particular situation or water area. Evaluations would be made then as to water quality in terms of established national, state, and local standards. Lack of standards, defects in enforcement, enforcement, modifying draft legislation and/or regulation, public interest levels, etc. would be considered and developed as appropriate, the entire institute process thus exposing the participant to individuals, agencies, and groups; the multiplicity of their interests, capacities, and power; their amenability to change and along what lines and under what conditions--in short, significant and practical learning about problem solving in public affairs.

5) Administrative/executive internships. There have existed for some years a variety of intern programs with agencies in the Executive branch of the U. S. government, a number as well at the state government level, and a smaller number at the local level. They have had financial and program development support from: foundations (e.g., Coro Foundation); professional organizations (e.g., American Society for Public Administration); academic institutions at the graduate and undergraduate levels; business and public utilities; Executive Departments (e.g., White House Fellowship, 1967 pilot undergraduate intern program of Governor of Maryland); international organizations (e.g., United Nations) and mixed corporations with an international character (e.g., Comsat); interest and pressure groups (e.g., U. S. Chamber of Commerce and the AFL-CIO);agencies within executive branches at all levels (e.g., U. S. Departments of State and Navy, and state and local public health departments, zoning and planning offices, and election board offices).

In many instances, however, the intern absorbs all of his or her costs for there is no appropriation for such a program. In other cases, transportation may be paid by funds available in the home institution. In a great number of cases the academic institution must bear supervisory and administrative costs, as must the receiving agency. Occasionally, the intern may be paid a sustaining amount through the device of an authorized but unfilled position for which there are appropriated funds. In general, the patterns of support cross a broad spectrum as do the patterns of effectiveness and quality of programs (some are no more than temporary employment although named internships), and their variety and emphases (e.g., two and three step administrative internships--with one summer in a real estate agency, a second summer in a planning and zoning office, and a third summer with a public housing agency or a legislative committee--versus a one year graduate intern fellowship with a specific agency).

There are, of course, public and academic needs for these combined academic/practical training programs. There is evidence to suggest that such experiences provide: encouragement for entrance of some qualified persons into public service; a range and depth of understanding of the nature and processes of government which far exceeds theoretical exposure and may permit more effective action by individual citizens within and outside government; and a sensitivity and awareness of particular societal problems as well as their possibility and means of resolution.

The Congress should give serious consideration to ways by which this category of internships may be encouraged, enlarged, and supported. Needs range from providing quick means with write-off of costs for internships in position areas involving security clearance--to authorizing an intern program officer within those agencies which may usefully accommodate a number of interns.

4. The cost structure of all government supported intern programs needs to be carefully defined, a sort of cost-purpose-benefit analysis is surely warranted. A Washington legislative intern program providing $75 a week per intern, and assuming an intern for each Senator and Representatives--amounts to about $2.75 million dollars a year in terms of participant support alone. Summer institutes of 7-10 weeks duration along the lines discussed would cost from about $90 to $110,000 apiece or more for participants, staff, equipment, etc. We need to know how much is presently expended through private and public funds, in what ways, with what objectives and purposes (and whether purposes and objectives are met).

5. The assumptions, presuppositions, objectives, purposes, and needs for intern support programs must be carefully defined. As noted under Criticisms, "political leadership" is an imprecise and vague term. It cannot serve as a purpose description. Internships, moreover, must be more than merely practical involvement, political or otherwise, if they are to have educational value. Sorting mail, typing letters, and checking lists all summer with occasional visits to the House, Senate, or some Committee is not an internship. An internship requires careful planning and supervision of an educational/service program by all parties (intern supervisor, educational supervisor, and intern).

6. My final suggestion is severalfold: first that this bill be recommitted; second, that given Congressional interest, an appropriation and authorization be made for study, evaluation, and recommendations regarding internships in 1972, and third, that any study include experience data as well as comments and suggestions from legislators; academicians; administrators; institute,professional organization institution, and agency representatives with extensive experience in field work programs (e.g., internships, field work, observations, field operations research, etc.).

C. Criticisms

1. The assumptions, purposes, objectives, and needs of the Interns for Political Leadership Act are unstated. Bill passage, including a 30 million dollar appropriation from public funds is certainly not warranted given such deficiencies.

2. An assumption exists in the Title IX, Part D title "Interns for Political Leadership" that there is a significant relationship between internship with elected office holders and later demonstrated political leadership action of former interns. Available experience data does not validate this assumption (See, Bernard C. Hennessy, Political Internships: Theory, Practice, Evaluation, Penn State Studies 28 (University Park, Pa., The Pennsylvania State University, 1970, passim). The former "legislative" intern may be better informed, have a more balanced picture of the theory and practice of government, and be more effective as a teacher, research person, legislative/administrative assistant and as a responsible citizen--than the individual whose education is confined to the classroom. The same values exist and justify support for the administrative/executive intern; or for the person with intern/field work experience in interest or pressure groups, party organizations, private and quasi-public corporate bodies, or for the person with individual/group field project research and analysis. Indeed, given motivation, an individual may achieve such qualities and political leadership without benefit of practical experience. Voluntary service, personal political activism, high verbal skill, charisma, perceptiveness--have and do produce political leaders in this country without benefit of internship. This leads to two further questions, which are, at the same time criticisms.

3. The key terms in the draft bills are undefined. What is meant by political leadership? A potential major party elected or appointed officeholder? A professional person in legislative/executive structures? An informed citizen? A community leader? Or does the term refer to good political leadership? And what is that? "Political leadership" is a pious and simplistic phrase like being "against sin" and "for Mother." If intentions cannot be more precisely defined and justified, bill passage is unwarranted.

4. The single-track "political involvement" (whatever that means) intern draft legislation fails to recognize: the at least equal priority of concern for, and values in, other existing types of "political" internships; the even greater priority of need in terms of institute and intern field training for categories of critical persons not presently being trained and in terms of critical problem areas in this society; and the necessity to justify its value in light of many on-going legislative intern programs.

5. The proposal that the draft "political" intern program is to be planned, developed, and administered by a private, non-profit agency possesses the most unsavory implications, raising at the same time a number of questions.

   a. Who is sponsoring such an agency?
   b. Who will administer such an agency?
   c. Does the agency presently exist?
   d. If the agency exists, what has been its experience or that of its administering personnel in internships?
   e. If the agency does not yet exist except on paper or in nuclear form, what are the justifications to favor it with a contract over other private and experienced and established organizations, or over an office for such purposes in the Congress?

f. What are the particular advantages for such a program in this private, non-profit agency? Private gift expectation? Tax advantage presently exists for individuals or groups contributing to foundations and academic institutions for internships and other types of field work. Centralization? Centralization is not an advantage. It is discriminatory. What are the advantages?

g. What is the extent and what are the sources of private funding in this proposed non-profit agency (National Coordinating Agency), if any?

h. What costs are to be borne by participating academic institutions?

i. What are the proposed agency conditions which the Senator or Representative must follow regarding accepting any intern, permitting specification and/or supervision of intern functions, evaluating any internship, etc.?

j. Does the non-participation of a Senator or Representative in this particular program tied to the NCA imply that the Senator or Representative is denied funds to set up his own internship in his or her own way? If so, the legislation is a cudgel for conformity and is discriminatory.

k. Who in the NCA will make decisions as to what institutions and individuals participate, and what are the criteria for participation and selection? Delegated legislation on this subject is not desirable.

l. Who evaluates the quality of performance of any intern, and under what criteria, standards, and in what terms (grades?, pass?, written critical evaluation? etc.)? The NCA? The latter would be unacceptable to most institutions unless the NCA possessed some accredited condition as an educational institution.

m. Section 934 specifies that the NCA shall prescribe the duration, terms, and conditions of internships. This removes from academic institutions the necessary authority to determine what is desirable in a program sense, and limits the necessary flexibility in internships to meet particular student needs as well as those of departments and programs in different educational institutions. Even with an assumption of the best of intentions, Section 934 permits both governmental and NCA interference and interposition in the academic processes.

n. Section 934 specifies further that "the cost of administration of a program may be paid by such Agency (NCA)." What administrative costs? Those of supervising faculty from home institutions of interns (if allowed)? Those of the NCA? What are the limits? What costs are authorized for what purposes, and for whom? As written, this portion of Section 934 is virtually a <u>carte blanche</u> prescription up to and including NCA personnel "observation and discussion trips to home institutions," dinners, cocktail parties, generous honoraria and expenses for "consultants" and speakers, etc.

o. The concept of "commensurate credit for work and achievement" as well as who grants such credit is troublesome. Does the NCA have a positive role in credit? It should not. Both the draft and the NCA appear to have an undesirable negative role, for it is not necessary (and it occurs in a number of cases) that credit be given at all. Is an institution not granting formal academic credit barred from participation? If so, this constitutes interference.

p. Does HEW have the authority to inspect, criticize, modify, or terminate program and administrative aspects, expenditures, or relationships with the NCA at any time? If not, it should.

q. What reporting and accounting basis and form must be followed by NCA and what are to be the frequency of such reports? Nothing is said about accountability or liability in these draft bills.

r. There is an unhappy odor of political gamesmanship in the current drafts. The buck is being passed to the Executive Branch as a repository for the many criticisms which may be levied against the bill by making the <u>Act</u>

permissive. "The Secretary is authorized . . ." The Secretary is placed on the horns of a dilemma. He may, as the legislation is drafted, refuse to implement the Act and the NCA (and in my judgment, for a variety of good reasons). If he does refuse, the political charge may be made that the Administration or the President is giving "another example of lack of concern for young p@ople, etc." (while fallacious and refutable, it is good for some political media mileage). If he accepts, the Administration bears the responsibility for all ills emanating from a bill which is not well thought out, considered, or drafted.

s. Finally, given the level of financing and the lack of certain limits as well as some peculiar specifications, it places the NCA in an unfortunate and undesirable power center position which may influence state and local elected officials, the academic community, and the Congress.

6. The draft Act fails to meet the need for intern involvement of many important groups--in limiting the participants to undergraduate college/university students. There is at least as great a need for the primary and secondary social science teacher and for the junior, community, and four year college/university instructor in the social sciences whose formal/informal training has not included operational experience in government and politics; for graduate students; and for persons with a secondary school degree.

7. The draft Act falls into the major trap of regarding practical political education in a hierarchical framework--interning first with local-state officials and then, after graduation, in offices of Members of Congress. While such an approach may have held academic popularity in the classroom twenty or more years ago, it does not do so, generally today--in the classroom or in the field. We are concerned with legislative and administrative behavior, with decision making, with political socialization, with communications, etc.--and you do not need to run through the tiers of government to develop awareness of the conditions which prevail at all levels and their limits and strength, a situation which is aided and abetted by the mixed federalism orientation which continues to expand in this country. The proposed Act ignores the successful experiences of many academic institutions (e.g., Mount Holyoke, Wellesley, American, Amherst, Morgan State, Goucher, etc. since the early 1950's) in intern arrangements with U. S. Senators and Representatives for persons without state or local experience, as well as that of organizations such as the American Political Science Association and its valuable Congressional Fellowship Program where a number of Fellows have not had exposure at the other structural levels (nor the need or desire to do so).

8. In this same hierarchy vein, it should be noted that the draft Act fails to recognize that the number of worthwhile intern positions available at the elected office state and local levels are quite limited in practice. A large number of local councilmen and state legislators do not want interns; neither know what to do with interns nor are willing to take suggestions; assign interns trivia functions which are of limited value; do not have staff persons to delegate intern supervision; do not have space or facilities to accommodate interns; or possess personal attributes, attitudes, and political records which produces participatory refusal by a potential intern, abandonment of internship, or irritated and deserved feedback to the academic supervisor. There are some state and local elected official internships of value, to be sure, but the more useful practical arrangements at these levels may be found with interest groups, with commissions and committees (even legislative committees), in issue field research, etc. Any national or private support for state and local academic internships should allow for and encourage a variety of practical experiences, and should be under the coordination, arrangement and control authority of the academic institution and its responsible academic personnel--and not that of a National Coordinating Agency.

9. The draft Act does not consider that the interests of potential interns may not lie with the U. S. Congress, or a City Council, or a Mayor, a Governor, or a President. (Note: I assume that when the act speaks of elected officials it may include a County Surveyor, a Comptroller, a judge, or a dog catcher--if these are elected officials.) A major in international relations might be better served and be of productive value to society by internships with the Chamber of Commerce and the AFL-CIO on trade policy, the joint Economic Committee of Congress, and the International Finance Corporation. A political science major with a concern for national legislation would have a more valuable experience with internships in a House or Senate committee or subcommittee, a Senator's or Representative's office, with a lobbyist or Congressional liaison office from the Executive Branch, with a National Committee or Senatorial Campaign Committee, or with the Congressional Research Service. A biology major could find greater value in an internship with a state agency concerned with water pollution standards, the Conservation and Natural Resources Subcommittee of the House, the Environmental Protection Agency, and a corporate or research organization concerned with environmental standards and/or technology. An urban affairs and planning major might require internships with a developer (e.g., The Rouse Company), a city government planning unit, a City Council committee or Councilman concerned with planning, and an appropriate executive agency or Member of Congress. The point is that educational internships should be devised and coordinated with the student's academic programs and interests and such arrangements are best arranged and supervised and evaluated by an experienced academic person on an individual basis in the curricular framework of the student's institution.

10. I need not elaborate, I think, upon the problems of Congressional internships. There is the problem of physical space. There is the problem of selection and supervision. There is the irritating problem of competing candidates--children of supporting constituents, volunteer candidates as opposed to paid candidates, candidates from competing institutions with practical political education programs, etc. There is the up-coming problem that intern candidates are not merely students (for the most part), but may now be constituents and voters. There is the problem that many candidates, while very fine people, do not have the background or training to be very useful to the legislator. Indeed, even candidates with strong backgrounds are often of limited value for an initial period.

Given these difficulties, there is still the need, however, for the legislator and his staff to make personal choices from a wide range of candidates--students, non students, etc. The legislator may desire a person committed to his or her Party, as well as to the legislator. The legislator may want an individual from a particular location in his or her State, or one who possesses a particular knowledge or competency, or one or more of a certain ethnic background or one who will be willing to work 70 hours a week or more. The legislator or other elected official must be free to make such choices (whether good or bad) in his or her own way (e.g., a screening committee of his or her own choice, via an administrative assistant, etc.). The draft Act appears to limit such freedom of action.

Brownlee Sands Corrin

Brownlee Sands Corrin

14 June 1971

APPENDIX A

A partial list of academic persons with experience in, or knowledge of interne programs, whose opinions and/or testimony would be of value regarding legislative proposals concerning internships in government and politics (Note: addresses listed may not be current.).

Dean Totton J. Anderson, Dean, Division of Social Sciences, College of Letters, Arts and Sciences, University of Southern California, Los Angeles, California.

Professor Hugh A. Bone, Department of Political Science, University of Washington, Seattle, Washington.

Professor Macalister Brown, Department of Political Science, Williams College, Williamstown, Massachusetts.

Professor Franklin L. Burdette, Director, Bureau of Government Research, University of Maryland, College Park, Maryland.

Professor G. James Fleming, Department of Political Science, Morgan State College, Baltimore, Maryland.

Col. J. Steele Gow, former Executive Director(retired) of the Maurice and Laura Falk Foundation of Pittsburgh, 119 Yorkshire Drive, Pittsburgh, Pennsylvania.

Professor Emeritus Joseph P. Harris, Department of Political Science, University of California, Berkeley, California (1020 Lassen St., Berkeley, California.).

Professor Bernard C. Hennessy, Department of Political Science, Pennsylvania State University, University Park, Pennsylvania.

Professor Donald G. Herzberg, Director, Eagleton Institute of Politics, Rutgers University, New Brunswick, New Jersey.

Professor Robert J. Huckshorn, Department of Political Science, Florida Atlantic University, Boca Raton, Florida.

Professor Edward G. Janosik, Chairman, Department of Political Science, State University of New York at Geneseo, Geneseo, N.Y..

Dr. Evron M. Kirkpatrick, Executive Director, American Political Science Association, 1527 New Hampshire Avenue, NW, Washington, D.C..

Professor Earl Latham, Chairman, Department of Political Science, Amherst College, Amherst, Massachusetts.

Professor Arthur Naftalin, School of Public Affairs, University of Minnesota, Minneapolis, Minn.

Professor Howard Penniman, Department of Government, Georgetown University, Washington, D.C.

Professor Arthur L. Peterson, President, American Institute for Foreign Trade, Box 191, Phoenix, Arizona.

Professor Dwynal B. Pettengill, Department of Political Science, Eastern Kentuck University, Richmond, Kentucky.

Professor E.E. Schattschneider, Department of Political Science, Wesleyan University, Middletown, Connecticut.

Professor Victoria Schuck, Department of Political Science, Mount Holyoke College, South Hadley, Massachusetts.

Dr. Rhoten A. Smith, President, Northern Illinois University, DeKalb, Illinois.

Dr. Albert Somit, Chairman, Department of Political Science, State University of New York at Buffalo, Buffalo, New York.

Professor Philip S. Wilder, Jr., Department of Political Science, Wabash College, Crawfordsville, Indiana.

Dr. George H. Williams, President, American University, Washington, D.C.

Dr. Robert C. Wood, Chancellor, University of Massachusetts, Amherst, Massachusetts.

ADVANCING VOLUNTARY LEADERSHIP IN A CHANGING WORLD

Chamber of Commerce of the United States
LEGISLATIVE ACTION GENERAL MANAGER
HILTON DAVIS
202-659-6140

1615 H STREET, N.W.
WASHINGTON, D.C. 20006

June 16, 1971

The Honorable Claiborne Pell
Chairman, Subcommittee on Education
Labor and Public Welfare Committee
United States Senate
Washington, D. C. 20510

Dear Mr. Chairman:

COPY

The National Chamber appreciates this opportunity to present our views to your subcommittee as it develops a legislative program designed to assist colleges and universities in a period of financial stress.

The business community, as you know, has long been an advocate and supporter of higher education. Indeed, estimates are that business support for higher education increased from $150 million in 1949 to $375 million in 1969.

We have reviewed a number of higher education bills, specifically S. 659, your own bill; S. 1062, S. 1072, S. 1073, and S. 1074, by Senator Javits; and S. 1123, by Senator Prouty.

This review prompts, first, some general observations.

Although some people contend the current problems in higher education are entirely financial, the National Chamber believes that the financial problems of colleges and universities are symptomatic of deep-seated conditions, the cure for which is not massive doses of financial antibiotics, however ingeniously applied.

This, of course, does not deny that there is a fiscal problem in higher education. However, it does suggest a need for serious reforms, as well as financial aid.

Unfortunately, most of the proposed bills make little provision for educational reform -- reform which most thoughtful people, in and out of the profession, believe is critically needed. And the reforms that have been advanced are scant in details. We think programs and incentives for reform in higher education should receive high priority.

All of the bills seem to assume that virtually everyone should go to college. We think this is a highly questionable assumption. The dropout rate among college students, the incidence of drug use among college students, and other symptoms of disaffection among the young indicate there is something disturbingly out of joint in the notion that more and more young people should be encouraged -- and even coerced -- into going to college.

This in no way argues against development of relevant post-secondary education programs as enunciated by Representatives Green, Quie, and Pucinski, Senator Javits, and others on several occasions. The renewed interest in career or occupational education is clearly a step in the right direction. But college has been oversold. We have diluted the quality of higher education by confusing higher education with more education.

Much of the fiscal difficulty incurred by colleges and universities is due in large measure to the absence of cost-effectiveness thinking by college officials. The principal reason for this is that they have not been subjected to competitive pressures to develop more effective, relevant education for less money. The scorning of cost-effectiveness and reform in higher education is best illustrated by the demands for federal, "no strings attached" financial aid by higher education organizations. Clearly, performance-based accountability demands should be placed upon colleges and universities.

As for the legislation on which you are now working, we ask that you consider the following specific points:

Institutional aid: Institutional aid should not be unrestricted, but should be tied to conditions for reform and accountability. Higher education institutions should be encouraged to apply the principles of cost accounting to their operations. Certainly, institutions seeking aid should demonstrate they are operating as efficiently as possible. Taxpayers should not be asked to subsidize low productivity in the colleges.

Student grants: The National Chamber supports student assistance through loans and other means, but it does not favor federal student assistance grants, to "guarantee" higher education.

Guaranteed higher education will dull initiative and ambition, and eliminate the necessity for commitment or sacrifice. It will destroy what is currently, to some degree, a natural selection process which assures that the strongly motivated student will seek higher education.

College and university tuitions should be adjusted to levels more commensurate with the actual costs of providing such education. Tuition rebates or other desirable forms of assistance should be available, as alternatives to federal grants, to qualified students with limited financial resources.

Loans: More opportunities should be provided for students to secure low interest loans. It is essential in setting up such programs that banking associations be consulted. Use of private lending institutions should be encouraged.

Work study: We support Representative Edith Green in her emphasis on self-help. This is an area that has been too long neglected. Programs of social services, which many of our youth are requesting, could be expanded, providing both remuneration for students and benefits to society.

Aimlessness in our young is, unfortunately, far too prevalent. There is nothing wrong in working for an education; it is wrong, however, to foreclose opportunities for higher education for motivated young people.

Planning grants for community colleges: Support should be given to states to assist them in planning for the establishment of community colleges with adequate provision for occupational programs.

We recognize the many complexities inherent in higher education legislation. The action of the 92nd Congress will set the course, not only for the life of the Act, but for a generation. The choice is whether we will have dry-well legislation which puts precious resources into programs in sore need of reform -- or whether we will seize upon the current crisis in education to develop new directions.

We will appreciate your consideration of these recommendations and we request that this letter be made a part of the hearing record on this legislation.

Cordially,

Hilton Davis

Hilton Davis
General Manager
Legislative Action

cc: Members of the
Senate Labor and Public Welfare Committee
Stephen Wexler, Subcommittee Counsel

3074

College of Saint Teresa
Winona, Minnesota 55987

APR 7 1971

The Honorable Claiborne Pell
U. S. Senator
Senate Office Building
Washington, D. C. 20510

Dear Senator Pell,

This brief letter is meant to tell you of my strong support for the bill proposed by Senator Mondale, S. 1161. It is a realistic and notable attempt to make post-secondary education available for more and more of our young people.

I urge you to support this bill and to urge your colleagues to do so, also.

Very sincerely yours,

Sister Joyce Rowland

Sister M. Joyce Rowland, O.S.F.

April 2, 1971

Office of the President
507 452·9302

NEW YORK UNIVERSITY
University Heights Center
UNIVERSITY HEIGHTS, BRONX, N.Y. 10453
AREA 212 584-0700

Student Activities
Heights Graduate Student Council
(Includes all Engineering and science)

May 14, 1971

Senator Clairbourne Pell
Senate Building
Washington D.C. 20515

Dear Senator Pell,

I support and urge passage of the two Education Aid Programs now in legislation.

Enclosed is a petition signed by thiry (30) student government leaders at NYU who also urge and support passage of the two Education Aid Programs, one of which is your bill calling for aid to disadvantaged students. A copy of this has also been sent to the President of New York University James Hester, senators of the New York State, and congressmen from the New York City Area.

Sincerely,

Richard H. Dodge

Richard H. Dodge
President and Chairman
Heights Graduate Student Council

cc Those mentioned

Enclosure Signed petition of 30 student government leaders.

TO: SENATOR CLAIRBOURNE PELL

May 13, 1971

To: President James Hester
New York University

CC: Senator William Buckley
Senator Jacob Javits
All Congressmen of NYC Area

Disposition: To be forwarded to Washington, D.C.

Subject: Support of Two Education Aid Programs Now in Legislation

We, the undersigned, student government leaders of NYU, support and urge passage of two educational aid programs now under legislative scrutiny. They are Congressman Green's bill (HR7248) providing $3.5 million and Senator's Pell's bill calling for aid to disadvantaged students.

NAME	TITLE	SCHOOL OR COLLEGE
Richard H Dodge	President & Chm	Graduate Engr & Science
Carlos Gonzalez	Chm	Graduate Public Admin
Peter J. Markey	Senator-~~Ch~~	Education - undergrad.
Barry S. Adelman	VP & Senator ~~President~~	Education - grad div.
Paul M. Gordon	President, GSO -	GRADUATE EDUCATION
Joanne Sorrenson	Senator	School Cont Ed.
Elta B Valde	Senator	School of Com
Joe Levy	Rep. Commerce Council	Commerce
Beverly Jeffkins	Senator	Grad. Fr[illegible]
Donald Sloatny	President, AUSC	University College
Roslyn Desmond	Senator	Grad. Pub. Admin
Jeffrey Leeds	Senator, College of Dentistry	
Fredericka J. Sulek	Univ. Senator	Univ. College
Jerry S. Goldman	University Senator-elect	" "
Larry Kolon	Treasurer Univ Coll.	" "
Harvey Shapiro	President	" "
Jane Jacobs	Alt. Senator	University college
Donald M. Doering	President	Washington Square College

NAME	TITLE	SCHOOL OR COLLEGE
[illegible]	GSAS President	Graduate Arts & Science
Trudy [illegible]	GSAS Rep. [illegible]	[illegible]
[illegible]	[illegible]	[illegible]
Bob Muddlove	WSC Senator	
Harold F. [illegible]	President	Graduate School of Business Administration
[illegible]	Senator	[illegible]
Philip H. Dalton	Pres. of all Sg. Student Congress	
Dennis A. Estes	Senator & Executive Secretary	Law School
Tom [illegible]	SBA President	Law School
Robin Schimminger	SGA Vice President	Law School
Daniel L. Rubenstein	~~School of Arts~~ Senator	School of Arts
Randi Wershba	Representative	School of the Arts

State of Mississippi
DEPARTMENT OF EDUCATION
G. H. JOHNSTON, SUPERINTENDENT

DIVISION OF VOCATIONAL AND TECHNICAL EDUCATION
A. P. FATHERREE, DIRECTOR
P. O. BOX 771
JACKSON, MISS. 39205

June 18, 1971

The Honorable Claiborne Pell
United States Senate
Washington, D. C.

Dear Senator Pell:

It is becoming increasingly difficult for local and state agencies to fund Industrial Arts at the level it should be supported. There are more than 25,000 boys and girls enrolled in Industrial Arts classes in Mississippi each year and we feel that they are entitled to receive the best possible program our nation can offer in studying our Industrial culture and its technology.

We also feel there is a very definite need for clarification on the intent of Congress on the inclusion or exclusion of Industrial Arts in the 1968 Vocational Education Act. It is the feeling among many Industrial Arts educators that Congress did intend to include funding of Industrial Arts in the 1968 Vocational Education Act; however, at this point no funds from the Act have been used for Industrial Arts. It seems that the broadening of Vocational Education goals and the downward extension of the vocational program to the elementary school are creating, in principle if not practice, a duplication of educational effort in Vocational Education and general education.

I would like to request your consideration and support for the testimony presented by the American Industrial Arts Association on April 23, 1971, to the Labor and Welfare Subcommittee on Education of the United States Senate. This testimony was presented by Dr. Edward Kabakjian, Executive Secretary of the American Industrial Arts Association.

I would appreciate any assistance you might be able to provide. Thank you for your continued cooperation.

Sincerely yours,

Larry L. Godfrey

Larry L. Godfrey
State Supervisor
Industrial Arts

LLG:as

VANDERBILT UNIVERSITY
NASHVILLE, TENNESSEE 37203
TELEPHONE 322-7311 AREA 615
Office of the Provost • Direct phone 322-2531

February 17, 1971

The Honorable Claiborne Pell
Chairman
Subcommittee on Education
United States Senate
Washington, D. C. 20510

Dear Senator Pell:

Before he began a brief leave of absence, Chancellor Heard asked me to respond to your request for comments on your bills S.366 and S.1969. I am happy to do so now.

Although its administration would be more complex than S.366, the plan provided in S.1969 is more advantageous:

1. It maintains the principle that the amount of scholarship aid offered students should take their financial need into account. Despite our extensive progress in this respect, economic disability remains a major barrier to the ambitions of many young people who seek and would profit from receiving a formal post-high school education. The mechanism proposed in S.1969 would effectively reduce the height of that threshhold.

2. The formula you suggest avoids the inequity to lower middle-income families of a fixed family income ceiling. Adjusting the scholarship payment by the amount of income tax paid introduces substantial flexibility without excessive complication. It is an elegant solution to the problem.

3. Additional flexibility is introduced by the provision of supplementary grants.

4. The cost of education allowances recognize the gap which separates charges to students and instructional expenditures. I hope that, if adopted, the ceiling on this allowance might be elevated, but for the present I take encouragement from the prospect that institutional grants for this purpose might be established.

5. In the long run, the wide availability of high quality post-secondary education will depend on a broad variety of forms of Federal support. Despite the political liabilities higher education has recently acquired, scholarship grants to students appear at this point to have high public acceptance. This condition escalates the importance of your proposal and its value to American higher education at large.

I understand that within the last few days you have introduced new legislation incorporating the provisions of S.1969, and I applaud that action. Your energetic and well-informed leadership on our behalf elicits admiration and gratitude from me and everyone in academic life who knows what you are doing.

With many thanks and best wishes,

Sincerely yours,

Nicholas Hobbs
Provost

NH:cap

THE FLORIDA STATE UNIVERSITY
TALLAHASSEE 32306

COLLEGE OF ARTS AND SCIENCES
OFFICE OF THE DEAN

April 8, 1971

Senator Claiborne Pell
Committee on Labor and Public Welfare
United States Senate
Washington, D.C. 20510

Dear Senator Pell:

Thank you for the copy of your remarks attendant upon the introduction of Senate Bill S. 659 and the opportunity you allow me to extend my comments concerning that bill. I welcome the chance to amplify my feeling as to the adequacy of the proposed "Educational Opportunity Grant".

Since 1960 in response to the "baby boom" which followed the Second World War, colleges and universities have been "bootstrapping" in an attempt to provide facilities and faculties in order to meet the social needs of more students. Concurrently, greater proportions of high school graduates have continued their education thus increasing the burdens and opportunities for colleges and universities. The students, however, typically arrive in advance of the funding of facilities and faculties; in a period of continuously rising costs the service institutions have had to provide an increase in the cost of higher education not borne by the student. Toward the end of the decade funding sources--federal, state or endowment--began to stabilize and increases in the operating costs of the institutions reflected sharp rises due to inflation and were transmitted to the student as a sharp increase in his costs.

At The Florida State University, for instance, student estimated costs have risen from $1700 in the 1967-68 academic year to $2100 for the 1971-72 year, a 24 per cent rise in the cost to the student in a four year period.

If we may take this university as a fair average of colleges in this country, then the cost to the student of higher education is almost double that proposed for the poorest people in our society under Senate Bill S. 659. For those whose family pay no federal income tax a $1200 grant would provide a grant of half the cost only of attending a state university although the grant might be utilized by certain offspring of very wealthy families who pay no federal income tax.

In most poor families a grant of half cost is likely to be the equivalent of no grant at all as support for the other costs are lacking. As the basic grant decreases with family ability to pay the same stricture applies to lower middle class families; that is, the aid offerred is not enough to meaningful to the student and will

ot result in significantly increasing his chances of attending the chool of his choice.

One other consequence would appear to follow from this concept. To ake the aid meaningful a student could be directed to a "low-cost" local nstitution, that is, a community college or junior college. This must nevitably lead to increased establishment and expansion of such institutions, uplicating facilities which already exist at the extant residential insti- utions. When one combines this new building with the present strain on ocal and state educational budgets, severe problems become apparent.

A second consequence follows from analysis of productivity of present nstitutions of this sort. The drop-out rate is extremely high, approaching 0 to 80 per cent of the entering class in the college parallel programs, hile the vocational-technical facilities of these institutions are urrently under-utilized as a result of student choice.

We face the distinct possibility of creating a two-tier system: one unded by the educational grant which you propose, for primarily local raining of disadvantaged students, and a (primarily) residential four ear system for wealthier students. Such a dichotomy seems to me to be o increasing polarization of class groups in a society already hyper- olarized.

If my analysis is in most part correct, and I believe the data will upport my suppositions, what might be done to modify S. 659 so that its bjectives, which have my full support, will be achieved? I would propose he following two modifications. (1) The level of support must be raised o that it truly represents an attempt to provide education as a matter f right. Given the realities of our present society, such a level should e almost double that proposed in S. 659. (2) The model of support might ery well be changed to conform to that of the post-World War II GI Bill. n such a model the student grant provides living expenses to the student hich would be constant at whatever institution he chooses to attend, ogether with an institutional grant covering the cost of tuition. Such an pproach would give the student a choice of institution not currently vailable and would avert the probability of construction of a dual system, ne for poor and another for economically well-endowed students.

Given the demographic curve, it would avoid the construction of new acilities which would contribute to under-utilization of already existing acilities, and would also allow the student clear choice not dictated by conomic necessity. As a marginal benefit it would also lead to more esirable "mix" of students on campuses, rather than a segregation by class eminiscent of the twenties and thirties.

In summary, I believe that the objectives of S. 659 are commendable ut the proposed means of attaining these objectives have some severe rawbacks. I urge consideration of an alternate model which has proved ffective in the past.

Sincerely,

Martin Roeder

Martin Roeder, Ph. D.